

United States Bankruptcy Court Eastern District of Louisiana

Voluntary Petition

Name of Debtor (if individual, enter Last, First, Middle): Myers & Sons Enterprises, Inc.	Name of Joint Debtor (Spouse) (Last, First, Middle):
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all): 72-1277017	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all):
Street Address of Debtor (No. & Street, City, State & Zip Code): 2300 Philip Street New Orleans, LA	Street Address of Joint Debtor (No. & Street, City, State & Zip Code):
ZIPCODE 70113	ZIPCODE
County of Residence or of the Principal Place of Business: Orleans	County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address):	Mailing Address of Joint Debtor (if different from street address):
ZIPCODE	ZIPCODE
Location of Principal Assets of Business Debtor (if different from street address above): 2300 Philip Street, New Orleans, LA	
ZIPCODE 70113	

Type of Debtor (Form of Organization) (Check one box.) <input type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input checked="" type="checkbox"/> Corporation (includes LLC and L.P.) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)	Nature of Business (Check one box.) <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101(51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other	Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box.) <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding
Tax-Exempt Entity (Check box, if applicable.) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).		Nature of Debts (Check one box.) <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input checked="" type="checkbox"/> Debts are primarily business debts.

Filing Fee (Check one box) <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> 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. <input type="checkbox"/> Filing Fee waiver requested (Applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.	Chapter 11 Debtors Check one box: <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts owed to non-insiders or affiliates are less than \$2,190,000. Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
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Statistical/Administrative Information

- ☒ Debtor estimates that funds will be available for distribution to unsecured creditors.
☐ Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.

Estimated Number of Creditors <input checked="" type="checkbox"/> 1-49 <input type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5,001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> Over 100,000									
Estimated Assets <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input checked="" type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion									
Estimated Liabilities <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input checked="" type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion									

THIS SPACE IS FOR COURT USE ONLY

B1 (Official Form 1) (1/08)

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

Name of Debtor(s):

Myers & Sons Enterprises, Inc.**Prior Bankruptcy Case Filed Within Last 8 Years** (If more than two, attach additional sheet)

Location

Where Filed: **Eastern District Of Louisiana**

Case Number:

04-15780

Date Filed:

08/01/04

Location

Where Filed: **N/A**

Case Number:

Date Filed:

Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)

Name of Debtor:

None

Case Number:

Date Filed:

District:

Relationship:

Judge:

Exhibit A

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)

☐ Exhibit A is attached and made a part of this petition.

Exhibit B

(To be completed if debtor is an individual whose debts are primarily consumer debts.)

I, the attorney for the petitioner named in the foregoing petition, declare that I 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 under each such chapter. I further certify that I delivered to the debtor the notice required by § 342(b) of the Bankruptcy Code.

X

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 or lessor that obtained judgment)

(Address of landlord or lessor)

- ☐ 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(l)).

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

Name of Debtor(s):

Myers & Sons Enterprises, Inc.**Signatures****Signature(s) of Debtor(s) (Individual/Joint)**

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

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

X

Signature of Debtor

X

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

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.

X

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

Signature of Attorney*X Robert L. Marrero

Signature of Attorney for Debtor(s)

Robert L. Marrero 8947**Robert L. Marrero, LLC****3520 General Degaulle Dr Ste 1035****New Orleans, LA 70114****(504) 366-8025 Fax: (504) 366-8026****marrero1035@bellsouth.net****July 30, 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 Earl Myers, Jr.

Signature of Authorized Individual

Earl Myers, Jr.

Printed Name of Authorized Individual

President

Title of Authorized Individual

July 30, 2009

Date

Signature of Non-Attorney Petition Preparer

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

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

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

Address

X

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

Date

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

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

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

**United States Bankruptcy Court
Eastern District of Louisiana**

IN RE:

Case No. _____

Myers & Sons Enterprises, Inc.Chapter **11**

Debtor(s)

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 and Fed. R. Bankr. P. 1007(m).

(1) Name of creditor and complete mailing address including zip code	(2) Name, telephone number and complete mailing address, including zip code, of employee, agent or department of creditor familiar with claim who may be contacted	(3) Nature of claim (trade debt, bank loan, government contract, etc.)	(4) Indicate if claim is contingent, unliquidated, disputed or subject to setoff	(5) Amount of claim (if secured also state value of security)
Carver-Desire Baptist Church 3301 Mortegut Street New Orleans, LA 70126			Unliquidated Disputed	800,000.00
Capital One Bank 1680 Capital One Drive McLean, VA 22101				463,544.74 Collateral: 0.00 Unsecured: 463,544.74
Percy Payne, Jr. C/O J. Konrad Jackson, Esq. 825 Baronne Street New Orleans, LA 70113			Disputed	205,863.83
Citizens United For Economic Equity 651 Leson Court Suite A Harvey, LA 70058				80,000.00
Capital One Bank 1680 Capital One Drive McLean, VA 22101				79,793.52 Collateral: 0.00 Unsecured: 79,793.52
Regions Bank 417 North Twentieth Street Birmingham, AL 35203				76,980.55 Collateral: 0.00 Unsecured: 76,980.55
Liberty Bank 6600 Plaza Drive Suite 600 New Orleans, LA 70127				66,513.43 Collateral: 0.00 Unsecured: 66,513.43
The Home Depot P. O. Box 689100 Des Moines, IA 50368				16,654.28
Citi Cards P. O. Box 6940 The Lakes, NV 88901				13,630.35
Elaine Sears 8214 Forshey Street New Orleans, LA 70118			Unliquidated Disputed	11,302.60
JBC Erection Connection 612 Gardenia Street LaPlace, LA 70068				9,829.00

