Case 13-52749 Doc 1 Filed 11/14/13 Entered 11/14/13 13:16:13 Desc Main

Page 1 of 12 Document **B1** (Official Form 1) (04/13) **United States Bankruptcy Court Voluntary Petition Eastern District of Kentucky** Name of Debtor (if individual, enter Last, First, Middle): Name of Joint Debtor (Spouse) (Last, First, Middle): White/Reach Brannon Rd., LLC All Other Names used by the Debtor in the last 8 years All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): (include married, maiden, and trade names): Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all): (if more than one, state all): 26-0150707 Street Address of Debtor (No. & Street, City, and State): Street Address of Joint Debtor (No. & Street, City, and State): 201 West Short Street, Suite 500 ZIP CODE ZIP CODE Lexington, KY 40507 40507-0000 County of Residence or of the Principal Place of Business: County of Residence or of the Principal Place of Business: **Fayette** Mailing Address of Debtor (if different from street address): Mailing Address of Joint Debtor (if different from street address): ZIP CODE ZIP CODE Location of Principal Assets of Business Debtor (if different from street address above) Type of Debtor Nature of Business **Chapter of Bankruptcy Code Under Which** (Check one box.) (Form of Organization) the Petition is Filed (Check one box) (Check one box.) Individual (includes Joint Debtors) Health Care Business Chapter 7 Chapter 15 Petition for See Exhibit D on page 2 of this form. Recognition of a Foreign Single Asset Real Estate as defined in 11 U.S.C. § Chapter 9 Main Proceeding 101(51B) Corporation (includes LLC and LLP) Chapter 11 Railroad Chapter 15 Petition for Partnership Chapter 12 Recognition of a Foreign Stockbroker Nonmain Proceeding Other (If debtor is not one of the above entities, check this Chapter 13 Commodity Broker box and state type of entity below.) Clearing Bank X Other Chapter 15 Debtors Tax-Exempt Entity Nature of Debts (Check box, if applicable.) Country of debtor's center of main interests: Debts are Debts are primarily consumer Debtor is a tax-exempt organization under debts, defined in 11 U.S.C. § primarily business Each country in which a foreign proceeding by, regarding, or Title 26 of the United States Code (the 101(8) as "incurred by an debts. Internal Revenue Code). against debtor is pending: individual primarily for a personal, family, or household Filing Fee (Check one box.) Check one box: **Chapter 11 Debtors** Full Filing Fee attached Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: 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 aggregate noncontingent liquidated debts (excluding debts owed to insiders or except in installments. Rule 1006(b). See Official Form 3A. affiliates) are less than \$2,490,925 (amount subject to adjustment on 4/01/16 and every three years thereafter). Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed Check all applicable boxes: application for the court's consideration. See Official Form 3B. A plan is being filed with this petition. Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b) THIS SPACE IS FOR COURT USE ONLY Statistical/Administrative Information Debtor estimates that funds will be available for distribution to unsecured creditors. Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors. Estimated Number of Creditors \bowtie 100-199 200-999 1,000-5001-10,001-25,001-50,001-OVER 5,000 10.000 25,000 50,000 100,000 100,000 Estimated Assets M \$50,001 to \$100,001 to \$500,001 \$1,000,001 \$10,000,001 \$50,000,001 \$100,000,001 \$500,000,001 More than \$0 to to \$100 \$50,000 \$100,000 \$500,000 to \$1 to \$10 to \$50 to \$500 to \$1 billion \$1 billion million million million million million

Estimated Liabilities

\$0 to

\$50,000

\$50,001 to

\$100,000

\$100,001 to

\$500,000

\$500,001

to \$1

millior

\$1,000,001

to \$10

million

\$10,000,001

to \$50

million

\$50,000,001

to \$100

million

\$100,000,001

to \$500

million

\$500,000,001

to \$1 billion

More than

\$1 billion

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B1 (Official Form 1) (04/13)

