United States Bankruptcy Court District of Kansas					Volu	untary Petition		
Name of Debtor (if individual, enter Last, First, Middle):  Cunningham, Craig A			Name of Joint Debtor (Spouse) (Last, First, Middle):  Cunningham, Kim S					
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):						Joint Debtor ind trade names)		years
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all): <b>9691</b>			Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all): <b>8984</b>					
Street Address of Debtor (No. & Street, City, State & Zip Code):  14602 Granada Leawood, KS			Street Address of Joint Debtor (No. & Street, City, State & Zip Code):  14602 Granada Leawood, KS					
		ZIPCODE <b>66224</b>						ZIPCODE <b>66224</b>
County of Residence or of the Principal Place of Business:  Johnson			County of Residence or of the Principal Place of Business:  Johnson					
Mailing Address of Debtor (if different from street address)			Mailing Address of Joint Debtor (if different from street address):					
	ZIPCODE							ZIPCODE
Location of Principal Assets of Business Debtor (if d	ifferent from str	eet address ab	ove):				_	
			_					ZIPCODE
Type of Debtor (Form of Organization) (Check one box.)  ✓ Individual (includes Joint Debtors)  See Exhibit D on page 2 of this form.  Corporation (includes LLC and LLP)  Partnership  Other (If debtor is not one of the above entities, check this box and state type of entity below.)	Nature of Business (Check one box.)  ☐ Health Care Business ☐ Single Asset Real Estate as defined U.S.C. § 101(51B) ☐ Railroad ☐ Stockbroker ☐ Commodity Broker ☐ Clearing Bank ☑ Other  Tax-Exempt Entity (Check box, if applicable.) ☐ Debtor is a tax-exempt organization Title 26 of the United States Code (		e as defined in Entity pplicable.) organization of tates Code (the	under	Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box.)  Chapter 7			
Filing Fee (Check one box)				Chapter 11 Debtors				
☐ Filing Fee to be paid in installments (Applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee ☐ Debtor's			box: a small business debtor as defined in 11 U.S.C. § 101(51D). a not a small business debtor as defined in 11 U.S.C. § 101(51D). aggregate noncontingent liquidated debts owed to non-insiders or affiliates are less 43,300 (amount subject to adjustment on 4/01/13 and every three years thereafter).					
☐ Filing Fee waiver requested (Applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.  Check all appl ☐ A plan is be ☐ Acceptances			oplicable box being filed w	tes:  ith this point were so	etition			
				THIS SPACE IS FOR COURT USE ONLY				
Estimated Number of Creditors			001- 000	25,001- 50,000		50,001- 100,000	Over 100,000	_
<u> </u>			0,000,001 to 00 million	\$100,00 to \$500	0,001	\$500,000,001 to \$1 billion	More than	
Estimated Liabilities			0,000,001 to 00 million	\$100,00 to \$500	0,001	\$500,000,001 to \$1 billion	More than \$1 billion	,

B1 (Official Form 1) (4/10)		Page 2
Voluntary Petition (This page must be completed and filed in every case)	Name of Debtor(s):  Cunningham, Craig A &	Cunningham, Kim S
Prior Bankruptcy Case Filed Within Last 8	<b>Years</b> (If more than two, atta	ach additional sheet)
Location Where Filed: <b>None</b>	Case Number:	Date Filed:
Location Where Filed:	Case Number:	Date Filed:
Pending Bankruptcy Case Filed by any Spouse, Partner or	Affiliate of this Debtor (If	more than one, attach additional sheet)
Name of Debtor: See Schedule Attached	Case Number:	Date Filed:
District:	Relationship:	Judge:
Exhibit A To be completed if debtor is required to file periodic reports (e.g., forms 0K and 10Q) with the Securities and Exchange Commission pursuant to ection 13 or 15(d) of the Securities Exchange Act of 1934 and is equesting relief under chapter 11.)  Exhibit A is attached and made a part of this petition.  Exhibit B  (To be completed if debtor is an individual whose debts are primarily consumer debts.)  I, the attorney for the petitioner named in the foregoing petition, that I have informed the petitioner that [he or she] may proceed chapter 7, 11, 12, or 13 of title 11, United States Code, and explained the relief available under each such chapter. I further that I delivered to the debtor the notice required by § 342(b) Bankruptcy Code.		
	Signature of Attorney for Debtor	(s) Date
Exhi  (To be completed by every individual debtor. If a joint petition is filed, e  Exhibit D completed and signed by the debtor is attached and manual of this is a joint petition:		attach a separate Exhibit D.)
▼ Exhibit D also completed and signed by the joint debtor is attach	ed a made a part of this petition	1.
<ul> <li>✓ Debtor has been domiciled or has had a residence, principal place preceding the date of this petition or for a longer part of such 180</li> </ul>	days than in any other District	i.
☐ There is a bankruptcy case concerning debtor's affiliate, general☐ ☐ Debtor is a debtor in a foreign proceeding and has its principal pl or has no principal place of business or assets in the United States in this District, or the interests of the parties will be served in reg	ace of business or principal ass but is a defendant in an action or	ets in the United States in this District, r proceeding [in a federal or state court]
Certification by a Debtor Who Reside (Check all app  Landlord has a judgment against the debtor for possession of debtor	licable boxes.)	
(Name of landlord or less	or that obtained judgment)	
(Address of lar	dlord or lessor)	
☐ Debtor claims that under applicable nonbankruptcy law, there are the entire monetary default that gave rise to the judgment for pos		
Debtor has included in this petition the deposit with the court of filing of the petition.	any rent that would become du	e during the 30-day period after the
☐ Debtor certifies that he/she has served the Landlord with this cert	tification. (11 U.S.C. § 362(1)).	

