Case 09-10514 Doc 1 Filed 08/21/09 Entered 08/21/09 17:09:40 Desc Main Document Page 1 of 49

United States Bankruptcy Court Eastern District of Kentucky							Voluntary	Petition				
	Debtor (if indeated Cont			st, Middle):	:		Name	of Joint De	ebtor (Spouse	e) (Last, First	, Middle):	
	All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):						used by the a maiden, and		in the last 8 years ):			
	igits of Soc. (a) one, state all)		ividual-Tax <sub>l</sub>	payer I.D.	(ITIN) No./	Complete E	EIN Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Com (if more than one, state all)				No./Complete EIN	
Street Addr 993 Nev	ress of Debto w Highwa iberty, KY	y 172	Street, City,	, and State)	):	ZIP Code		Address of	f Joint Debtor	r (No. and St	reet, City, and State):	ZIP Code
County of F	Residence or	of the Prin	cipal Place	of Busines		41472	Count	y of Reside	ence or of the	Principal Pla	ace of Business:	
County of Residence or of the Principal Place of Business:  Morgan  Mailing Address of Debtor (if different from street address):  P.O. Box 458  West Liberty, KY  ZIP Code  41472					Mailii	-		1	nt from street address)	: ZIP Code		
	f Principal Ast from street			or	<u>'</u>		•					
See Exh Corpora Partners Other (I	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.)  Tax-Exempt Entity  (Check box, if applicable)  Debtor is a tax-exempt organize under Title 26 of the United St			s defined	defined "incuri	the 1 der 7 der 9 der 11 der 12	Petition is Fi	busi for	Recognition eeding Recognition			
Filing Fee (Check one box)  Full Filing Fee attached  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 except in installments. Rule 1006(b). See Official Form 3A.  Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.					tor Check	Debtor is a if: Debtor's to insider all applicate A plan is Acceptan	a small busin not a small b aggregate noi s or affiliates; able boxes: being filed w ces of the pla	ncontingent 1 are less than with this petition were solici	s defined in 11 U.S.C. or as defined in 11 U.S. iquidated debts (exclun \$2,190,000.	S.C. § 101(51D).  ding debts owed  ne or more		
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.						T USE ONLY						
Estimated N  1- 49	Number of Control of C	reditors  100- 199	200- 999	1,000- 5,000	5,001- 10,000	10,001- 25,000	25,001- 50,000	50,001- 100,000	OVER 100,000			
Estimated A  \$0 to \$50,000	Assets \$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$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				
Estimated L \$0 to \$50,000	Liabilities  \$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$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				

Case 09-10514 Doc 1 Filed 08/21/09 Entered 08/21/09 17:09:40 Desc Main Document Page 2 of 49

B1 (Official Form 1)(1/08) Page 2 Name of Debtor(s): Voluntary Petition Associated Contracting, LLC (This page must be completed and filed in every case) All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet) Case Number: Location Date Filed: Where Filed: - None -Location Case Number: Date Filed: Where Filed: Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet) Name of Debtor: Case Number: Date Filed: - None -District: Relationship: Judge: Exhibit B Exhibit A (To be completed if debtor is an individual whose debts are primarily consumer debts.) (To be completed if debtor is required to file periodic reports (e.g., I, the attorney for the petitioner named in the foregoing petition, declare that I forms 10K and 10Q) with the Securities and Exchange Commission have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 under each such chapter. I further certify that I delivered to the debtor the notice and is requesting relief under chapter 11.) required by 11 U.S.C. §342(b). ☐ Exhibit A is attached and made a part of this petition. Signature of Attorney for Debtor(s) (Date) Exhibit C Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? Yes, and Exhibit C is attached and made a part of this petition. No. Exhibit D (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) ☐ Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: ☐ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition. Information Regarding the Debtor - Venue (Check any applicable box) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District. Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes) Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) (Name of landlord that obtained judgment) (Address of landlord) Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition. Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)).

B1 (Official Form 1)(1/08)

Page 3

## **Voluntary Petition**

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

# 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 States 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.

 $\mathbf{X}_{-}$ 

Signature of Debtor

X

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

### Signature of Attorney\*

### X /s/ Dean A. Langdon

Signature of Attorney for Debtor(s)

#### Dean A. Langdon

Printed Name of Attorney for Debtor(s)

### Wise DelCotto PLLC

Firm Name

200 North Upper Street Lexington, KY 40507

Address

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

Telephone Number

# August 21, 2009

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.

### X /s/ L. Barrett Frederick

Signature of Authorized Individual

#### L. Barrett Frederick

Printed Name of Authorized Individual

### Registered Agent

Title of Authorized Individual

#### August 21, 2009

Date

Name of Debtor(s):

Associated Contracting, LLC

#### Signatures

### 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.)

- ☐ 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.

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

#### Signature of Non-Attorney Bankruptcy 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); and, (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 bankrutpcy 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.)

v		_	

Date

Address

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

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.

Case 09-10514 Doc 1 Filed 08/21/09 Entered 08/21/09 17:09:40 Desc Main Document Page 4 of 49

**B4** (Official Form 4) (12/07)

# **United States Bankruptcy Court Eastern District of Kentucky**

In re	Associated Contracting, 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]
Community Trust Bank P. O. Box 2947 Pikeville, KY 41502	Community Trust Bank P. O. Box 2947 Pikeville, KY 41502	Equipment, furniture, fixtures, rents	Contingent Disputed	2,100,000.00 (221,000.00 secured)
Dyno Nobel, Inc. PO Box 75474 Chicago, IL 60675	Dyno Nobel, Inc. PO Box 75474 Chicago, IL 60675	Trade Debt		392,878.82
Jones Oil Company, Inc. PO Box 3427 Pikeville, KY 41502	Jones Oil Company, Inc. PO Box 3427 Pikeville, KY 41502	Trade Debt		342,499.86
Salyer Trucking LLC 7742 Hwy 460 E West Liberty, KY 41472	Salyer Trucking LLC 7742 Hwy 460 E West Liberty, KY 41472	Trade Debt		154,973.73
Austin Sales, LLC PO Box 2017 Abingdon, VA 24212	Austin Sales, LLC PO Box 2017 Abingdon, VA 24212	Trade Debt		85,228.50
Green Mountain Hydroseeding, Inc. PO Box 840 Staffordsville, KY 41256	Green Mountain Hydroseeding, Inc. PO Box 840 Staffordsville, KY 41256	Trade Debt		46,392.00
C & M Giant Tire, LLC PO Box 826 Hazard, KY 41702	C & M Giant Tire, LLC PO Box 826 Hazard, KY 41702	Trade Debt		45,369.25
Kentucky Employers Mutual Insurance 250 W Main Street, Suite 900 Lexington, KY 40507	Kentucky Employers Mutual Insurance 250 W Main Street, Suite 900 Lexington, KY 40507	Trade Debt		33,423.96
SEI Inc 4028 Papermill Drive, Suite 20 Knoxville, TN 37909	SEI Inc 4028 Papermill Drive, Suite 20 Knoxville, TN 37909	Trade Debt		17,675.61
Synergy Engineering Services PLLC 1904 S Mayo Trail, Suite 200 Pikeville, KY 41501	Synergy Engineering Services PLLC 1904 S Mayo Trail, Suite 200 Pikeville, KY 41501	Trade Debt		11,573.43
Monday Coal Sales, LLC PO Box 5025 Wrigley, KY 41477	Monday Coal Sales, LLC PO Box 5025 Wrigley, KY 41477	Trade Debt		7,621.28

Case 09-10514 Doc 1 Filed 08/21/09 Entered 08/21/09 17:09:40 Desc Main Document Page 5 of 49

B4 (Official Form 4) (12/07) - Cont.					
In re	Associated Contracting, 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]
Mister C Mobile Pressure, Inc.		Trade Debt		4,500.00
2919 New Haven Ct	2919 New Haven Ct			
Flatwoods, KY 41139 Carquest of Salyersville 630 E. Mountain Pkwy Salyersville, KY 41465	Flatwoods, KY 41139 Carquest of Salyersville 630 E. Mountain Pkwy Salyersville, KY 41465	Trade Debt		2,519.35
Appalachian Fabrication & Metal 409 Keither Miller Drive Chavies, KY 41727	Appalachian Fabrication & Metal 409 Keither Miller Drive Chavies, KY 41727	Trade Debt		2,320.76
Walther, Roark & Gay, PLC P. O. Box 1598 Lexington, KY 40588-1598	Walther, Roark & Gay, PLC P. O. Box 1598 Lexington, KY 40588-1598	Legal services		2,267.68
Mine Safety and Health Administration U.S. Dept. of Labor P.O. Box 790390 Saint Louis, MO 63179-0390	Mine Safety and Health Administration U.S. Dept. of Labor P.O. Box 790390 Saint Louis, MO 63179-0390	Civil assessment	Contingent Subject to Setoff	1,995.00
Farmers Bank & Capital Trust Cardmember Services PO Box 6335 Fargo, ND 58125-6335	Farmers Bank & Capital Trust Cardmember Services PO Box 6335 Fargo, ND 58125-6335	Credit Card Debt		5,567.16
Hayton Glass Company PO Box 235 Betsy Layne, KY 41605	Hayton Glass Company PO Box 235 Betsy Layne, KY 41605	Trade Debt		1,460.00
The Rock Group, LLC PO Box 307 Paris, KY 40362-0307	The Rock Group, LLC PO Box 307 Paris, KY 40362-0307	Trade Debt		1,007.23
New Pig Corporation One Pork Avenue Tipton, PA 16684-0304	New Pig Corporation One Pork Avenue Tipton, PA 16684-0304	Trade Debt		993.13

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

I, the Registered Agent 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	August 21, 2009	Signature	/s/ L. Barrett Frederick
			L. Barrett Frederick
			Registered Agent

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.