Page 2

Voluntary Petition	Name of Debtor(s):		
(This page must be completed and filed in every case)			
All Prior Bankruptcy Cases Filed Within Las		D-4- E1- 1.	
Location Where Filed: - None -	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 a	additional sheet.)	
Name of Debtor: - None -	Case Number:	Date Filed:	
District:	Relationship:	Judge:	
Exhibit A (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.) Exhibit A is attached and made a part of this petition.	Exhibit B (To be completed if debtor is an incompleted if debtor is an incompleted if debtor is an incompleted if debtor is an incomplete in the petitioner named in the foregoin have informed the petitioner that [he or she] may proor 13 of title 11, United States Code, and have explain under each such chapter. I further certify that I deliver required by 11 U.S.C. § 342(b). X Signature of Attorney for Debtor(s)	ng petition, declare that I ceed under chapter 7, 11, 12, ned the relief available ered to the debtor the notice	
		(Date)	
Exhi Does the debtor own or have possession of any property that poses or is alleged to p Yes, and Exhibit C is attached and made a part of this petition. No		lic health or safety?	
Exhi	bit D		
Exhibit D completed and signed by the debtor is attached and made a part of this is a joint petition: Exhibit D also completed and signed by the joint debtor is attached and made as a part of the point debtor is attached and made as a part of the point debtor is attached and made as a part of the point debtor is attached and made as a part of the point debtor is attached and made as part of the point debtor is attached and made as part of the point debtor is attached and made as part of the point debtor is attached and made as part of the point debtor is attached and made as part of the point debtor is attached and made as part of the point debtor is attached and made as part of the point debtor is attached and made as part of the point debtor is attached and made as part of the point debtor is attached and made as part of the point debtor is attached and made as part of the point debtor is attached and made as part of the point debtor is attached and made as part of the point debtor is attached and made as part of the point debtor is attached and made as part of the point debtor is attached and made as part of the point debtor is attached and made as part of the point debtor is attached and part of the part of	•		
Information Regardi ı (Check any ap			
Debtor has been domiciled or has had a residence, principal place of preceding the date of this petition or for a longer part of such 180 d	of business, or principal assets in this District for 180 d	lays immediately	
There is a bankruptcy case concerning debtor's affiliate, general par	rtner, or partnership pending in this District.		
Debtor is a debtor in a foreign proceeding and has its principal place has no principal place of business or assets in the United States but this District, or the interests of the parties will be served in regard to	is a defendant in an action or proceeding [in a federal		
Certification by a Debtor Who Reside (Check all app			
Landlord has a judgment against the debtor for possession of debto following.)	r's residence. (If box checked, complete the		
(Name of landlord that obtained judgment)			
(Address of landlord)			
Debtor claims that under applicable nonbankruptcy law, there are c permitted to cure the entire monetary default that gave rise to the ju possession was entered, and			
Debtor has included with this petition the deposit with the court of period after the filing of the petition.	any rent that would become due during the 30-day		
Debtor certifies that he/she has served the Landlord with this certifies	cation. (11 U.S.C. § 362(1)).		

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B1 (Official Form 1) (04/13)

Voluntary Petition Name of Debtor(s): White/Reach Brannon Rd., LLC (This page must be completed and filed in every case) **Signatures** Signature(s) of Debtor(s) (Individual/Joint) Signature of a Foreign Representative I declare under penalty of perjury that the information provided in this I declare under penalty of perjury that the information provided in this petition is true and correct. petition is true and correct, that I am the foreign representative of a debtor in If petitioner is an individual whose debts are primarily consumer debts and a foreign proceeding, and that I am authorized to file this petition. 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 States Code, understand the relief (Check only one box.) available under each such chapter, and choose to proceed under chapter 7. 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 [If no attorney represents me and no bankruptcy petition preparer signs the are attached. petition] I have obtained and read the notice required by 11 U.S.C. § 342(b). 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 I request relief in accordance with the chapter of title 11, United States granting recognition of the foreign main proceeding is attached. Code, specified in this petition. Signature of Debtor X (Signature of Foreign Representative) Signature of Joint Debtor (Printed Name of Foreign Representative) Telephone Number (If not represented by attorney) Date Date Signature of Attorney* **Signature of Non-Attorney Bankruptcy Petition Preparer** X /s/ Laura Day DelCotto I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as Signature of Attorney for Debtor(s) defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and **Laura Day DelCotto** have provided the debtor with a copy of this document and the notices and Printed Name of Attorney for Debtor(s) information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if **DelCotto Law Group PLLC** rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting Firm Name a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document 200 North Upper Street for filing for a debtor or accepting any fee from the debtor, as required in that Lexington, KY 40507-1017 section. Official form 19 is attached. Address (859) 231-5800 Fax:(859) 281-1179 Telephone Number Printed Name and title, if any, of Bankruptcy Petition Preparer November 14, 2013 Social-Security number (If the bankruptcy petition preparer is not an individual, state Date the Social-Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.) *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. Address 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 Date the debtor. The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition. X /s/ K. Stephen Reach Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose social security number is provided above. Signature of Authorized Individual K. Stephen Reach Names and Social-Security numbers of all other individuals who prepared or Printed Name of Authorized Individual assisted in preparing this document unless the bankruptcy petition preparer is not **Managing Member** an individual Title of Authorized Individual November 14, 2013 If more than one person prepared this document, attach additional sheets Date 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

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B4 (Official Form 4) (12/07)