### **Voluntary Petition**

(This page must be completed and filed in every case)

Name of Debtor(s):

Cunningham, Craig A & Cunningham, Kim S

### **Signatures**

### Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under Chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United State Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X /s/ Craig A Cunningham

Signature of Debtor

Craig A Cunningham

X /s/ Kim S Cunningham

Signature of Joint Debtor

Kim S Cunningham

Telephone Number (If not represented by attorney)

April 28, 2010

Date

### Signature of Attorney\*

# X /s/ Mark J. Lazzo

Signature of Attorney for Debtor(s)

mark@lazzolaw.com

Mark J. Lazzo 12790 Mark J. Lazzo, P.A. Mark J. Lazzo 3500 N Rock Rd, Building 300, Ste B Wichita, KS 67226-0000 (316) 263-6895 Fax: (316) 264-4704

### April 28, 2010

Date

Date

\*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

### Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

### Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

Date

- ☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached.
- ☐ Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

ignature of	Foreign Represe	entative	
rinted Name	e of Foreign Re	presentative	

### **Signature of Non-Attorney Petition Preparer**

I declare under penalty of perjury that: 1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; 2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h) and 342(b); 3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social Security Number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)

Х

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above.

Date

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. § 110; 18 U.S.C. § 156.

IN	$\mathbf{RE}$	Cunningham,	Craig	Α&	Cunningham,	Kim	S
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Debtor(s)

# **VOLUNTARY PETITION Continuation Sheet - Page 1 of 1**

Case No. \_

Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor:

Name of Debtor: Hitchin Post Steak Company

Case Number: 09-12308 Date Filed: 7/21/2009 District: Kansas Relationship: Affiliate Judge: Nugent

Name of Debtor: HP Distribution LLC

Case Number: 09-12310 Date Filed: 7/21/2009 District: Kansas Relationship: Affliiate Judge: Nugent

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## United States Bankruptcy Court District of Kansas