Case 09-10514 Doc 1 Filed 08/21/09 Entered 08/21/09 17:09:40 Desc Main Document Page 6 of 49

B6 Summary (Official Form 6 - Summary) (12/07)

# **United States Bankruptcy Court** Eastern District of Kentucky

In re	Associated Contracting, LLC	Case No.		
•		Debtor	,	
			Chapter	11
			•	

## SUMMARY OF SCHEDULES

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors must also complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	0.00		
B - Personal Property	Yes	4	1,211,094.50		
C - Property Claimed as Exempt	No	0			
O - Creditors Holding Secured Claims	Yes	2		2,594,419.26	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	Yes	2		25,472.57	
- Creditors Holding Unsecured Nonpriority Claims	Yes	11		19,525,341.85	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
- Current Income of Individual Debtor(s)	No	0			N/A
- Current Expenditures of Individual Debtor(s)	No	0			N/A
Total Number of Sheets of ALL Schedu	ıles	22			
	To	otal Assets	1,211,094.50		
			Total Liabilities	22,145,233.68	

Case 09-10514 Doc 1 Filed 08/21/09 Entered 08/21/09 17:09:40 Desc Main Page 7 of 49 Document

Form 6 - Statistical Summary (12/07)

# **United States Bankruptcy Court Eastern District of Kentucky**

Associated Contracting, LLC		Case No.	
Π	Debtor ,	Chapter	11
STATISTICAL SUMMARY OF CERTAIN LIA	ABILITIES AN	ND RELATED DAT	ΓA (28 U.S.C. § 1
f you are an individual debtor whose debts are primarily consumer decase under chapter 7, 11 or 13, you must report all information reque	bts, as defined in § 1 ested below.	101(8) of the Bankruptcy (	Code (11 U.S.C.§ 101(8
☐ Check this box if you are an individual debtor whose debts are report any information here.	NOT primarily const	umer debts. You are not re	quired to
This information is for statistical purposes only under 28 U.S.C. §			
Summarize the following types of liabilities, as reported in the Sch	edules, and total th	em.	
Type of Liability	Amount		
Domestic Support Obligations (from Schedule E)			
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)			
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)			
Student Loan Obligations (from Schedule F)			
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E			
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)			
TOTAL			
State the following:			
Average Income (from Schedule I, Line 16)			
Average Expenses (from Schedule J, Line 18)			
Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20)			
State the following:			
Total from Schedule D, "UNSECURED PORTION, IF ANY" column			
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column			
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column			
4. Total from Schedule F			
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)			

101(8)), filing

Case 09-10514 Doc 1 Filed 08/21/09 Entered 08/21/09 17:09:40 Desc Main Document Page 8 of 49

B6A (Official Form 6A) (12/07)

In re	Associated Contracting, LLC	Case	: No
_	<del>-</del>	<del>,</del>	
		Debtor	

### **SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim." If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property

Nature of Debtor's Interest in Property

Nature of Debtor's Property

Nature of Debtor's Interest in Property

Nature of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption

Amount of Secured Claim

None

Sub-Total > **0.00** (Total of this page)

Total > **0.00** 

(Report also on Summary of Schedules)

Case 09-10514 Doc 1 Filed 08/21/09 Entered 08/21/09 17:09:40 Desc Main Document Page 9 of 49

B6B (Official Form 6B) (12/07)

In re	Associated Contracting, LLC	Case No.	
-		Debtor	

### SCHEDULE B - PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply 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 and Fed. R. Bankr. P. 1007(m).

	Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property without Deducting any Secured Claim or Exemption
1.	Cash on hand	X			
2.	Checking, savings or other financial	Con	nmercial Bank general account ending 3801	-	57,078.81
	accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and	Con	nmercial Bank payroll account ending 4601	-	17.97
	homestead associations, or credit unions, brokerage houses, or cooperatives.		t State Financial reclamation fund escrow ount ending 1599	-	75,327.34
	•	Con	nmercial Bank 401K account ending 78001	-	7,125.38
3.	Security deposits with public utilities, telephone companies, landlords, and others.	Utili	ity deposit with Foothills Telephone	-	545.00
4.	Household goods and furnishings, including audio, video, and computer equipment.	X			
5.	Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	X			
6.	Wearing apparel.	X			
7.	Furs and jewelry.	X			
8.	Firearms and sports, photographic, and other hobby equipment.	X			
9.	Interests in insurance policies.  Name insurance company of each policy and itemize surrender or refund value of each.	X			
10.	Annuities. Itemize and name each issuer.	X			

Sub-Total > **140,094.50** (Total of this page)

<sup>3</sup> continuation sheets attached to the Schedule of Personal Property

Case 09-10514 Doc 1 Filed 08/21/09 Entered 08/21/09 17:09:40 Desc Main Document Page 10 of 49

 $B6B\ (Official\ Form\ 6B)\ (12/07)$  - Cont.

In re	Associated Contracting, LLC	Case No.	_

### Debtor

# SCHEDULE B - PERSONAL PROPERTY (Continuation Sheet)

	Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property without Deducting any Secured Claim or Exemptio
11.	Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	Х			
12.	Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.	X			
13.	Stock and interests in incorporated and unincorporated businesses. Itemize.	X			
14.	Interests in partnerships or joint ventures. Itemize.	X			
15.	Government and corporate bonds and other negotiable and nonnegotiable instruments.	X			
16.	Accounts receivable.	X			
17.	Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	X			
18.	Other liquidated debts owed to debtor including tax refunds. Give particulars.	X			
19.	Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	X			
20.	Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			
21.	Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	I	Claim against U.S. Coal Corporation and Licking River Resources, Inc. for wrongful setoff and funds wrongfully held (amount estimated)	- 3	450,000.00
			(Tota	Sub-Total of this page)	al > <b>450,000.00</b>

to the Schedule of Personal Property

Case 09-10514 Doc 1 Filed 08/21/09 Entered 08/21/09 17:09:40 Desc Main Document Page 11 of 49

 $B6B\ (Official\ Form\ 6B)\ (12/07)$  - Cont.

In re	Associated Contracting, LLC		Case No.	
-		Debtor	,	

#### \_ -----

## **SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

	Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property without Deducting any Secured Claim or Exemption
			Potential claim against Licking River Resources, Inc. for indemnity on Diablo II Tract	-	Unknown
			Coverage claims against Allstate Insurance and Arch Insurance	-	Unknown
22.	Patents, copyrights, and other intellectual property. Give particulars.	X			
23.	Licenses, franchises, and other general intangibles. Give particulars.		Mines and Minerals license	-	0.00
24.	Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	X			
25.	Automobiles, trucks, trailers, and other vehicles and accessories.		Trailer to haul auger (not licensed/not approved for road)	-	1,000.00
26.	Boats, motors, and accessories.	X			
27.	Aircraft and accessories.	X			
28.	Office equipment, furnishings, and supplies.	X			
29.	Machinery, fixtures, equipment, and supplies used in business.		Salem 16 auger	-	175,000.00
	supplies used in business.		3 sets of Fairbanks scales	-	45,000.00
30.	Inventory.		Coal on ground (net estimated)	-	400,000.00
31.	Animals.	X			
32.	Crops - growing or harvested. Give particulars.	X			
33.	Farming equipment and implements.	X			
34.	Farm supplies, chemicals, and feed.	X			
			(Total	Sub-Tota of this page)	al > <b>621,000.00</b>

Sheet <u>2</u> of <u>3</u> continuation sheets attached to the Schedule of Personal Property

Case 09-10514 Doc 1 Filed 08/21/09 Entered 08/21/09 17:09:40 Desc Main Document Page 12 of 49

B6B (Official Form 6B) (12/07) - Cont.

