

**Fill in this information to identify your case:**

United States Bankruptcy Court for the:

EASTERN DISTRICT OF MICHIGAN

Case number (if known) \_\_\_\_\_ Chapter 11

Check if this an amended filing

Official Form 201

**Voluntary Petition for Non-Individuals Filing for Bankruptcy**

4/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name D & D Warner Land, LLC

2. All other names debtor used in the last 8 years  
Include any assumed names, trade names and *doing business as* names

3. Debtor's federal Employer Identification Number (EIN) 47-1424019

4. Debtor's address	Principal place of business	Mailing address, if different from principal place of business
	<u>P.O. Box 155</u> <u>Tipton, MI 49287</u> Number, Street, City, State & ZIP Code	<u>c/o Dee Warner</u> <u>2170 W. Munger Rd.</u> <u>Tecumseh, MI 49286</u> P.O. Box, Number, Street, City, State & ZIP Code
	<u>Lenawee</u> County	<b>Location of principal assets, if different from principal place of business</b> <u>4800 Esch Road Manchester, MI 48158</u> Number, Street, City, State & ZIP Code

5. Debtor's website (URL) \_\_\_\_\_

6. Type of debtor

Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

Partnership (excluding LLP)

Other. Specify: \_\_\_\_\_

**7. Describe debtor's business**

A. Check one:

- Health Care Business (as defined in 11 U.S.C. § 101(27A))
- Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- Railroad (as defined in 11 U.S.C. § 101(44))
- Stockbroker (as defined in 11 U.S.C. § 101(53A))
- Commodity Broker (as defined in 11 U.S.C. § 101(6))
- Clearing Bank (as defined in 11 U.S.C. § 781(3))
- None of the above

B. Check all that apply

- Tax-exempt entity (as described in 26 U.S.C. §501)
- Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
- Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.  
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

\_\_\_\_\_

**8. Under which chapter of the Bankruptcy Code is the debtor filing?**

Check one:

- Chapter 7
- Chapter 9

Chapter 11. Check all that apply:

- Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
- The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- A plan is being filed with this petition.
- Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11 (Official Form 201A) with this form.
- The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

Chapter 12

**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**

- No.
- Yes.

If more than 2 cases, attach a separate list.

District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_  
 District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_

**10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?**

- No
- Yes.

List all cases. If more than 1, attach a separate list

Debtor \_\_\_\_\_ Relationship \_\_\_\_\_  
 District \_\_\_\_\_ When \_\_\_\_\_ Case number, if known \_\_\_\_\_

**11. Why is the case filed in this district?**

Check all that apply:

- Debtor has had its domicile, 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.
- A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

**12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?**

No

Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

**Why does the property need immediate attention?** (Check all that apply.)

It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard? \_\_\_\_\_

It needs to be physically secured or protected from the weather.

It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

Other \_\_\_\_\_

**Where is the property?** \_\_\_\_\_

Number, Street, City, State & ZIP Code

**Is the property insured?**

No

Yes. Insurance agency \_\_\_\_\_

Contact name \_\_\_\_\_

Phone \_\_\_\_\_

**Statistical and administrative information**

**13. Debtor's estimation of available funds**

Check one:

- Funds will be available for distribution to unsecured creditors.
- After any administrative expenses are paid, no funds will be available to unsecured creditors.

**14. Estimated number of creditors**

1-49

50-99

100-199

200-999

1,000-5,000

5001-10,000

10,001-25,000

25,001-50,000

50,001-100,000

More than 100,000

**15. Estimated Assets**

\$0 - \$50,000

\$50,001 - \$100,000

\$100,001 - \$500,000

\$500,001 - \$1 million

\$1,000,001 - \$10 million

\$10,000,001 - \$50 million

\$50,000,001 - \$100 million

\$100,000,001 - \$500 million

\$500,000,001 - \$1 billion

\$1,000,000,001 - \$10 billion

\$10,000,000,001 - \$50 billion

More than \$50 billion

**16. Estimated liabilities**

\$0 - \$50,000

\$50,001 - \$100,000

\$100,001 - \$500,000

\$500,001 - \$1 million

\$1,000,001 - \$10 million

\$10,000,001 - \$50 million

\$50,000,001 - \$100 million

\$100,000,001 - \$500 million

\$500,000,001 - \$1 billion

\$1,000,000,001 - \$10 billion

\$10,000,000,001 - \$50 billion

More than \$50 billion

Debtor D & D Warner Land, LLC  
Name

Case number (if known) \_\_\_\_\_

**Request for Relief, Declaration, and Signatures**

**WARNING** -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature of authorized representative of debtor**

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

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 6, 2016  
MM / DD / YYYY

/s/ Dee Warner  
Signature of authorized representative of debtor  
  
Title Resident Agent/Member

Dee Warner  
Printed name

**18. Signature of attorney**

/s/ Stuart A. Gold  
Signature of attorney for debtor

Date April 6, 2016  
MM / DD / YYYY

Stuart A. Gold  
Printed name

Gold, Lange & Majoros PC  
Firm name

24901 Northwestern Hwy.  
Suite 444  
Southfield, MI 48075  
Number, Street, City, State & ZIP Code

Contact phone (248) 350-8220 Email address sgold@glmpc.com

P27766  
Bar number and State

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

In re D & D Warner Land, LLC

Debtor(s)

Case No.