United States Bankruptcy Court Eastern District of Kentucky

In re	White/Reach Brannon Rd., LLC		Case No.	
		Debtor(s)	Chapter	11

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
Carroll & Stone Insurance	Carroll & Stone Insurance	Insurance		1.00
4384 Clearwater Way	4384 Clearwater Way			
Suite 200	Suite 200			
Lexington, KY 40515	Lexington, KY 40515			
Clay Corman Excavating,	Clay Corman Excavating, Inc.	Subdivision Bond		22,992.70
Inc.	1151 Jessamine Station Road			
1151 Jessamine Station	Nicholasville, KY 40356			
Road				
Nicholasville, KY 40356				
Commonwealth of Kentucky	Commonwealth of Kentucky	Notice only		Unknown
Department of Revenue	Department of Revenue			
P O Box 491	P O Box 491			
Frankfort, KY 40602	Frankfort, KY 40602			
Internal Revenue Service	Internal Revenue Service	Notice only		Unknown
P.O. Box 7346	P.O. Box 7346			
Philadelphia, PA 19101-7346	Philadelphia, PA 19101-7346			
Jessamine County Fiscal	Jessamine County Fiscal Court	License fee		35.00
Court	105 Court Row			
105 Court Row	Nicholasville, KY 40356			
Nicholasville, KY 40356				
Jessamine County Water	Jessamine County Water District	Utilities		1.00
District	2225 Lexington Road			
2225 Lexington Road	Nicholasville, KY 40356			
Nicholasville, KY 40356				0.40= 50
Jessamine South Elkhorn	Jessamine South Elkhorn Water	Trade debt		3,137.50
Water District	District			
PO Box 40340	PO Box 40340			
Nicholasville, KY 40340	Nicholasville, KY 40340	Hellet		4.00
Kentucky Utilities	Kentucky Utilities	Utilities		1.00
P O Box 9001954	P O Box 9001954			
Louisville, KY 40290-1954	Louisville, KY 40290-1954			4.00
Quality Landscaping	Quality Landscaping	Landscaping		1.00
101 Manaoh Lane	101 Manaoh Lane			
Nicholasville, KY 40356	Nicholasville, KY 40356			

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In re	White/Reach Brannon Rd., LLC	Case No.	
	Debtor(s)		

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
Rite Aid of Kentucky, Inc. CT Corporation System 306 W Main Street Suite 512 Frankfort, KY 40601	Rite Aid of Kentucky, Inc. CT Corporation System 306 W Main Street Frankfort, KY 40601	Judgment, legal fees	Disputed	102,200.86
Smith Marcus Surety Bonds 2307 River Road Suite 200 Louisville, KY 40206	Smith Marcus Surety Bonds 2307 River Road Suite 200 Louisville, KY 40206	maintenance bond		3,758.14
Town & Country Bank and Trust Company PO Box 305 Bardstown, KY 40004	Town & Country Bank and Trust Company PO Box 305 Bardstown, KY 40004	Judgment	Disputed	10,141,267.21
White/Reach Huntington, LLC 201 West Main Street Suite 500 Lexington, KY 40507	White/Reach Huntington, LLC 201 West Main Street Suite 500 Lexington, KY 40507	Intercompany loan		5,000.00
White/Reach Martin, LLC 201 West Short Street Suite 500 Lexington, KY 40507	White/Reach Martin, LLC 201 West Short Street Suite 500 Lexington, KY 40507	Intercompany loan		102,500.00
White/Reach Paris, LLC 201 West Short Street Suite 500 Lexington, KY 40507	White/Reach Paris, LLC 201 West Short Street Suite 500 Lexington, KY 40507	Intercompany loan		4,000.00
White/Reach Polo Club, LLC 201 West Short Street Suite 500 Lexington, KY 40507	White/Reach Polo Club, LLC 201 West Short Street Suite 500 Lexington, KY 40507	Intercompany loan		15,898.87
White/Reach Stanford, LLC 201 West Short Street Suite 500 Lexington, KY 40507	White/Reach Stanford, LLC 201 West Short Street Suite 500 Lexington, KY 40507	Intercompany loan		204,389.01
White/Reach, LLC 201 West Short Street Suite 500 Lexington, KY 40507	White/Reach, LLC 201 West Short Street Suite 500 Lexington, KY 40507	Intercompany loan		30,000.00

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B4 (Offic	cial Form 4) (12/07) - Cont.		
In re	White/Reach Brannon Rd., LLC	Case No.	
	Debtor(s)		

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A CORPORATION OR PARTNERSHIP

I, the Managing Member of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date	November 14, 2013	Signature	/s/ K. Stephen Reach
			K. Stephen Reach
			Managing Member

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.

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United States Bankruptcy Court Eastern District of Kentucky

Las	stern District of Kentuc	кy	
e White/Reach Brannon Rd., LLC		Case No	
	Debtor	, Chapter	11
	QUITY SECURIT		
following is the list of the Debtor's equity security hold			
Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
DECLARATION UNDER PENALTY OF	PER IURY ON REHA)	LE OF CORPORATIO	ON OR PARTNERSHIP
I, the Managing Member of the corpora read the foregoing List of Equity Security Ho	tion named as the debtor in	n this case, declare under p	penalty of perjury that I have
Date November 14, 2013		/s/ K. Stephen Reach	
		K. Stephen Reach Managing Member	
Penalty for making a false statement or concealing	ag property: Fine of up to 18 U.S.C §§ 152 and 3		t for up to 5 years or both.