AIG Insurance 22427 Network Place Chicago, IL 60673	6,408.00
Sherwin Williams 1743 St. Charles Avenue New Orleans, LA 70130	3,600.00
Jefferson Door P. O. Box 220 Harvey, LA 70059	2,935.62
Interior/Exterior P. O. Box 4002 New Orleans, LA 10178	1,345.95
Chase P. O. Box 94014 Palatine, IL 60094	1,195.96
Barco Premium Finance P. O. Box 231 Turners, MO 65765	1,168.51
Owens & Sons P. O. Box 8646 New Orleans, LA 70182	1,129.24
L. Murphy Trucking Service P. O. Box 1008 Chalmette, LA 70044	794.20
Campbell Cabinet Company P. O. Box 23884 Harahan, LA 70138-0884	724.38

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

I, [the president *or* other officer *or* an authorized agent of the corporation][*or* a member *or* an authorized agent of the partnership] 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: July 30, 2009

Signature: _____

Earl Myers Jr.

Earl Myers, Jr., President

(Print Name and Title)

AIG Insurance
22427 Network Place
Chicago, IL 60673

American Vehicle Insurance Co.
C/O James A. Prather, Esq.
#3 Sanctuary Blvd., Third Floor
Mandeville, LA 70471

Barco Premium Finance
P. O. Box 231
Turners, MO 65765

Barnett
P. O. Box 404295
Atlanta, GA 30384

Bartley P. Bourgeois
THE COHN LAW FIRM
10754 Linkwood Court, Suite 1
Baton Rouge, LA 70810

Campbell Cabinet Company
P. O. Box 23884
Harahan, LA 70138-0884

Capital One Bank
1680 Capital One Drive
McLean, VA 22101

Carver-Desire Baptist Church
3301 Mortegut Street
New Orleans, LA 70126

Chase
P. O. Box 94014
Palatine, IL 60094

Chevron
P. O. Box 530950
Atlanta, GA 30353

Citi Cards
P. O. Box 6940
The Lakes, NV 88901

Citizens United For Economic Equity
651 Leson Court
Suite A
Harvey, LA 70058

City Of New Orleans
Dept. Of Finance, Bureau Of The Treasury
1300 Perdido St., Room 1W21
New Orleans, LA 70112

David F. Napoleon, Esq.
201 St. Charles Avenue
Suite 2546
New Orleans, LA 70170

Elaine Sears
8214 Forshey Street
New Orleans, LA 70118

Frerret Paint
5104 Frerret Street
New Orleans, LA 70115

Interior/Exterior
P. O. Box 4002
New Orleans, LA 10178

JBC Erection Connection
612 Gardenia Street
LaPlace, LA 70068

Jefferson Door
P. O. Box 220
Harvey, LA 70059

L. Murphy Trucking Service
P. O. Box 1008
Chalmette, LA 70044

Liberty Bank
6600 Plaza Drive
Suite 600
New Orleans, LA 70127

Markel Lumber
1411 S. Rendon Street
New Orleans, LA 70125

Office Of U. S. Trustee
Region V
400 Poydras Street, 21st Floor
New Orleans, LA 70130

Owens & Sons
P. O. Box 8646
New Orleans, LA 70182

Percy Payne, Jr.
C/O J. Konrad Jackson, Esq.
825 Baronne Street
New Orleans, LA 70113

Pot-O-Gold
P. O. Box 1627
Hammond, LA 70404

Regions Bank
417 North Twentieth Street
Birmingham, AL 35203

Sherwin Williams
1743 St. Charles Avenue
New Orleans, LA 70130

The Home Depot
P. O. Box 689100
Des Moines, IA 50368

United States Bankruptcy Court
Eastern District of Louisiana

IN RE:

Case No. _____

Myers & Sons Enterprises, Inc.

Chapter 11

Debtor(s)

VERIFICATION OF CREDITOR MATRIX

The above named debtor(s) hereby verify(ies) that the attached matrix listing creditors is true to the best of my(our) knowledge.

Date: July 30, 2009

Signature: _____



Earl Myers, Jr., President

Debtor

Date: _____

Signature: _____

Joint Debtor, if any