In re	Associated Contracting, LLC		Case No.
-		Debtor	

### **SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
------------------	------------------	--------------------------------------	---	---

35. Other personal property of any kind not already listed. Itemize.

Sub-Total > (Total of this page)

Total > 1,211,094.50

(Report also on Summary of Schedules)

Total >

0.00

Case 09-10514 Doc 1 Filed 08/21/09 Entered 08/21/09 17:09:40 Desc Main Page 13 of 49 Document

B6D (Official Form 6D) (12/07)

In re	Associated Contracting, LLC	Case No.	
•		Debtor	

## SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is a creditor, 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 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community".

If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Unliquidated". (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion" on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Hu H W J C	sband, Wife, Joint, or Community  DATE CLAIM WAS INCURRED,  NATURE OF LIEN, AND  DESCRIPTION AND VALUE  OF PROPERTY  SUBJECT TO LIEN	CONTINGEN	LIQUID	SPUTE	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No.  Community Trust Bank P. O. Box 2947 Pikeville, KY 41502	x	-	February 2003  UCC lien  Equipment, furniture, fixtures, rents	X	A T E D	x		
Account No.  Community Trust Bank P. O. Box 2947 Pikeville, KY 41502	x	-	Value \$ 221,000.00  April 2008  UCC lien  All equipment  Value \$ 221,000.00	x		x	1,350,000.00	1,129,000.00
Account No. 9525  Kentucky State Treasurer Kentucky Dept of Revenue Frankfort, KY 40620-0004		-	Value \$ 221,000.00  July 2009  Notice of State Tax Lien  Payroll withholding taxes (Lis Pendens Book 15 pg 641)  Value \$ 0.00				750,000.00 5,397.38	750,000.00 5,397.38
Account No. 3123  Kentucky State Treasurer Kentucky Dept of Revenue Frankfort, KY 40620-0004		-	June 2009  Notice of State Tax Lien  Serverance taxes (Lis Pendens Book 15 pg 641)  Value \$ 0.00				49,632.37	49,632.37
continuation sheets attached		1		Subt his			2,155,029.75	1,934,029.75

Case 09-10514 Doc 1 Filed 08/21/09 Entered 08/21/09 17:09:40 Desc Main Document Page 14 of 49

 $B6D\ (Official\ Form\ 6D)\ (12/07)$  - Cont.

In re	Associated Contracting, LLC	Case No	
		Debtor	

# SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS (Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B T O R	Hu H W J C	sband, Wife, Joint, or Community  DATE CLAIM WAS INCURRED,  NATURE OF LIEN, AND  DESCRIPTION AND VALUE  OF PROPERTY  SUBJECT TO LIEN	CONTINGEN	U	I SP UTE	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No. 3123			January 2009 - April 2009	T	A T E			
Kentucky State Treasurer Kentucky Dept of Revenue Frankfort, KY 40620-0004		_	Notice of State Tax Lien  Severance taxes (Lis Pendens Book 15 pg 641)  Value \$ 0.00				293,071.58	293,071.58
Account No.			July 2009					
Kentucky State Treasurer Department of Revenue Frankfort, KY 40619-0001		-	Notice of State Tax Lien  Severance taxes (Lis Pendens Book 15 pg 641)  Value \$ 0.00				68,226.34	68,226.34
Account No.			May 2009	-	+	+	00,220.34	00,220.34
Kentucky State Treasurer Kentucky Dept of Revenue Frankfort, KY 40620-0004		_	Notice of State Tax Lien Severance taxes (Lis Pendens Book 15 pg 641)					
			Value \$ 0.00				78,091.59	78,091.59
Account No.			Value \$					
Account No.								
			Value \$					
Sheet 1 of 1 continuation sheets attack		d to		Sub			439,389.51	439,389.51
Schedule of Creditors Holding Secured Claims			(Total o	-	Γot	al	2,594,419.26	2,373,419.26

Case 09-10514 Doc 1 Filed 08/21/09 Entered 08/21/09 17:09:40 Desc Main Document Page 15 of 49

B6E (Official Form 6E) (12/07)

In re	Associated Contracting, LLC	Case No	
-		Debtor	

## SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, 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 and Fed. R. Bankr. P. 1007(m).

riate eled

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtors, include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." If the claim is disputed, place an "X" in the column labeled "Disputed." If the claim is disputed, place an "X" in the column labeled "Disputed." If the claim is disputed, place an "X" in the column labeled "Disputed." If the claim is disputed, place an "X" in the column labeled "Disputed." If the claim is disputed, place an "X" in the column labeled "Disputed." If the claim is disputed, place an "X" in the column labeled "Subtoals" on each sheet of the completed schedule. Report the total of all claims listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.  Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Cert
☐ Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.
TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)
☐ Domestic support obligations
Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relation of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).
☐ Extensions of credit in an involuntary case
Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of trustee or the order for relief. 11 U.S.C. § 507(a)(3).
☐ Wages, salaries, and commissions
Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sale representatives up to \$10,950* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).
☐ Contributions to employee benefit plans
Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of busines whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).
☐ Certain farmers and fishermen
Claims of certain farmers and fishermen, up to \$5,400* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).
☐ Deposits by individuals
Claims of individuals up to \$2,425* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).
■ Taxes and certain other debts owed to governmental units
Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).
☐ Commitments to maintain the capital of an insured depository institution
Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federa Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).
☐ Claims for death or personal injury while debtor was intoxicated
Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

<sup>\*</sup> Amounts are subject to adjustment on April 1, 2010, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

Case 09-10514 Doc 1 Filed 08/21/09 Entered 08/21/09 17:09:40 Desc Main Document Page 16 of 49

B6E (Official Form 6E) (12/07) - Cont.

In re	Associated Contracting, LLC		Case No.	
•		Debtor	,	

## SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

(Continuation Sheet)

Taxes and Certain Other Debts
Owed to Governmental Units

TYPE OF PRIORITY Husband, Wife, Joint, or Community AMOUNT NOT ENTITLED TO PRIORITY, IF ANY CREDITOR'S NAME, ODEBTOR NLIQUIDATED SPUTED AND MAILING ADDRESS Н DATE CLAIM WAS INCURRED AMOUNT W INCLUDING ZIP CODE, INGENT AND CONSIDERATION FOR CLAIM OF CLAIM C AMOUNT ENTITLED TO PRIORITY AND ACCOUNT NUMBER (See instructions.) 2008 Account No. Federal income taxes Internal Revenue Service Unknown P.O. Box 21126 Philadelphia, PA 19114  $\mathbf{x} | \mathbf{x}$ Unknown Unknown 2008 Account No. State income taxes Kentucky Dept. of Revenue Unknown **Legal Branch - Bankruptcy Section** P O Box 5222  $\mathbf{x} \mid \mathbf{x}$ Frankfort, KY 40602 Unknown Unknown 2009 Account No. 8110 Payroll withholding taxes **Magoffin Co Occupational Tax** 0.00 PO Box 430 Salyersville, KY 41465 25,358.57 25,358.57 Account No. F001 2009 Payroll withholding taxes **Virginia Department of Taxation** 0.00 PO Box 27264 Richmond, VA 23261-7264 114.00 114.00 Account No. Subtotal 0.00 Sheet <u>1</u> of <u>1</u> continuation sheets attached to (Total of this page) Schedule of Creditors Holding Unsecured Priority Claims 25,472.57 25,472.57 0.00 (Report on Summary of Schedules) 25,472.57 25,472.57

Case 09-10514 Doc 1 Filed 08/21/09 Entered 08/21/09 17:09:40 Desc Main Document Page 17 of 49

B6F (Official Form 6F) (12/07)

In re	e Associated Contracting, LLC		Case No.	
_		Debtor	•,	

### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, 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 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

CREDITOR'S NAME,	Ç	Hu	sband, Wife, Joint, or Community		Ç	U	D I	
MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	J M H	DATE CLAIM WAS INCURRED AN CONSIDERATION FOR CLAIM. IF CL IS SUBJECT TO SETOFF, SO STAT	AIM	0022082-	UZLLQULDAFED	SPUTED	AMOUNT OF CLAIM
Account No.			Potential liability in declaration of rights/coverage action		Ť	TED		
Allstate Insurance Company c/o Darrin Winn Banks, Esq. P. O. Drawer 1767 Paintsville, KY 41240-1767		-			х		х	Unknown
Account No.			Trade Debt					
Appalachian Fabrication & Metal 409 Keither Miller Drive Chavies, KY 41727		_						2,320.76
Account No.  Austin Sales, LLC PO Box 2017 Abingdon, VA 24212		_	Trade Debt					
Account No. 1220			Trade Debt					85,228.50
C & M Giant Tire, LLC PO Box 826 Hazard, KY 41702		-						45,369.25
			(1	S Total of th	ubt nis j			132,918.51

Case 09-10514 Doc 1 Filed 08/21/09 Entered 08/21/09 17:09:40 Desc Main Document Page 18 of 49

B6F (Official Form 6F) (12/07) - Cont.

