Case 10-60595 Doc 1 Filed 04/14/10 Entered 04/14/10 17:20:17 Desc Main Document Page 1 of 13

BI (Official Fi	01 III 1 II 4/		United Eas		Banki strict of						Volun	tary Petition
Name of Deb Jadco Er	,		er Last, First	, 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 3 maiden, and		in the last 8 year ):	rs		
Last four digitif more than one,	state all)	Sec. or Indi	vidual-Taxp	ayer I.D. (	ITIN) No./0	Complete E		our digits o		r Individual-	Гахрауег I.D. (Г	ΓΙΝ) No./Complete EIN
Street Addres 31 Fireho Hyden, K	ss of Debto	*	Street, City,	and State)	:	ZIP Code		Address of	Joint Debtor	r (No. and St	reet, City, and St	tate):  ZIP Code
						41749		45 11		B : : IB	0.D	
County of Res			1								ace of Business:	
Mailing Addr P O Box Hyden, K	952	otor (if diffe	erent from str	eet addres	ss):	am a .		ig Address	of Joint Debt	tor (if differe	nt from street ad	,
					Г	ZIP Code 41749	;					ZIP Code
Location of P (if different fr				r	·	-	•					·
(Form of Organization) (Check one box)  ☐ Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. ☐ Corporation (includes LLC and LLP)  ☐ Stockbr		Nature of Business (Check one box)  ☐ Health Care Business ☐ Single Asset Real Estate as defir in 11 U.S.C. § 101 (51B) ☐ Railroad ☐ Stockbroker ☐ Commodity Broker ☐ Clearing Bank			☐ Chapt ☐ Chapt ☐ Chapt ☐ Chapt	the 1 er 7 er 9 er 11 er 12	Petition is Fi	`a Foreign Main hapter 15 Petitio	box) on for Recognition			
Other (If d	debtor is not	one of the all		□ Deb	er Tax-Exe	of the Unite	e) ganization ed States	defined "incurr	are primarily co I in 11 U.S.C. § ed by an indivi onal, family, or	(Check consumer debts, § 101(8) as idual primarily	for	Debts are primarily business debts.
			heck one box	x)		Check	one box:		Chap	oter 11 Debt	ors	
debtor is ur Form 3A.  Filing Fee v	to be paid in ed application nable to pay waiver reque	installments on for the cou fee except in	art's considerat installments.	tion certifyi Rule 1006( 7 individu	ng that the (b). See Office als only). Mu	Check Check Check BB.	Debtor is not if: Debtor's agg- are less than all applicable A plan is bein Acceptances	a small busineregate nonco \$2,343,300 (e boxes: ng filed with of the plan w	ness debtor as on ntingent liquid amount subject this petition.	defined in 11 to ated debts (exo to adjustment) repetition from		d to insiders or affiliates) very three years thereafter).
Statistical/Ad Debtor est Debtor est there will	timates tha	t funds will t, after any	l be available	erty is ex	cluded and	administrat		es paid,		THIS	SPACE IS FOR C	COURT USE ONLY
Estimated Nu				1,000- 5,000	5,001- 10,000	10,001- 25,000	25,001- 50,000	50,001- 100,000	OVER 100,000			
Estimated Ass	sets \$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 Lia	abilities  \$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				