United States Bankruptcy Court Eastern District of Kentucky

In re	White/Reach Brannon Rd., LLC		Case No.	
		Debtor(s)	Chapter	11
	VERIFICATIO	ON OF MAILING LIST N	IATRIX	
	I, the Managing Member of the corporation	named as the petitioner(s) in the above	-styled bank	ruptcy action, declare under
penalty	of perjury that the attached mailing list matrix	of creditors and other parties in interes	st consisting	g of 3 page(s) is true and
correct	and complete, to the best of my (our) knowled	lge.		
Data	Nevember 44, 2042	In IV Stanhan Dagah		
Date:	November 14, 2013	/s/ K. Stephen Reach K. Stephen Reach/Managing Memi	per	
		Signer/Title		
of my lall cred	Laura Day DelCotto , counsel for the Address List consisting of 3 page(s) has been padded. I further declare that the attached littors and parties in interest as related to me by ments may be made.	Master Address List can be relied upor	es D through by the Cler	H to be complete, to the best k of Court to provide notice to
Doto	November 14, 2013	/s/ Laura Day DelCotto		
Date:	November 14, 2013	Signature of Attorney		
		Laura Day DelCotto DelCotto Law Group PLLC		
		200 North Upper Street		

Lexington, KY 40507-1017 (859) 231-5800 Fax: (859) 281-1179

Carroll & Stone Insurance 4384 Clearwater Way Suite 200 Lexington KY 40515

City of Nicholasville PO Box 590 Nicholasville KY 40340

Clay Corman Excavating, Inc. 1151 Jessamine Station Road Nicholasville KY 40356

Commonwealth of Kentucky Department of Revenue P O Box 491 Frankfort KY 40602

Internal Revenue Service P.O. Box 7346 Philadelphia PA 19101-7346

Jessamine County Fiscal Court 105 Court Row Nicholasville KY 40356

Jessamine County Sheriff 101 S. Second Street Suite A Nicholasville KY 40356

Jessamine County Water District 2225 Lexington Road Nicholasville KY 40356

Jessamine South Elkhorn Water District PO Box 40340 Nicholasville KY 40340

John T. McGarvey Morgan & Pottinger, P.S.C. 601 W. Main Street Louisville KY 40202 Kentucky Utilities P O Box 9001954 Louisville KY 40290-1954

Kevin G. Henry, Esq.
Strugill, Turner, Baker & Maloney, PLLC
333 West Vine Street
Suite 1400
Lexington KY 40507

Quality Landscaping 101 Manaoh Lane Nicholasville KY 40356

Rite Aid of Kentucky, Inc. CT Corporation System 306 W Main Street Suite 512 Frankfort KY 40601

Smith Marcus Surety Bonds 2307 River Road Suite 200 Louisville KY 40206

Town & Country Bank and Trust Company PO Box 305
Bardstown KY 40004

White/Reach Huntington, LLC 201 West Main Street Suite 500 Lexington KY 40507

White/Reach Martin, LLC 201 West Short Street Suite 500 Lexington KY 40507

White/Reach Paris, LLC 201 West Short Street Suite 500 Lexington KY 40507

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White/Reach Polo Club, LLC 201 West Short Street Suite 500 Lexington KY 40507

White/Reach Stanford, LLC 201 West Short Street Suite 500 Lexington KY 40507

White/Reach, LLC 201 West Short Street Suite 500 Lexington KY 40507 Case 13-52749 Doc 1 Filed 11/14/13 Entered 11/14/13 13:16:13 Desc Main Document Page 12 of 12

United States Bankruptcy Court Eastern District of Kentucky

In re White/Reach Brannon Rd., LL	C	Case No.	
	Debtor(s)	Chapter	11
CORPO	PRATE OWNERSHIP STATEMENT	(RULE 7007.1)	
or recusal, the undersigned counsel for following is a (are) corporation(s), of	tcy Procedure 7007.1 and to enable the Jor White/Reach Brannon Rd., LLC in the than the debtor or a governmental urs(s') equity interests, or states that there a	he above caption nit, that directly o	ed action, certifies that the or indirectly own(s) 10% or
■ None [Check if applicable]			
November 14, 2013	/s/ Laura Day DelCotto		
Date	Laura Day DelCotto		
	Signature of Attorney or Litig Counsel for White/Reach Bra		
	DelCotto Law Group PLLC		
	200 North Upper Street		
	Lexington, KY 40507-1017		

(859) 231-5800 Fax:(859) 281-1179