

B1 (Official Form 1)(4/10)

United States Bankruptcy Court District of Minnesota				Voluntary Petition	
Name of Debtor (if individual, enter Last, First, Middle): Peterson Earth Movers, 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) 41-2012478			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. and Street, City, and State): 64113 260th Street Litchfield, MN			Street Address of Joint Debtor (No. and Street, City, and State):		
ZIP Code 55355			ZIP Code		
County of Residence or of the Principal Place of Business: Meeker			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):		
ZIP Code			ZIP Code		
Location of Principal Assets of Business Debtor (if different from street address above):					
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 LLP) <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 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).		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 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 checked="" type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input 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 (excluding debts owed to insiders or affiliates) are less than \$2,343,300 (<i>amount subject to adjustment on 4/01/13 and every three years thereafter</i>). 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).		
Statistical/Administrative Information <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.				THIS SPACE IS FOR COURT USE ONLY	
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 type="checkbox"/> \$500,001 to \$1 million <input checked="" 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 type="checkbox"/> \$500,001 to \$1 million <input checked="" 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					

Voluntary Petition

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

Name of Debtor(s):

Peterson Earth Movers, Inc.**All Prior Bankruptcy Cases Filed Within Last 8 Years** (If more than two, attach additional sheet)

Location

Where Filed: **- None -**

Case Number:

Date Filed:

Location

Where Filed:

Case Number:

Date Filed:

Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach 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 11 U.S.C. §342(b).

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 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(l)).

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

Name of Debtor(s):

Peterson Earth Movers, 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 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 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 _____

Date

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.

Signature of Attorney*

X **/s/ Steven B. Nosek** _____
Signature of Attorney for Debtor(s)

Steven B. Nosek 79960

Printed Name of Attorney for Debtor(s)

Steven B. Nosek, P.A.

Firm Name

Attorney at Law
2855 Anthony Lane S, #201
St. Anthony, MN 55418

Address

Email: snosek@visi.com

612-335-9171 Fax: 612-789-2109

Telephone Number

November 17, 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/ Curtis Trude** _____
Signature of Authorized Individual

Curtis Trude

Printed Name of Authorized Individual

Business Manager

Title of Authorized Individual

November 17, 2010

Date

United States Bankruptcy Court

District of Minnesota

In re **Peterson Earth Movers, Inc.**

Debtor(s)

Case No.

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) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
Agriland FS, Inc. 421 N 10th Street Winterset, IA 50273	Agriland FS, Inc. 421 N 10th Street Winterset, IA 50273			72,575.12
Alter Moneta Corporation PO Box 0517 Buffalo, NY 14240-0517	Alter Moneta Corporation PO Box 0517 Buffalo, NY 14240-0517			1,169.22
Battery Wholesale, Inc. 1745 Quebecor Road NE #101 Saint Cloud, MN 56302	Battery Wholesale, Inc. 1745 Quebecor Road NE #101 Saint Cloud, MN 56302			472.07
Central Contractors Supply 605 Lakeland Dr NE Willmar, MN 56201	Central Contractors Supply 605 Lakeland Dr NE Willmar, MN 56201			3,734.17
CFI Sales, Inc. 2601 Dixon Street Des Moines, IA 50316-1864	CFI Sales, Inc. 2601 Dixon Street Des Moines, IA 50316-1864			1,684.20
CMR Claims Dept. PO Box 60770 Oklahoma City, OK 73106	CMR Claims Dept. PO Box 60770 Oklahoma City, OK 73106			3,019.51
CMR-Qwest Claims 615 N Classen Blvd. Oklahoma City, OK 73106	CMR-Qwest Claims 615 N Classen Blvd. Oklahoma City, OK 73106			615.98
Contech Construction Products PO Box 92578 Chicago, IL 60675	Contech Construction Products PO Box 92578 Chicago, IL 60675			31,963.81
Cruise King, LLC 22250 Glynview Trail Faribault, MN 55021	Cruise King, LLC 22250 Glynview Trail Faribault, MN 55021			503.00
Dex Media East, Inc. PO Box 78041 Phoenix, AZ 85062-8041	Dex Media East, Inc. PO Box 78041 Phoenix, AZ 85062-8041			524.51
Dressen Oil Company PO Box 84 Shakopee, MN 55379	Dressen Oil Company PO Box 84 Shakopee, MN 55379			31,201.15

B4 (Official Form 4) (12/07) - Cont.