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BI (Official Fort	11 1)(4/10)		rage 2			
Voluntary	Petition	Name of Debtor(s):  Jadco Enterprises, Inc.				
(This page mus	st be completed and filed in every case)	0 V				
Location	All Prior Bankruptcy Cases Filed Within Last	Rears (If more than two, attach ad Case Number:				
Where Filed:	- None -		Date Filed:			
Location Where Filed:		Case Number:	Date Filed:			
	nding Bankruptcy Case Filed by any Spouse, Partner, or	Affiliate of this Debtor (If more than	one, attach additional sheet)			
Name of Debto - None -	or:	Case Number:	Date Filed:			
District:		Relationship:	Judge:			
forms 10K an pursuant to S and is reques	Exhibit A  leted if debtor is required to file periodic reports (e.g., and 10Q) with the Securities and Exchange Commission ection 13 or 15(d) of the Securities Exchange Act of 1934 ting relief under chapter 11.)  A is attached and made a part of this petition.	(To be completed if debtor is an individual I, the attorney for the petitioner named have informed the petitioner that [he o 12, or 13 of title 11, United States Cod	in the foregoing petition, declare that I r she] may proceed under chapter 7, 11, le, and have explained the relief available fy that I delivered to the debtor the notice			
	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 I  If this is a joir	eted by every individual debtor. If a joint petition is filed, each completed and signed by the debtor is attached and made a	a part of this petition.	separate Exhibit D.)			
	Information Regardin	g the Debtor - Venue				
	<ul> <li>(Check any applicable box)</li> <li>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.</li> <li>□ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.</li> </ul>					
	Certification by a Debtor Who Reside (Check all app.		ty			
	Landlord has a judgment against the debtor for possession		complete the following.)			
	(Name of landlord that obtained judgment)  (Address of landlord)					
	Debtor claims that under applicable nonbankruptcy law, the entire monetary default that gave rise to the judgment f					
	Debtor has included in this petition the deposit with the coafter the filing of the petition.		· ·			
	Debtor certifies that he/she has served the Landlord with the	nis certification. (11 U.S.C. § 362(l)).				

Page 3 of 13 Document B1 (Official Form 1)(4/10)

# **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.

Signature of Debtor

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 40507-1017

Address

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

Telephone Number

## April 14, 2010

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/ Charlie Collins

Signature of Authorized Individual

#### **Charlie Collins**

Printed Name of Authorized Individual

#### President

Title of Authorized Individual

#### April 14, 2010

Date

Name of Debtor(s):

Jadco Enterprises, Inc.

## **Signatures**

#### Signature of a Foreign Representative

Page 3

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.

<b>T</b> 7
Λ

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.)

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.

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

## United States Bankruptcy Court Eastern District of Kentucky

In re	Jadco Enterprises, Inc.			
		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]
Mitco Enterprises PO Box 952 Hyden, KY 41749	Mitco Enterprises PO Box 952 Hyden, KY 41749	trade debt		1,347,206.25
Covol Fuels No.3, LLC 10653 S. Riverfront Pkwy, Suite 300 South Jordan, UT 84095	Covol Fuels No.3, LLC 10653 S. Riverfront Pkwy, Suite 300 South Jordan, UT 84095	trade debt		305,384.39
Equinox Leasing, LLC Redbird Mountain Coal Company, LLC 252 Clayton Street 4th Floor Denver, CO 80206	Equinox Leasing, LLC Redbird Mountain Coal Company, LLC 252 Clayton Street Denver, CO 80206	trade debt	Contingent Disputed	297,703.95
Mine Service Company PO Box 858 Hazard, KY 41702	Mine Service Company PO Box 858 Hazard, KY 41702	trade debt	Disputed	207,442.81
SUV Coal Chas Coal, LLC 252 Clayton Street 4th Floor Denver, CO 80206	SUV Coal Chas Coal, LLC 252 Clayton Street Denver, CO 80206	trade debt	Contingent Disputed	163,269.00
Yukon Coal, LLC Aspen Century, LLC 252 Clayton Street 4th Floor Denver, CO 80206	Yukon Coal, LLC Aspen Century, LLC 252 Clayton Street Denver, CO 80206	trade debt	Contingent Disputed	135,838.93
Superior Highwall Miners 351 Ragland Road Beckley, WV 25801	Superior Highwall Miners 351 Ragland Road Beckley, WV 25801	trade debt	Disputed	131,492.42
Ikerd Mining Co., LLC PO Box 966 Somerset, KY 42502	Ikerd Mining Co., LLC PO Box 966 Somerset, KY 42502	trade debt		105,704.50
Collins, Charlie 2900 Johnson Road London, KY 40741	Collins, Charlie 2900 Johnson Road London, KY 40741	loan		56,212.22