IN RE:	Case No
Cunningham, Craig A	Chapter 11
Debtor(s)	
EXHIBIT D - INDIVIDUAL DEBTOR'S CREDIT COUNSELIN	
Warning: You must be able to check truthfully one of the five stat do so, you are not eligible to file a bankruptcy case, and the court whatever filing fee you paid, and your creditors will be able to re- and you file another bankruptcy case later, you may be required to stop creditors' collection activities.	can dismiss any case you do file. If that happens, you will lose sume collection activities against you. If your case is dismissed
Every individual debtor must file this Exhibit D. If a joint petition is file one of the five statements below and attach any documents as directed	
1. Within the 180 days <b>before the filing of my bankruptcy case</b> , the United States trustee or bankruptcy administrator that outlined th performing a related budget analysis, and I have a certificate from the a certificate and a copy of any debt repayment plan developed through	e opportunities for available credit counseling and assisted me in agency describing the services provided to me. Attach a copy of the
2. Within the 180 days <b>before the filing of my bankruptcy case</b> , the United States trustee or bankruptcy administrator that outlined the performing a related budget analysis, but I do not have a certificate from a copy of a certificate from the agency describing the services provide the agency no later than 14 days after your bankruptcy case is filed.	e opportunities for available credit counseling and assisted me in m the agency describing the services provided to me. <i>You must file</i>
☐ 3. I certify that I requested credit counseling services from an approduce approach to the time I made my request, and the following exigent crequirement so I can file my bankruptcy case now. [Summarize exigent counterpart of the counterp	circumstances merit a temporary waiver of the credit counseling
If your certification is satisfactory to the court, you must still obtayou file your bankruptcy petition and promptly file a certificate fro of any debt management plan developed through the agency. Failucase. Any extension of the 30-day deadline can be granted only for also be dismissed if the court is not satisfied with your reasons for counseling briefing.	om the agency that provided the counseling, together with a copy are to fulfill these requirements may result in dismissal of your r cause and is limited to a maximum of 15 days. Your case may
<ul> <li>□ 4. I am not required to receive a credit counseling briefing because motion for determination by the court.]</li> <li>□ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by of realizing and making rational decisions with respect to finar</li> <li>□ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically i participate in a credit counseling briefing in person, by telephotal Active military duty in a military combat zone.</li> </ul>	reason of mental illness or mental deficiency so as to be incapable acial responsibilities.); mpaired to the extent of being unable, after reasonable effort, to
5. The United States trustee or bankruptcy administrator has determined apply in this district.	nined that the credit counseling requirement of 11 U.S.C. § 109(h)
I certify under penalty of perjury that the information provided a	above is true and correct.
Signature of Debtor: /s/ Craig A Cunningham	
Date: April 28, 2010	

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## United States Bankruptcy Court District of Kansas

IN RE:	Case No
Cunningham, Kim S	Chapter 11
Debtor(s)  EXHIBIT D - INDIVIDUAL DEBTOR  CREDIT COUNSELIN	
Warning: You must be able to check truthfully one of the five sta do so, you are not eligible to file a bankruptcy case, and the cour whatever filing fee you paid, and your creditors will be able to re and you file another bankruptcy case later, you may be required to stop creditors' collection activities.	tements regarding credit counseling listed below. If you cannot t can dismiss any case you do file. If that happens, you will lose esume collection activities against you. If your case is dismissed
Every individual debtor must file this Exhibit D. If a joint petition is filence of the five statements below and attach any documents as direct	
☐ 1. Within the 180 days <b>before the filing of my bankruptcy case</b> the United States trustee or bankruptcy administrator that outlined the performing a related budget analysis, and I have a certificate from the certificate and a copy of any debt repayment plan developed through	he opportunities for available credit counseling and assisted me in agency describing the services provided to me. Attach a copy of the
2. Within the 180 days <b>before the filing of my bankruptcy case</b> the United States trustee or bankruptcy administrator that outlined the performing a related budget analysis, but I do not have a certificate from the agency describing the services provide the agency no later than 14 days after your bankruptcy case is filed.	the opportunities for available credit counseling and assisted me in om the agency describing the services provided to me. You must file to you and a copy of any debt repayment plan developed through
3. I certify that I requested credit counseling services from an apprehause from the time I made my request, and the following exigent requirement so I can file my bankruptcy case now. [Summarize exigent part of the country of the	circumstances merit a temporary waiver of the credit counseling
If your certification is satisfactory to the court, you must still ob you file your bankruptcy petition and promptly file a certificate fr of any debt management plan developed through the agency. Fai case. Any extension of the 30-day deadline can be granted only for	om the agency that provided the counseling, together with a copy lure to fulfill these requirements may result in dismissal of your
also be dismissed if the court is not satisfied with your reasons counseling briefing.	
of realizing and making rational decisions with respect to fina	reason of mental illness or mental deficiency so as to be incapable ancial responsibilities.);
<ul> <li>Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically participate in a credit counseling briefing in person, by teleph</li> <li>Active military duty in a military combat zone.</li> </ul>	impaired to the extent of being unable, after reasonable effort, to one, or through the Internet.);
5. The United States trustee or bankruptcy administrator has deterdoes not apply in this district.	rmined that the credit counseling requirement of 11 U.S.C. § 109(h)
I certify under penalty of perjury that the information provided	above is true and correct.
Signature of Debtor: /s/ Kim S Cunningham	
Date: <b>April 28, 2010</b>	

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## United States Bankruptcy Court District of Kansas