In re **Peterson Earth Movers, Inc.**

Case No. _____

Debtor(s)

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
Grace Truck, Inc. 801 East Walnut Street PO Box 169 Elkhart, IA 50073	Grace Truck, Inc. 801 East Walnut Street PO Box 169 Elkhart, IA 50073			11,998.58
H-E Parts Distribution PO Box 169 Elkhart, IA 50073-0169	H-E Parts Distribution PO Box 169 Elkhart, IA 50073-0169			9,998.58
Mitchell N. Kay, P.C. PO Box 9006 Smithtown, NY 11787-9006	Mitchell N. Kay, P.C. PO Box 9006 Smithtown, NY 11787-9006			742.02
Myles Lorentz, Inc. 48822 Old River Bluff Rd PO Box 538 Saint Peter, MN 56082	Myles Lorentz, Inc. 48822 Old River Bluff Rd PO Box 538 Saint Peter, MN 56082			6,028.39
Olson Trucking Direct, Inc. 311 Ryan Street PO Box 131 Holmen, WI 54636	Olson Trucking Direct, Inc. 311 Ryan Street PO Box 131 Holmen, WI 54636			18,113.80
United Rentals 4700 Lyndale Ave N Minneapolis, MN 55430	United Rentals 4700 Lyndale Ave N Minneapolis, MN 55430			1,026.99
Valley National Gases 1501 E Highway 12 PO Box 1073 Willmar, MN 56201	Valley National Gases 1501 E Highway 12 PO Box 1073 Willmar, MN 56201			432.24
Valley Transp. & Forwarding 73137 State Highway 16 Grand Meadow, MN 55936	Valley Transp. & Forwarding 73137 State Highway 16 Grand Meadow, MN 55936			4,257.25
Vic's Crane & Heavy Haul, Inc. 3000 145th Street E Rosemount, MN 55068-5908	Vic's Crane & Heavy Haul, Inc. 3000 145th Street E Rosemount, MN 55068-5908			3,400.00

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

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

Date **November 17, 2010**Signature **/s/ Curtis Trude****Curtis Trude****Business Manager**

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.

AGRILAND FS, INC.
421 N 10TH STREET
WINTERSET IA 50273

ALTER MONETA CORPORATION
PO BOX 0517
BUFFALO NY 14240-0517

BATTERY WHOLESALE, INC.
1745 QUEBECOR ROAD NE #101
SAINT CLOUD MN 56302

CENTRAL CONTRACTORS SUPPLY
605 LAKELAND DR NE
WILLMAR MN 56201

CFI SALES, INC.
2601 DIXON STREET
DES MOINES IA 50316-1864

CHARLES PETERSON
64113 260TH STREET
LITCHFIELD MN 55355

CMR CLAIMS DEPT.
PO BOX 60770
OKLAHOMA CITY OK 73106

CMR-QWEST CLAIMS
615 N CLASSEN BLVD.
OKLAHOMA CITY OK 73106

CONTECH CONSTRUCTION PRODUCTS
PO BOX 92578
CHICAGO IL 60675

CRUISE KING, LLC
22250 GLYNVIEW TRAIL
FARIBAULT MN 55021

DEX MEDIA EAST, INC.
PO BOX 78041
PHOENIX AZ 85062-8041

DRESSEN OIL COMPANY
PO BOX 84
SHAKOPEE MN 55379

GLENWOOD STATE BANK
PO BOX 197
GLENWOOD MN 56334

GRACE TRUCK, INC.
801 EAST WALNUT STREET
PO BOX 169
ELKHART IA 50073

H-E PARTS DISTRIBUTION
PO BOX 169
ELKHART IA 50073-0169

LAVERNE PETERSON
64113 260TH STREET
LITCHFIELD MN 55355

MITCHELL N. KAY, P.C.
PO BOX 9006
SMITHTOWN NY 11787-9006

MYLES LORENTZ, INC.
48822 OLD RIVER BLUFF RD
PO BOX 538
SAINT PETER MN 56082

OLSON TRUCKING DIRECT, INC.
311 RYAN STREET
PO BOX 131
HOLMEN WI 54636

STATE BANK IN EDEN VALLEY
359 STATE ST N
EDEN VALLEY MN 55329

UNITED RENTALS
4700 LYNDAL AVE N
MINNEAPOLIS MN 55430

USF HOLLAND
750 EAST 40TH STREET
PO BOX 9021
HOLLAND MI 49422-9021

VALLEY NATIONAL GASES
1501 E HIGHWAY 12
PO BOX 1073
WILLMAR MN 56201

VALLEY TRANSP. & FORWARDING
73137 STATE HIGHWAY 16
GRAND MEADOW MN 55936

VIC'S CRANE & HEAVY HAUL, INC.
3000 145TH STREET E
ROSEMOUNT MN 55068-5908

WEST ASSET MGMT INC.
PO BOX 790113
SAINT LOUIS MO 63179-0113

ZIEGLER FINANCIAL SVC., INC.
901 W. 94TH STREET
MINNEAPOLIS MN 55402