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B4 (Official Form 4) (12/07) - Cont.						
In re	Jadco Enterprises, Inc.	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]
T&N Electric Motor Exchange PO Box 1086	T&N Electric Motor Exchange PO Box 1086	trade debt	Disputed	53,241.27
Bluefield, VA 24605 Rudd Equipment Dept 77432 P O Box 77000 Detroit, MI 48277	Bluefield, VA 24605 Rudd Equipment Dept 77432 P O Box 77000 Detroit, MI 48277	trade debt		45,900.00
J Hall, Inc PO Box 128 Barbourville, KY 40906	J Hall, Inc PO Box 128 Barbourville, KY 40906	trade debt		32,528.85
Terex Corporation 351 Ragland Road Beckley, WV 25801	Terex Corporation 351 Ragland Road Beckley, WV 25801	trade debt		25,758.98
Kentucky Utilities PO Box 539013 Atlanta, GA 30353	Kentucky Utilities PO Box 539013 Atlanta, GA 30353	services		24,184.69
Steptoe & Johnson PO Box 1732 Clarksburg, WV 26302	Steptoe & Johnson PO Box 1732 Clarksburg, WV 26302	legal fees		17,944.97
RC Heavy Haulers Inc 317 Cherry Street Pineville, KY 40977	RC Heavy Haulers Inc 317 Cherry Street Pineville, KY 40977	trade debt		13,925.00
MICON #25 Allegheny Square Glassport, PA 15045	MICON #25 Allegheny Square Glassport, PA 15045	trade debt		13,633.00
Deana's Trucking Company, LLC 95 Swift Road Essie, KY 40827	Deana's Trucking Company, LLC 95 Swift Road Essie, KY 40827	trade debt		8,957.60
Van Meter Insurance 181 Prosperous Place Lexington, KY 40509	Van Meter Insurance 181 Prosperous Place Lexington, KY 40509	insurance		4,757.89
Southeast Service, Inc 142 Ronald Lane Cumberland Gap, TN 37724	Southeast Service, Inc 142 Ronald Lane Cumberland Gap, TN 37724	trade debt		4,015.44

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B4 (Offi	cial Form 4) (12/07) - Cont.		
In re	Jadco Enterprises, Inc.	Case No.	
	Debtor(s)		

## LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

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

I, the President 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	April 14, 2010	Signature	/s/ Charlie Collins
			Charlie Collins
			President

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

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# **United States Bankruptcy Court**

		Eastern District of Kentuck	y	
In re	Jadco Enterprises, Inc.		Case No	
-		Debtor	, Chapter	11
		OF EQUITY SECURITY		
Follo	wing is the list of the Debtor's equity securit	y holders which is prepared in accor	dance with Rule 1007(a)(3	3) for filing in this chapter 11 cas
	ne and last known address lace of business of holder	Security Class	Number of Securities	Kind of Interest
Lon	O Johnson Road don, KY 40741  CLARATION UNDER PENALTY  I, the President of the corporation foregoing List of Equity Security Hold	named as the debtor in this case,	declare under penalty of	f perjury that I have read the
Date	April 14, 2010	Signature_/	s/ Charlie Collins	
			narlie Collins esident	
	Penalty for making a false statement or con	ncealing property: Fine of up to \$3 18 U.S.C §§ 152 and 35		nt for up to 5 years or both.

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

In re	Jadco Enterprises, Inc.	<b>D.</b> ()	Case No.	
		Debtor(s)	Chapter <u>1</u>	1
	CORPORA	TE OWNERSHIP STATEMENT	(RULE 7007.1)	
			(RCLL / vo/il)	
or reco	usal, the undersigned counsel for	Procedure 7007.1 and to enable the Judadco Enterprises, Inc. in the above than the debtor or a governmental unequity interests, or states that there a	e captioned action, on it, that directly or it	certifies that the ndirectly own(s) 10% or
■Non	e [Check if applicable]			
April <sup>1</sup>	14, 2010	/s/ Dean A. Langdon		
Date		Dean A. Langdon		
		Signature of Attorney or Litig		
		Counsel for Jadco Enterprise Wise DelCotto PLLC	es, Inc.	
		200 North Upper Street		
		Lexington, KY 40507-1017		
		(859) 231-5800 Fax:(859) 281-11	79	