IN RE:		Case No.		
Cunningham, Craig A & Cuni	ningham, Kim S	Chapter <b>11</b>		
	Debtor(s)	•		
	VERIFICATION OF CREDITOR M	MATRIX		
The above named debtor(s) h	nereby verify(ies) that the attached matrix listing c	reditors is true to the best of my(our) knowledge.		
Date: April 28, 2010	Signature: /s/ Craig A Cunningham			
	Craig A Cunningham	Debtor		
Date: April 28, 2010	Signature: /s/ Kim S Cunningham			
	Kim S Cunningham	Ioint Debtor, if any		

All Points Capital Corporation 275 Broadhollow Rd Melville NY 11747

Bank Of America Mastercard PO Box 15019 Wilmington DE 19886

Capital One Bank PO Box 30285 Salt Lake City UT 84103

Carondelet Health
Care Payment
5300 Meadow Rd Ste 400
Lake Oswego OR 97035

CHUBB Group Of Insurance Companies PO Box 7247 Philadelphia PA 19170

CIT Lending Services Corp PO Box 1529 Livingston NJ 07039

CIT Small Business Lending Corporation 640 Plaza Drive Ste 200 Highlands Ranch CO 80129

Computerway Food Systems Inc PO Box 5623 High Point NC 27262

Core First Bank PO Box 5049 Topeka KS 66605 First State Bank Of Kansas City Kansas 650 Kansas Ave Kansas City KS 66105

GE Capital Corporation PO Box 822108 Philadelphia PA 19182

GE Transportation Finance PO Box 822108 Philadelphia PA 19182

Internal Revenue Service 271 W 3rd St N Ste 3000 Stop 5333 WIC Wichita KS 67202-9821

Kansas City Peterbilt Inc 8915 Woodend Kansas City KS 66111

Key Equipment Finance PO Box 203901 Houston TX 77216

Key Equipment Finance 11030 Circle Point Rd 2nd Floor Westminster CO 80020

M & I Marshall And IIsley Bank PO Box 3114 Milwaukee WI 53201

Main Street Bank PO Box 203909 Houston TX 77216 Marel USA Inc 8145 Flint St Lenexa KS 66214

Metcalf Bank PO Box 4249 Overland Park KS 66204

Mid Continent Capital Inc 6045 Martway Ste 100 Mission KS 66202-3366

Midwest Transport Specialist Inc PO Box 5172 Kansas City KS 66119

Navistar Financial Corporation PO Box 96070 Chicago IL 60693

Navistar Financial Leasing 425 N Martingale Rd 18th Floor Schaumburg IL 60173

Navistar Leasing Company 425 N Martingale Rd 18th Floor Schaumburg IL 60173-2216

Nelnet PO Box 82561 Lincoln NE 68501

NMHG Financial Services PA PO Box 643749 Pittsburg PA 15264 Northland National Bank 99 NE 72nd St Gladstone MO 64118

OFC Captial 756 Colonial Park Drive Roswell GA 30075

Partners Federal Credit Union PO Box 10000 Lake Buena Vista FL 32830

Praxair Dept Ch 10660 Palatine IL 60055

Praxair Distribution Inc 1608 Holmes Kansas City MO 64108

Smurfit-Ston Container Enterprises Inc 2021 S 5th St Rogers AR 72758

SST Visa PO Box 23060 Columbus GA 31902

Stillwater Leasing LLC 6844 S Frontage Rd Billilings MT 59101

Transam Financial Services Inc 15910 S 169 Hwy Olathe KS 66062 TransAm Trucking Inc Seigfreid Bingham Levy Selzer & Gee 911 Main St Ste 2800 Kansas City MO 64105

Transportation Alliance Leasing LLC PO Box 150290 4185 Harris Blvd Ste 200 Ogden UT 84403

Trendline Financial 10700 Nall Ave Ste 102 Overland Park KS 66211

Tyson Foods Inc PO Box 915413 Dallas TX 75391

Tyson Sales & Distribution Inc 2210 W Oaklawn Drive Springdale AR 72762

US Bank 555 SW Oak Ste 220 Portland OR 92706

Wachovia Mortgage FSB 4101 Wisemen Blvd #MC-T San Antonio TX 78251

Wells Fargo Bank PO Box 98791 Las Vegas NV 89193

XTRA Lease LLC PO Box 99262 Chicago IL 60693