In re	Associated Contracting, LLC		Case No.	
_		Debtor		

CREDITOR'S NAME,	C	Hu	sband, Wife, Joint, or Community	C	U	D	
MAILING ADDRESS	Ď	н	DATE CLAIM WAS INCUIDED AND	CONT	Ë	s	
INCLUDING ZIP CODE,	В	W	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM	1 1	Q	Ü	
AND ACCOUNT NUMBER	CODEBTO	C	IS SUBJECT TO SETOFF, SO STATE.	N G	UNLLQUL	ΙT	AMOUNT OF CLAIM
(See instructions above.)	Ř		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	NGEN	D	D	
Account No. 7866			Trade Debt	Т	A T E D		
					D		
Carquest of Salyersville							
630 E. Mountain Pkwy		-					
Salyersville, KY 41465							
							2,519.35
Account No.			Potential liablity in wrongful death action				
Clifford Burchett				١.,		١.,	
c/o John W. Kirk, Esq. 193 East Court Street		-		X		X	
Prestonsburg, KY 41653							
							Unknown
Account No. 5797			Trade Debt				
Dyno Nobel, Inc.							
PO Box 75474		-					
Chicago, IL 60675							
							392,878.82
Account No.			Potential liability in wrongful death action				
Estate of Erica Brown				<u>ا</u> ا		<u>,</u>	
c/o Ned Pillersdoft, Esq.		-		Х		x	
124 West Court Street							
Prestonsburg, KY 41653							
							Unknown
Account No. 4354			various				
			Credit Card Debt				
Farmers Bank & Capital Trust							
Cardmember Services		-					
PO Box 6335							
Fargo, ND 58125-6335							
							72.15
Sheet no1 _ of _10 _ sheets attached to Schedule of			S	ubt	ota	l	40- 1-0 5-
Creditors Holding Unsecured Nonpriority Claims			(Total of the	nis	pag	e)	395,470.32

Case 09-10514 Doc 1 Filed 08/21/09 Entered 08/21/09 17:09:40 Desc Main Document Page 19 of 49

B6F (Official Form 6F) (12/07) - Cont.

In re	Associated Contracting, LLC	Case No.	
_		Debtor ,	

	С	Hu	sband, Wife, Joint, or Community	С	u	D	
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	COZH_ZGWZH	Q	DISPUTED	AMOUNT OF CLAIM
Account No. 5485			various	Т	T E		
Farmers Bank & Capital Trust Cardmember Services PO Box 6335 Fargo, ND 58125-6335		-	Credit Card Debt				268.50
Account No. <b>5501</b>			various	$^{+}$	H		
Farmers Bank & Capital Trust Cardmember Services PO Box 6335 Fargo, ND 58125-6335		_	Credit Card Debt				291.35
Account No. 5527			various		t	H	
Farmers Bank & Capital Trust Cardmember Services PO Box 6335 Fargo, ND 58125-6335		_	Credit Card Debt				1,335.42
Account No. <b>7895</b>			various		H		
Farmers Bank & Capital Trust Cardmember Services PO Box 6335 Fargo, ND 58125-6335		-	Credit Card Debt				50.26
Account No. 5568			various	+	$\vdash$		
Farmers Bank & Capital Trust Cardmember Services PO Box 6335 Fargo, ND 58125-6335		_	Credit Card Debt				36.50
Sheet no. 2 of 10 sheets attached to Schedule of			1	Sub	tota	ıl	1,982.03
Creditors Holding Unsecured Nonpriority Claims			(Total of	this	pag	ge)	1,902.03

Case 09-10514 Doc 1 Filed 08/21/09 Entered 08/21/09 17:09:40 Desc Main Document Page 20 of 49

B6F (Official Form 6F) (12/07) - Cont.

In re	Associated Contracting, LLC	Case No.	
_		Debtor ,	

	С	Ни	sband, Wife, Joint, or Community	С	Ιυ	Ь	
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	COZH_ZGWZH	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
Account No. 5477			various	٦	T E		
Farmers Bank & Capital Trust Cardmember Services PO Box 6335 Fargo, ND 58125-6335		-	Credit Card Debt		D		1,604.47
Account No. 5451	-		various				
Farmers Bank & Capital Trust Cardmember Services PO Box 6335 Fargo, ND 58125-6335		_	Credit Card Debt				355.96
Account No. 6368			various				
Farmers Bank & Capital Trust Cardmember Services PO Box 6335 Fargo, ND 58125-6335		-	Credit Card Debt				615.58
Account No. 4305			various				
Farmers Bank & Capital Trust Cardmember Services PO Box 6335 Fargo, ND 58125-6335		-	Credit Card Debt				274.93
Account No. 4339			various				
Farmers Bank & Capital Trust Cardmember Services PO Box 6335 Fargo, ND 58125-6335		_	Credit Card Debt				231.85
Sheet no. 3 of 10 sheets attached to Schedule of			1	Sub	tota	ıl	2.002.70
Creditors Holding Unsecured Nonpriority Claims			(Total of	this	pag	ge)	3,082.79

Case 09-10514 Doc 1 Filed 08/21/09 Entered 08/21/09 17:09:40 Desc Main Document Page 21 of 49

B6F (Official Form 6F) (12/07) - Cont.

In re	Associated Contracting, LLC		Case No.	
_		Debtor		

CREDITOR'S NAME,	CO		ısband, Wife, Joint, or Community	CONT	U N	D	
MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	ODEBTOR	J C H W J	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	NT I NG ENT	LIQUIDATED	D I S P U T E D	AMOUNT OF CLAIM
Account No. 5543			various	Т	E		
Farmers Bank & Capital Trust Cardmember Services PO Box 6335 Fargo, ND 58125-6335		-	Credit Card Debt		D		19.07
Account No. 4347			various				
Farmers Bank & Capital Trust Cardmember Services PO Box 6335 Fargo, ND 58125-6335		-	Credit Card Debt				
							411.12
Account No. 8982			Trade Debt				
Foothills Telephone Coop., Inc. PO Box 240 Staffordsville, KY 41256		-					
							252.14
Account No.			Potential liablity for blasting damags				
Frank & Lola K. Watkins c/o Teddy L. Flynt, Esq. P. O. Box 359 Stanton, KY 40380		-		x		x	
							Unknown
Account No.			Trade Debt				
Gilliam's Grocery PO Box 45 Crockett, KY 41413		-					385.10
Sheet no. 4 of 10 sheets attached to Schedule of				Sub	tota	1	
Creditors Holding Unsecured Nonpriority Claims			(Total of t				1,067.43

Case 09-10514 Doc 1 Filed 08/21/09 Entered 08/21/09 17:09:40 Desc Main Document Page 22 of 49

B6F (Official Form 6F) (12/07) - Cont.

In re	Associated Contracting, LLC		Case No.	
_		Debtor		

CREDITOR'S NAME,	C	Нι	usband, Wife, Joint, or Community	C	Ü	P	7	
MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	OD E B T O R	C A M	CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	CONTINGEN		D I S P UT E D		AMOUNT OF CLAIM
Account No.			Trade Debt	Т	E			
Green Mountain Hydroseeding, Inc. PO Box 840 Staffordsville, KY 41256		-			D			46,392.00
Account No.			Trade Debt	Т	Г		T	
Hayton Glass Company PO Box 235 Betsy Layne, KY 41605		-						1,460.00
Account No. 7177	┨	$\vdash$	Trade Debt	+	╀	+	+	<u> </u>
Home Town True Value (Salyersville) PO Box 1565 Salyersville, KY 41465		-	Trade Dest					635.73
Account No.			Trade Debt	T	T	T	†	
Jennings Portable Toilets 4301 Dry Creek Rd Clearfield, KY 40313		_						322.40
Account No.	T	T	Trade Debt	T	T	T	†	
Johnny Minix Tire of Kentucky LLC PO Box 483 Salyersville, KY 41465		-						585.00
Sheet no. <b>5</b> of <b>10</b> sheets attached to Schedule of			,	Sub	tota	al	7	40 005 40
Creditors Holding Unsecured Nonpriority Claims			(Total of	this	pas	ge)	, I	49,395.13

Case 09-10514 Doc 1 Filed 08/21/09 Entered 08/21/09 17:09:40 Desc Main Document Page 23 of 49

B6F (Official Form 6F) (12/07) - Cont.