Chapter 11

**STATEMENT OF ATTORNEY FOR DEBTOR(S)  
PURSUANT TO F.R.BANKR.P. 2016(b)**

The undersigned, pursuant to F.R.Bankr.P. 2016(b), states that:

1. The undersigned is the attorney for the Debtor(s) in this case.
2. The compensation paid or agreed to be paid by the Debtor(s) to the undersigned is: [Check one]  
[ ] **FLAT FEE**
  - A. For legal services rendered in contemplation of and in connection with this case, exclusive of the filing fee paid . . . . . \_\_\_\_\_
  - B. Prior to filing this statement, received . . . . . \_\_\_\_\_
  - C. The unpaid balance due and payable is . . . . . \_\_\_\_\_[ X ] **RETAINER**
  - A. Amount of retainer received . . . . . 15,000.00
  - B. The undersigned shall bill against the retainer at an hourly rate of hourly. [See attached firm hourly rate schedule.] Debtor(s) have agreed to pay all Court approved fees and expenses exceeding the amount of the retainer.
3. \$ 1,717.00 of the filing fee has been paid.
4. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including: [Cross out any that do not apply.]
  - A. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
  - B. Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;
  - C. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
  - ~~D. Representation of the debtor in adversary proceedings and other contested bankruptcy matters;~~
  - E. Reaffirmations;
  - F. Redemptions;
  - G. Other:
5. By agreement with the debtor(s), the above-disclosed fee does not include the following services:  
Representation of the debtors in any dischargeability actions, judicial lien avoidances, relief from stay actions or any other adversary proceeding
6. The source of payments to the undersigned was from:
  - A. XX Debtor(s)' earnings, wages, compensation for services performed
  - B. \_\_\_\_\_ Other (describe, including the identity of payor) \_\_\_\_\_
7. The undersigned has not shared or agreed to share, with any other person, other than with members of the undersigned's law firm or corporation, any compensation paid or to be paid except as follows:

Dated: April 5, 2016

/s/ Stuart A. Gold  
Attorney for the Debtor(s)  
Stuart A. Gold P27766  
Gold, Lange & Majoros PC  
24901 Northwestern Hwy.  
Suite 444  
Southfield, MI 48075  
(248) 350-8220 jlange@glmpc.com

Agreed: /s/ Dee Warner  
Dee Warner  
Debtor

Debtor

**GOLD, LANGE & MAJOROS, P.C. HOURLY RATES**

STUART A. GOLD, Attorney	\$385.00
ELIAS T. MAJOROS, Attorney	\$330.00
JOHN C. LANGE, Attorney	\$325.00
BRIAN RODRIGUEZ, Attorney	\$230.00
JOHN W. NEMECEK, Attorney	\$220.00
SANDRA L. O'CONNOR, Attorney	\$250.00
JASON P. SMALARZ, Attorney	\$225.00
MICHELLE H. BASS, Attorney	\$225.00
SCOTT DEWEY, Attorney	\$190.00
CHERYL A. PITTS, Paralegal	\$100.00
DENISE WHITE, Paralegal	\$100.00
TONI WILLIS, Paralegal	\$ 95.00
DENISE LYNCH, Paralegal	\$ 85.00

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

In re D & D Warner Land, LLC

Debtor(s)

Case No.

Chapter 11

**LIST OF EQUITY SECURITY HOLDERS**

Following is the list of the Debtor's equity security holders which is prepared in accordance with rule 1007(a)(3) for filing in this Chapter 11 Case

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
Dale Warner 2170 W. Munger Rd. Tecumseh, MI 49286		50%	Membership
Dee Warner 2170 W. Munger Rd. Tecumseh, MI 49286		50%	Membership

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

I, the Resident Agent/Member of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date April 6, 2016

Signature /s/ Dee Warner  
Dee Warner

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

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

In re D & D Warner Land, LLC

Debtor(s)

Case No.

Chapter

11

**VERIFICATION OF CREDITOR MATRIX**

I, the Resident Agent/Member of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: April 6, 2016

/s/ Dee Warner

Dee Warner/Resident Agent/Member  
Signer/Title

14A District Court  
1000 N. Maple Rd.  
Saline MI 48176

DuRussels' Potato Farm, Inc.  
404 S. Jackson St.  
Jackson MI 49204

Guy Conti, Esq.  
2045 Hogback Rd.  
Ann Arbor MI 48105

Howard DuRussel II and Ronald Markowski  
Co-Trustees of Howard R. DuRussel Trust  
c/o Steven E. Makulski, Esq. 404 Jackson  
Jackson MI 49201

Howard DuRussel II and Ronald Markowski  
Co-Trustees of the Eve M. DuRussel Trust  
c/o Steven E. Makulski, Esq. 404 Jackson  
Jackson MI 49201

Howard R. DuRussel Trust, et al  
c/o Steven E. Makulski, Esq.  
404 S. Jackson St.  
Jackson MI 49201

Julius J. Hoffman, Esq.  
404 S Jackson St.  
P.O. Box 274  
Jackson MI 49204

Michael J. DuRussel  
c/o Steven E. Makulski, Esq.  
404 Jackson Street  
Jackson MI 49201

OSB Community Bank  
Attn: Ms. Michelle Brasseur  
417 S. Main/P.O. Box 738  
Brooklyn MI 49230

Patrick DuRussel and Susan M. DuRussel  
c/o Steven E. Makulski, Esq.  
404 Jackson Street  
Jackson MI 49201

Rob Briskey  
P.O. Box 426  
Tecumseh MI 49286

The Spud Factory, LLC  
P.O. Box 155  
Tipton MI 49287

War AG Farms, LLC  
P.O. Box 155  
Tipton MI 49287

Washtenaw County Treasurer  
200 N Main Street  
PO Box 8645  
Ann Arbor MI 48107