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

In re	Jadco Enterprises, Inc.		Case No.	
		Debtor(s)	Chapter	11

	VERIFIC	CATION OF MAILING LIST MATRIX
	I, the President of the corporation i	named as the petitioner(s) in the above-styled bankruptcy action, declare under penalty of
perjury tl	hat the attached mailing list matrix	of creditors and other parties in interest consisting of4_ page(s) is true and correct and
complete	e, to the best of my (our) knowledge	x.
Date:	April 14, 2010	/s/ Charlie Collins
		Charlie Collins/President Signer/Title
of my kn all credit	address List consisting of 4 page owledge. I further declare that the	If for the petitioner(s) in the above-styled bankruptcy action, declare that the attached e(s) has been verified by comparison to Schedules D through H to be complete, to the best attached Master Address List can be relied upon by the Clerk of Court to provide notice to to me by the debtor(s) in the above-styled bankruptcy action until such time as any
Date:	April 14, 2010	/s/ Dean A. Langdon
		Signature of Attorney  Dean A. Langdon
		Wise DelCotto PLLC 200 North Upper Street
		Lexington, KY 40507-1017
		(859) 231-5800 Fax: (859) 281-1179

Brooks Tire Service, Inc PO Box 96 Four Mile KY 40939

Clay Septic Service 114 Hurd Hill Rd Manchester KY 40962

Collins, Charlie 2900 Johnson Road London KY 40741

Covol Fuels No.3, LLC 10653 S. Riverfront Pkwy, Suite 300 South Jordan UT 84095

Deana's Trucking Company, LLC 95 Swift Road Essie KY 40827

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

Dynatech Electronics, Inc PO Box 884 Harlan KY 40831

Equinox Leasing, LLC Redbird Mountain Coal Company, LLC 252 Clayton Street 4th Floor Denver CO 80206

Ikerd Mining Co., LLC PO Box 966 Somerset KY 42502

Industrial Supply Co. PO Box 1906 Knoxville TN 37901

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

J Hall, Inc PO Box 128 Barbourville KY 40906

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

Kentucky Unemployment Insurance PO Box 2003 Frankfort KY 40602

Kentucky Utilities PO Box 539013 Atlanta GA 30353

MetTel PO Box 9660 Manchester NH 03108

MICON #25 Allegheny Square Glassport PA 15045

Mine Service Company PO Box 858 Hazard KY 41702

Mitco Enterprises PO Box 952 Hyden KY 41749

MSHA PO Box 790390 St. Louis MO 63197

Office of Surface Mining PO Box 979068 St. Louis MO 63197

Parks Sanitation PO Box 373 Garrard KY 40941 Pineville Water System PO Box 277 Pineville KY 40977

RC Heavy Haulers Inc 317 Cherry Street Pineville KY 40977

RC Trucking, Inc. 317 Cherry Street Pineville KY 40977

Rudd Equipment Dept 77432 P O Box 77000 Detroit MI 48277

Southeast Service, Inc 142 Ronald Lane Cumberland Gap TN 37724

Steptoe & Johnson PO Box 1732 Clarksburg WV 26302

Suburban Coal Operations, LLC 252 Clayton Street 4th Floor Denver CO 80206

Summit Engineering, Inc 131 Summit Drive Pikeville KY 41501

Superior Highwall Miners 351 Ragland Road Beckley WV 25801

SUV Coal Chas Coal, LLC 252 Clayton Street 4th Floor Denver CO 80206 T&N Electric Motor Exchange PO Box 1086 Bluefield VA 24605

Terex Corporation 351 Ragland Road Beckley WV 25801

Troxler Electronic Laboratories, Inc. PO Box 12057
Triangle Park NC 27709

Underwater Services, LTD Rt 1 Box 23A Poca WV 25159

United States Treasury (941 Payroll Tax) PO Box 804522 Cincinnati OH 45280

United States Treasury (Excise Tax) Internal Revenue Service Cincinnati OH 45999

Van Meter Insurance 181 Prosperous Place Lexington KY 40509

Venable Enterprise Inc PO Box 610 Loyall KY 40854

Water Softner Rental 136 East Fifth Street London KY 40741

Windstream PO Box 9001908 Louisville KY 40290

Yukon Coal, LLC Aspen Century, LLC 252 Clayton Street 4th Floor Denver CO 80206