In re	Associated Contracting, LLC	Case No.	
_		Debtor ,	

CDEDITODIC NAME	С	Нι	usband, Wife, Joint, or Community	С	U	I	D	
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)  Account No. <b>0015</b>	CODEBTOR	C A M	CONSIDERATION FOR CLAIM. IF CLAIM	CONFINGENT	QUIDAT	<u> </u>	S P U T E	AMOUNT OF CLAIM
Account No. 0013			Trade Dest		E			
Jones Oil Company, Inc. PO Box 3427 Pikeville, KY 41502		-						342,499.86
Account No.			Potential assessments					
Kentucky Dept. of Natural Resources #2 Hudson Hollow Frankfort, KY 40601		-		x	x		x	
								Unknown
Account No. 4556  Kentucky Employers Mutual Insurance 250 W Main Street, Suite 900 Lexington, KY 40507		-	2009 Trade Debt					33,423.96
Account No. PAH-xxxx8-046			Natural resources violation assessments		T	t	1	
Kentucky State Treasurer Office of Administrative Hearings 35-36 Fountain Place Frankfort, KY 40601		-						5,000.00
Account No. PAC-x0021-IV		T	Natural resources violation assessments	T	T	t	$\dashv$	
Kentucky State Treasurer Office of Administrative Hearings 35-36 Fountain Place Frankfort, KY 40601		-						1,900.00
Sheet no. 6 of 10 sheets attached to Schedule of		_		Sub	tota	al	7	202.002.00
Creditors Holding Unsecured Nonpriority Claims			(Total of t	his	pag	ge	)	382,823.82

Case 09-10514 Doc 1 Filed 08/21/09 Entered 08/21/09 17:09:40 Desc Main Document Page 24 of 49

B6F (Official Form 6F) (12/07) - Cont.

In re	Associated Contracting, LLC	Case No.	
_		Debtor ,	

	С	Нп	sband, Wife, Joint, or Community	l c	U	D	
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)  Account No.	C O D E B T O R	H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.  2007 & 2008	CONTINGENT	UNLIQUIDATED	SPUTED	AMOUNT OF CLAIM
Licking River Resources, Inc. P. O. Box 865 Catlettsburg, KY 41129		-	Indemnity and contract obligations	x	X		
							Unknown
Account No.  Mine Safety and Health Administration U.S. Dept. of Labor P.O. Box 790390 Saint Louis, MO 63179-0390		-	Civil assessment Subject to setoff.	x			1,995.00
Account No. 4805  Mineral Labs, Inc. Box 549 Salyersville, KY 41465		-	Trade Debt				595.00
Account No.  Mister C Mobile Pressure, Inc. 2919 New Haven Ct Flatwoods, KY 41139	-	-	Trade Debt				4,500.00
Account No.  Monday Coal Sales, LLC PO Box 5025 Wrigley, KY 41477		-	Trade Debt				7,621.28
Sheet no7 of _10 _ sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims			(Total o	Sub this			14,711.28

Case 09-10514 Doc 1 Filed 08/21/09 Entered 08/21/09 17:09:40 Desc Main Document Page 25 of 49

B6F (Official Form 6F) (12/07) - Cont.

In re	Associated Contracting, LLC		Case No.	
_		Debtor	,	

	<u> </u>	1	L LWK Live O	<del></del>		_	<u> </u>
CREDITOR'S NAME, MAILING ADDRESS	CODEBTO	Hu	sband, Wife, Joint, or Community	CONTI	コスコーダン_	DISPUTE	
INCLUDING ZIP CODE,	E B	W	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM	T	l Q	P U	
AND ACCOUNT NUMBER (See instructions above.)	T O	C	IS SUBJECT TO SETOFF, SO STATE.	N G E N	U	T	AMOUNT OF CLAIM
Account No. 3634	R	_	Trade Debt	<b>→</b> ½	D A T E D	D	
Account No. 3634	ł		Trade Debt		E D		
Music Carter							
713 South Lake Drive		-					
Prestonsburg, KY 41653							
							522.54
Account No. 6030			Trade Debt				
New Pig Corporation							
One Pork Avenue		-					
Tipton, PA 16684-0304							
							993.13
Account No.			Trade Debt	+			
277 2 12							
Rifle Coal Company, LLC P. O. Box 369		_					
West Liberty, KY 41472							
				$\perp$			18,266,844.46
Account No.			Trade Debt				
Salyer Trucking LLC							
7742 Hwy 460 E		-					
West Liberty, KY 41472							
							154,973.73
Account No. 0502	-		Trade Debt	+			104,575.75
71000dill 110. 0002	ł		Trade Dest				
SEI Inc							
4028 Papermill Drive, Suite 20 Knoxville, TN 37909		-					
Knoxville, TN 37909							
							17,675.61
Sheet no. <b>8</b> of <b>10</b> sheets attached to Schedule of		_		Sub			18 441 000 47
Creditors Holding Unsecured Nonpriority Claims			(Total of	this	pag	e)	18,441,009.47

Case 09-10514 Doc 1 Filed 08/21/09 Entered 08/21/09 17:09:40 Desc Main Document Page 26 of 49

B6F (Official Form 6F) (12/07) - Cont.

In re	Associated Contracting, LLC		Case No.	
_		Debtor	,	

CREDITOR'S NAME,	C	Hu	sband, Wife, Joint, or Community	C O N T	U	] [ ] [	P	
MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	C J M	CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	I N G E N	ΙQ		U T E	AMOUNT OF CLAIM
Account No.	-		Trade Debt	T	E	,		
Southern Airtool Service PO Box 54875 Lexington, KY 40555-4875		-						710.33
Account No.			Trade Debt	T	Ī	T	7	
Synergy Engineering Services PLLC 1904 S Mayo Trail, Suite 200 Pikeville, KY 41501		-						
								11,573.43
Account No. 0752	ļ		Trade Debt					
The Rock Group, LLC PO Box 307 Paris, KY 40362-0307		-						1,007.23
Account No. AC2	-	$\vdash$	Trade Debt	+	╁	+	$\dashv$	1,007.23
TM, Inc. DBA American First Aid PO Box 3035 Pikeville, KY 41502	-	-						351.71
Account No. 5757	t	t		$\dagger$	$\dagger$	t	$\dagger$	
Treasurer, KY Unemployment Ins Division of Unemployment Insurance PO Box 2003 Frankfort, KY 40602-2003		_						86,943.96
Sheet no9 of _10_ sheets attached to Schedule of	-			Sub			- 1	100,586.66
Creditors Holding Unsecured Nonpriority Claims			(Total of	this	pa	ge	;) [	100,000.00

Case 09-10514 Doc 1 Filed 08/21/09 Entered 08/21/09 17:09:40 Desc Main Document Page 27 of 49

 $B6F\ (Official\ Form\ 6F)\ (12/07)$  - Cont.

In re	Associated Contracting, LLC	Case No.	
'-		Debtor	

CREDITOR'S NAME,	C	Hu	sband, Wife, Joint, or Community		U	P	
MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	C A M	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	CONTINGENT	Z L Q U L D A	DISPUTED	AMOUNT OF CLAIM
Account No. 9117			Trade Debt	T	T		
Valley National Gases, Inc. PO Box 6378 Wheeling, WV 26003-0615		-			D		26.73
Account No. xxx8001		T	2009	$\top$	t	t	
Walther, Roark & Gay, PLC P. O. Box 1598 Lexington, KY 40588-1598		-	Legal services				
							2,267.68
Account No.							
Account No.				+			
Sheet no. <u>10</u> of <u>10</u> sheets attached to Schedule of				Sub			2,294.41
Creditors Holding Unsecured Nonpriority Claims			(Total of		-		,
			(Report on Summary of S		Fota dule		19,525,341.85

Case 09-10514 Doc 1 Filed 08/21/09 Entered 08/21/09 17:09:40 Desc Main Document Page 28 of 49

B6G (Official Form 6G) (12/07)

In re	Associated Contracting, LLC	Case No	
_			
		Debtor	

### SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser", "Agent", etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, 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 and Fed. R. Bankr. P. 1007(m).

☐ Check this box if debtor has no executory contracts or unexpired leases.

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract

Description of Contract or Lease and Nature of Debtor's Interest. State whether lease is for nonresidential real property. State contract number of any government contract.

Licking River Resources, Inc. P. O. Box 865 Catlettsburg, KY 41129 2 mining agreements - Beetree and Town Flats tracts

Case 09-10514 Doc 1 Filed 08/21/09 Entered 08/21/09 17:09:40 Desc Main Document Page 29 of 49

B6H (Official Form 6H) (12/07)

In re	Associated Contracting, LLC		Case No.	
-		Debtor		

### **SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, 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 and Fed. R. Bankr. P. 1007(m).

☐ Check this box if debtor has no codebtors.

 NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR	
Rifle Coal Company, LLC P. O. Box 369 West Liberty, KY 41472	Community Trust Bank P. O. Box 2947 Pikeville, KY 41502	
Rifle Coal Company, LLC P. O. Box 369 West Liberty, KY 41472	Community Trust Bank P. O. Box 2947 Pikeville, KY 41502	

Case 09-10514 Doc 1

Document

Page 30 of 49

B6 Declaration (Official Form 6 - Declaration). (12/07)

## **United States Bankruptcy Court Eastern District of Kentucky**

In re	Associated Contracting, LLC		Case No.	
	<u>-</u>	Debtor(s)	Chapter	11
	DECLARATION CONCERN	NING DEBTOR'S SC	CHEDUL	ES
	DECLARATION UNDER PENALTY OF PERJURY	ON BEHALF OF CORPO	ORATION (	OR PARTNERSHIP
	I, the Registered Agent of the corporation named as debtor in this case, declare under penalty of per I have read the foregoing summary and schedules, consisting of24 sheets, and that they are true and continue the best of my knowledge, information, and belief.			
Date	August 21, 2009 Signature	/s/ L. Barrett Frederick L. Barrett Frederick Registered Agent		

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.

Case 09-10514 Doc 1 Filed 08/21/09 Entered 08/21/09 17:09:40 Desc Main Document Page 31 of 49

B7 (Official Form 7) (12/07)

## United States Bankruptcy Court Eastern District of Kentucky

		Eastern District of Rentucky		
In re	Associated Contracting, LLC		Case No.	
		Debtor(s)	Chapter	11

### STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, 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).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. **If the answer to an applicable question is "None," mark the box labeled "None."** If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

#### **DEFINITIONS**

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

### 1. Income from employment or operation of business

None

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT SOURCE **\$18,466,567.00 2007** gross income

\$36,248,468.00 2008 gross income (estimated) \$15,617,023.00 2009 gross income (year to date)

### 2. Income other than from employment or operation of business

None

None

State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT SOURCE

#### 3. Payments to creditors

•

Complete a. or b., as appropriate, and c.

a. *Individual or joint debtor(s) with primarily consumer debts*. List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within **90 days** immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS DATES OF AMOUNT STILL OF CREDITOR PAYMENTS AMOUNT PAID OWING

None

b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within 90 days immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,475. If the debtor is an individual, indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR B and H Coal Company, Inc. P. O. Box 221 Jackson, KY 41339	DATES OF PAYMENTS/ TRANSFERS <b>May 2009 thru August 2009</b>	AMOUNT PAID OR VALUE OF TRANSFERS \$52,082.70	AMOUNT STILL OWING <b>\$0.00</b>
Big D Service 1778 Kentucky 205 North Hazel Green, KY 41332	May 2009 thru August 2009	\$17,625.00	\$0.00
Brandeis Machinery Dept. 8013 Carol Stream, IL 60122-8013	May 2009 thru August 2009	\$8,681.40	\$0.00
Cardmember Service P. O. Box 790408 Saint Louis, MO 63179-0408	May 2009 - August 2009	\$9,370.84	\$0.00
Fuchs Lubricants Co. 1000 Paysphere Circle Chicago, IL 60674	May 2009 thru August 2009	\$167,006.88	\$0.00
Internal Revenue Service P.O. Box 21126 Philadelphia, PA 19114	May 2009 thru August 2009	\$261,320.76	\$0.00
Jones Oil Company, Inc. PO Box 3427 Pikeville, KY 41502	May 2009 thru Aguust 2009	\$546,417.91	\$342,499.86
Kentucky Employers' Mutual Ins 250 W Main Street, Suite 900 Lexington, KY 40507	May 2009 thru August 2009	\$85,244.73	\$33,423.96

NAME AND ADDRESS OF CREDITOR Kentucky Dept. of Revenue P. O. Box 5222 Frankfort, KY 40602	DATES OF PAYMENTS/ TRANSFERS <b>May 2009 thru August 2009</b>	AMOUNT PAID OR VALUE OF TRANSFERS \$272,201.63	AMOUNT STILL OWING \$355,001.33
Mine Safety and Health Administration U.S. Dept. of Labor P.O. Box 790390 Saint Louis, MO 63179-0390	May 2009 thru August 2009	\$8,472.00	\$1,995.00
Office of Surface Mining Reclamation and Enforcement P. O. Box 979068 Saint Louis, MO 63197-9000	May 2009 thru August 2009	\$38,183.51	\$0.00
Roeding Insurance 2734 Chancellor Drive Ft Mitchell, KY 41017-0900	May 2009 - August 2009	\$77,149.22	\$0.00
S & S Water Monitoring, Inc. 4767 Highway 580 Oil Springs, KY 41238	May 2009 thru August 2009	\$7,765.00	\$0.00
Salyer Trucking LLC 7742 Hwy 460 E West Liberty, KY 41472	May 2009 thru August 2009	\$605,172.84	\$154,973.73
Security Engineers, Inc. P. O.Box 10231 Birmingham, AL 35202-0231	May 2009 thru August 2009	\$79,973.93	\$17,675.61
Synergy Engineering Services PLLC 1904 South Mayo Trail, Suite 200 Pikeville, KY 41501	May 2009 thru August 2009	\$13,623.50	\$11,573.43
Walther Roark Gay & Todd, PLC P. O. Box 1598 Lexington, KY 40588	May 2009 thru August 2009	\$6,546.63	\$0.00

None

c. All debtors: List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR AND RELATIONSHIP TO DEBTOR Anthony Frederick 2919 Highway 1000 West Liberty, KY 41472 Member	DATE OF PAYMENT	AMOUNT PAID <b>\$81,724.63</b>	AMOUNT STILL OWING \$0.00
Rifle Coal Company, LLC PO Box 369 West Liberty, KY 41472		\$9,057,700.00	\$18,266,844.46

### 4. Suits and administrative proceedings, executions, garnishments and attachments

None

a. List all suits and administrative proceedings to which the debtor is or was a party within **one year** immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT COURT OR AGENCY STATUS OR NATURE OF PROCEEDING AND LOCATION DISPOSITION AND CASE NUMBER Frank Watkins and Lola K. **Magoffin Circuit Court Pending** Watkins vs. Licking River **Blasting damages** Resources Inc. and Associated Contracting Inc. 08-CI-214 Estate of Erica Brown vs Johnson Circuit Court Civil **Pending** Leslie Spence, et al Wrongful death 08-CI-00176 **Clifford Burchett for Olivia** Johnson Circuit Court **Pendina** Dawn Burchett vs. Leslie Wrongful death Spence, et al. 08-CI-00050 **US District Court** Allstate Insurance Company Civil **Pending** vs Associated Contracting, **Declaration of Eastern District of Kentucky** LLC rights/coverage 0:09-CV-20-HRW **Workers Compensation** Workers Compensation with Date of Injury/Accident **Pending** 03/04/09 Claim **KEMI** Claim #089517 **Danny Ball Workers Compensation** Workers Compensation with Date of Injury/Accident **Pending** 06/08/09 Claim **KEMI** Claim #091408

None b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately

preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON FOR WHOSE

BENEFIT PROPERTY WAS SEIZED

DATE OF SEIZURE

DESCRIPTION AND VALUE OF PROPERTY

### 5. Repossessions, foreclosures and returns

None

Daniel N. Clark

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DATE OF REPOSSESSION,

NAME AND ADDRESS OF CREDITOR OR SELLER

FORECLOSURE SALE, TRANSFER OR RETURN DESCRIPTION AND VALUE OF PROPERTY

### 6. Assignments and receiverships

None

a. Describe any assignment of property for the benefit of creditors made within **120 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DATE OF

NAME AND ADDRESS OF ASSIGNEE ASSIGNMENT TERMS OF ASSIGNMENT OR SETTLEMENT

4

5

None

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND LOCATION

NAME AND ADDRESS OF COURT OF CUSTODIAN

CASE TITLE & NUMBER ORDER DESCRIPTION AND VALUE OF

**PROPERTY** 

7. Gifts

None

List all gifts or charitable contributions made within **one year** immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON OR ORGANIZATION RELATIONSHIP TO DEBTOR, IF ANY

DATE OF GIFT

DATE OF

DESCRIPTION AND VALUE OF GIFT

8. Losses

None

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DESCRIPTION AND VALUE OF PROPERTY

LOSS WAS COVERED IN WHOLE OR IN PART BY INSURANCE, GIVE PARTICULARS

DESCRIPTION OF CIRCUMSTANCES AND, IF

DATE OF LOSS

Wrecked Load of Coal \$1,772.21 Wrecked Load of Coal \$1,679.44 Salyer Trucking (driver accident) lost load of coal 01/22/09 07/02/09

MR Trucking (driver accident) lost load of coal;

loss covered by insurance

#### 9. Payments related to debt counseling or bankruptcy

None 

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of the petition in bankruptcy within one year immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE

DATE OF PAYMENT. NAME OF PAYOR IF OTHER THAN DEBTOR

AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY

Fowler Measle & Bell PLLC 08/10/09

300 West Vine Street, Suite 600

Lexington, KY 40507-1660

Wise DelCotto PLLC 200 North Upper Street Lexington, KY 40507

08/20/09

\$12,000.00

\$3,000.00

#### 10. Other transfers

None

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within two years immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF TRANSFEREE, RELATIONSHIP TO DEBTOR

DATE

DESCRIBE PROPERTY TRANSFERRED AND VALUE RECEIVED

6

None

b. List all property transferred by the debtor within ten years immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

NAME OF TRUST OR OTHER

DEVICE

DATE(S) OF TRANSFER(S) AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY OR DEBTOR'S INTEREST IN PROPERTY

#### 11. Closed financial accounts

None

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF INSTITUTION

TYPE OF ACCOUNT, LAST FOUR DIGITS OF ACCOUNT NUMBER, AND AMOUNT OF FINAL BALANCE

AMOUNT AND DATE OF SALE OR CLOSING

# 12. Safe deposit boxes

None

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF BANK OR OTHER DEPOSITORY

NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITORY

DESCRIPTION OF CONTENTS DATE OF TRANSFER OR SURRENDER, IF ANY

#### 13. Setoffs

None 

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR Licking River Resources, Inc. P. O. Box 865 Catlettsburg, KY 41129

DATE OF SETOFF 08/07/09 08/14/09 AMOUNT OF SETOFF \$372,517.58 and \$88,414.74

#### 14. Property held for another person

None

List all property owned by another person that the debtor holds or controls.

DESCRIPTION AND VALUE OF

NAME AND ADDRESS OF OWNER

**PROPERTY** 

LOCATION OF PROPERTY

### 15. Prior address of debtor

None

If the debtor has moved within three years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

DATES OF OCCUPANCY **ADDRESS** NAME USED

### Case 09-10514 Doc 1 Filed 08/21/09 Entered 08/21/09 17:09:40 Desc Main Document Page 37 of 49

#### 16. Spouses and Former Spouses

None

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within **eight years** immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

NAME

#### 17. Environmental Information.

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law

None

a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

NAME AND ADDRESS OF DATE OF ENVIRONMENTAL SITE NAME AND ADDRESS GOVERNMENTAL UNIT NOTICE LAW

None b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous

Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

NAME AND ADDRESS OF DATE OF ENVIRONMENTAL SITE NAME AND ADDRESS GOVERNMENTAL UNIT NOTICE LAW

None c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which

the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

NAME AND ADDRESS OF GOVERNMENTAL UNIT

DOCKET NUMBER

STATUS OR DISPOSITION

7

#### 18. Nature, location and name of business

None

a. *If the debtor is an individual*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within **six years** immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within six years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

LAST FOUR DIGITS OF SOCIAL-SECURITY OR OTHER INDIVIDUAL TAXPAYER-I.D. NO. (ITIN)/ COMPLETE EIN ADDRESS

NATURE OF BUSINESS

1999 - present

BEGINNING AND ENDING DATES

8

NAME None

b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

NAME ADDRESS

The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within **six years** immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership, a sole proprietor or self-employed in a trade, profession, or other activity, either full- or part-time.

(An individual or joint debtor should complete this portion of the statement **only** if the debtor is or has been in business, as defined above, within six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)

#### 19. Books, records and financial statements

None a. List all bookkeepers and accountants who within **two years** immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

NAME AND ADDRESS DATES SERVICES RENDERED

Terry Y. Lewis

P. O. Box 369

West Liberty, KY 41472

Robert D. Bass, CPA 1999 - 2008

P. O. Box 496

Frankfort, KY 40602

Jesse Kelly, CPA 2008 - present

Fister, Williams & Oberlander 401 Lewis Hargett Circle, Suite 110

Lexington, KY 40509

None b. List all firms or individuals who within the **two years** immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

NAME ADDRESS DATES SERVICES RENDERED

# Case 09-10514 Doc 1 Filed 08/21/09 Entered 08/21/09 17:09:40 Desc Main Document Page 39 of 49

ŭ

None c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

NAME ADDRESS

None d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued by the debtor within **two years** immediately preceding the commencement of this case.

NAME AND ADDRESS

Citizens National Bank

P. O. Box 1488

Paintsville, KY 41240

DATE ISSUED
09/30/07
03/31/08

Commercial Bank 09/30/07

West Liberty, KY 41472

Community Trust Bank 09/30/07 P. O. Box 2947 03/31/08

Pikeville, KY 41502

P. O. Box 635

Whayne Supply Company 09/30/07 359 South Lanks Branch Road 03/31/08

Pikeville, KY 41502

U.S. Coal Corporation 09/30/07 448 Lewis Hargett Circle, Suite 240 03/31/08

Lexington, KY 40503

#### 20. Inventories

None a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory,

and the dollar amount and basis of each inventory.

DOLLAR AMOUNT OF INVENTORY (Specify cost, market or other basis)

DATE OF INVENTORY

INVENTORY SUPERVISOR

None b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above.

DATE OF INVENTORY

NAME AND ADDRESSES OF CUSTODIAN OF INVENTORY

03/31/08

RECORDS

#### 21. Current Partners, Officers, Directors and Shareholders

None a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

NAME AND ADDRESS NATURE OF INTEREST PERCENTAGE OF INTEREST

None b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting or equity securities of the corporation.

NAME AND ADDRESS TITLE NATURE AND PERCENTAGE
OF STOCK OWNERSHIP

Anthony Frederick Member 1/3 interest

2919 Highway 1000 West Liberty, KY 41472

Rifle Coal Company, LLC Member 2/3 interest

PO Box 369

West Liberty, KY 41472

Case 09-10514 Doc 1 Filed 08/21/09 Entered 08/21/09 17:09:40 Desc Main Document

# Page 40 of 49

#### 22. Former partners, officers, directors and shareholders

None

a. If the debtor is a partnership, list each member who withdrew from the partnership within one year immediately preceding the

commencement of this case.

**ADDRESS** NAME DATE OF WITHDRAWAL

None b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within one year

DATE AND PURPOSE

OF WITHDRAWAL.

immediately preceding the commencement of this case.

NAME AND ADDRESS DATE OF TERMINATION TITLE

**Draws** 

#### 23. Withdrawals from a partnership or distributions by a corporation

None 

If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during one year immediately preceding the commencement of this case.

NAME & ADDRESS OF RECIPIENT. RELATIONSHIP TO DEBTOR Anthony Frederick 2919 Highway 1000 West Liberty, KY 41472 Member

> **Equipment rents** \$8,013,600.00

PO Box 369

West Liberty, KY 41472

Rifle Coal Company, LLC

Member

#### 24. Tax Consolidation Group.

None

If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within six years immediately preceding the commencement of the case.

#### NAME OF PARENT CORPORATION

TAXPAYER IDENTIFICATION NUMBER (EIN)

AMOUNT OF MONEY

OR DESCRIPTION AND

VALUE OF PROPERTY

\$65.500.00

#### 25. Pension Funds.

None

If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within six years immediately preceding the commencement of the case.

NAME OF PENSION FUND

TAXPAYER IDENTIFICATION NUMBER (EIN)

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

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct to the best of my knowledge, information and belief.

Date August 21, 2009 /s/ L. Barrett Frederick Signature L. Barrett Frederick

**Registered Agent** 

[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]

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

10

Case 09-10514 Doc 1 Filed 08/21/09 Entered 08/21/09 17:09:40 Desc Main

# Document Page 41 of 49

### United States Bankruptcy Court Eastern District of Kentucky

In r	e Associated Contracting, LLC	added in District of Incitating	Case	No	
111 1	Associated Contracting, LLC	Debtor(s)	Case Chap		11
	DISCLOSURE OF COME	PENSATION OF ATTOR	NEY FOI	R DE	CBTOR(S)
1.	Pursuant to 11 U.S.C. § 329(a) and Bankruptcy compensation paid to me within one year before the be rendered on behalf of the debtor(s) in contemplation	e filing of the petition in bankruptcy,	or agreed to	be pai	d to me, for services rendered or to
	For legal services, I have agreed to accept		\$		Hourly rate
	Prior to the filing of this statement I have receive	ved	\$		12,000.00
	Balance Due		\$	To be	determined
2.	The source of the compensation paid to me was:  Debtor Other (specify):  The source of compensation to be paid to me is:				
	Debtor Other (specify):				
4.	I have not agreed to share the above-disclosed co	ompensation with any other person u	nless they are	mem	pers and associates of my law firm.
	I have agreed to share the above-disclosed comp copy of the agreement, together with a list of the				
5.	In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:				
	<ul><li>a. Analysis of the debtor's financial situation, and re</li><li>b. Preparation and filing of any petition, schedules,</li><li>c. Representation of the debtor at the meeting of cre</li><li>d. [Other provisions as needed]</li></ul>	statement of affairs and plan which r	nay be require	ed;	
6.	By agreement with the debtor(s), the above-disclosed Services beyond those described ab which Debtor(s) may be a party. If co paid will be disclosed pursuant to Re	ove, including representation in ounsel is engaged to render suc	n adversary		
		CERTIFICATION			
this	I certify that the foregoing is a complete statement of bankruptcy proceeding.	f any agreement or arrangement for p	ayment to me	for re	presentation of the debtor(s) in
Date	ed: August 21, 2009	/s/ Dean A. Langdon			
		Dean A. Langdon Wise DelCotto PLL 200 North Upper S Lexington, KY 405	_C treet		

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

Case 09-10514 Doc 1 Filed 08/21/09 Entered 08/21/09 17:09:40 Desc Main Document Page 42 of 49

# **United States Bankruptcy Court Eastern District of Kentucky**

Debtor	, Case No, Chapter	11
Debtor	, Chapter	11
ch is prepared in acco	ordance with Rule 1007(a)(3	3) for filing in this chapter 11 ca
Security	Number of Sopportion	Kind of
Class	of Securities	Interest
Member		1/3 interest
Member		2/3 interest
ed as the debtor in t	this case, declare under po	enalty of perjury that I have
Signature_	/s/ L. Barrett Frederick	
	-	nt for up to 5 years or both.
1	Security Class  Member  Member  URY ON BEHAI  ded as the debtor in the condition of the con	Class of Securities  Member

Case 09-10514 Doc 1 Filed 08/21/09 Entered 08/21/09 17:09:40 Desc Main Document Page 43 of 49

## **United States Bankruptcy Court** Eastern District of Kentucky

In re	Associated Contracting, LLC		Case No.					
		Debtor(s)	Chapter 11					
	CORPORATE	OWNERSHIP STATEMENT (R	RULE 7007.1)					
	¥ •		ges to evaluate possible disqualification					
	usal, the undersigned counsel for <b>Ass</b> e							
			that directly or indirectly own(s) 10% or					
	1	ity interests, or states that there are	no entities to report under FRBP 7007.1:					
	Coal Company, LLC							
	ox 369 Liberty, KY 41472							
11031	Liberty, ICT 41472							
□Non	e [Check if applicable]							
	e temen y approaute							
A	-1.04.0000	(a) Dana A Laurdan						
	st 21, 2009	/s/ Dean A. Langdon Dean A. Langdon						
Date		•	4					
		Signature of Attorney or Litigan Counsel for Associated Contra						
		Wise DelCotto PLLC	g, <b></b>					
		200 North Upper Street						
		Lexington, KY 40507						
		(859) 231-5800 Fax:(859) 281-1179	)					

Case 09-10514 Doc 1 Filed 08/21/09 Entered 08/21/09 17:09:40 Desc Main Document Page 44 of 49

## **United States Bankruptcy Court** Eastern District of Kentucky

In re	Associated Contracting, LLC	•	Case No.	
		Debtor(s)	Chapter	11
	VERIFICATIO	ON OF MAILING LIST	MATRIX	
	I, the Registered Agent of the corporation na	amed as the petitioner(s) in the above	-styled bankru	uptcy action, declare under
penalty	of perjury that the attached mailing list matrix	of creditors and other parties in inte	rest consisting	g of <b>5</b> page(s) is true and
correct	and complete, to the best of my (our) knowled	lge.		
Date:	August 21, 2009	/s/ L. Barrett Frederick  L. Barrett Frederick/Registered A Signer/Title	gent	
of my l	Dean A. Langdon , counsel for the per Address List consisting of <u>5</u> page(s) has been accordingly for the per Address List consisting of <u>5</u> page(s) has been accordingly for the per Address List consisting of <u>5</u> page(s) has been accordingly for the per Address List consisting of <u>5</u> page(s) has been accordingly for the per Address List consisting of <u>5</u> page(s) has been accordingly for the per Address List consisting of <u>5</u> page(s) has been accordingly for the per Address List consisting of <u>5</u> page(s) has been accordingly for the per Address List consisting of <u>5</u> page(s) has been accordingly for the per Address List consisting of <u>5</u> page(s) has been accordingly for the per Address List consisting of <u>5</u> page(s) has been accordingly for the per Address List consisting of <u>5</u> page(s) has been accordingly for the per Address List consisting of <u>5</u> page(s) has been accordingly for the per Address List consisting of <u>5</u> page(s) has been accordingly for the per Address List consisting of <u>5</u> page(s) has been accordingly for the per Address List consistency for the per A	een verified by comparison to Sched Master Address List can be relied up	ules D through on by the Cler	n H to be complete, to the best k of Court to provide notice to
Date:	August 21, 2009	/s/ Dean A. Langdon Signature of Attorney Dean A. Langdon Wise DelCotto PLLC		

Lexington, KY 40507

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

Allstate Insurance Company c/o Darrin Winn Banks, Esq. P. O. Drawer 1767 Paintsville KY 41240-1767

Appalachian Fabrication & Metal 409 Keither Miller Drive Chavies KY 41727

Austin Sales, LLC PO Box 2017 Abingdon VA 24212

C & M Giant Tire, LLC PO Box 826 Hazard KY 41702

Carquest of Salyersville 630 E. Mountain Pkwy Salyersville KY 41465

Clifford Burchett c/o John W. Kirk, Esq. 193 East Court Street Prestonsburg KY 41653

Community Trust Bank P. O. Box 2947 Pikeville KY 41502

Dyno Nobel, Inc. PO Box 75474 Chicago IL 60675

Estate of Erica Brown c/o Ned Pillersdoft, Esq. 124 West Court Street Prestonsburg KY 41653

Farmers Bank & Capital Trust Cardmember Services PO Box 6335 Fargo ND 58125-6335 Foothills Telephone Coop., Inc. PO Box 240 Staffordsville KY 41256

Frank & Lola K. Watkins c/o Teddy L. Flynt, Esq. P. O. Box 359 Stanton KY 40380

Gilliam's Grocery PO Box 45 Crockett KY 41413

Green Mountain Hydroseeding, Inc. PO Box 840 Staffordsville KY 41256

Hayton Glass Company PO Box 235 Betsy Layne KY 41605

Home Town True Value (Salyersville) PO Box 1565 Salyersville KY 41465

Internal Revenue Service P.O. Box 21126 Philadelphia PA 19114

Jennings Portable Toilets 4301 Dry Creek Rd Clearfield KY 40313

Johnny Minix Tire of Kentucky LLC PO Box 483 Salyersville KY 41465

Jones Oil Company, Inc. PO Box 3427
Pikeville KY 41502

Kentucky Dept. of Natural Resources
#2 Hudson Hollow
Frankfort KY 40601

Kentucky Dept. of Revenue Legal Branch - Bankruptcy Section P O Box 5222 Frankfort KY 40602

Kentucky Employers Mutual Insurance 250 W Main Street, Suite 900 Lexington KY 40507

Kentucky State Treasurer Kentucky Dept of Revenue Frankfort KY 40620-0004

Kentucky State Treasurer Office of Administrative Hearings 35-36 Fountain Place Frankfort KY 40601

Kentucky State Treasurer Department of Revenue Frankfort KY 40619-0001

Licking River Resources, Inc. P. O. Box 865
Catlettsburg KY 41129

Magoffin Co Occupational Tax PO Box 430 Salyersville KY 41465

Mine Safety and Health Administration U.S. Dept. of Labor P.O. Box 790390 Saint Louis MO 63179-0390

Mineral Labs, Inc. Box 549 Salyersville KY 41465

Mister C Mobile Pressure, Inc. 2919 New Haven Ct Flatwoods KY 41139 Monday Coal Sales, LLC PO Box 5025 Wrigley KY 41477

Music Carter 713 South Lake Drive Prestonsburg KY 41653

New Pig Corporation One Pork Avenue Tipton PA 16684-0304

Rifle Coal Company, LLC P. O. Box 369 West Liberty KY 41472

Salyer Trucking LLC 7742 Hwy 460 E West Liberty KY 41472

SEI Inc 4028 Papermill Drive, Suite 20 Knoxville TN 37909

Southern Airtool Service PO Box 54875 Lexington KY 40555-4875

Synergy Engineering Services PLLC 1904 S Mayo Trail, Suite 200 Pikeville KY 41501

The Rock Group, LLC PO Box 307 Paris KY 40362-0307

TM, Inc. DBA American First Aid PO Box 3035
Pikeville KY 41502

Treasurer, KY Unemployment Ins Division of Unemployment Insurance PO Box 2003 Frankfort KY 40602-2003

# Case 09-10514 Doc 1 Filed 08/21/09 Entered 08/21/09 17:09:40 Desc Main Document Page 49 of 49

Valley National Gases, Inc. PO Box 6378 Wheeling WV 26003-0615

Virginia Department of Taxation PO Box 27264 Richmond VA 23261-7264

Walther, Roark & Gay, PLC P. O. Box 1598 Lexington KY 40588-1598