

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

United States Bankruptcy Court for the:

DISTRICT OF MINNESOTA

Case number (if known)

Chapter **11**

☐ Check if this an amended filing

**Official Form 201**

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

12/15

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 **RPM Automotive, LLC**

2. All other names debtor used in the last 8 years  
Include any assumed names, trade names and *doing business as* names  
**DBA Elk River Tire & Auto**  
**DBA Big Lake Tire & Auto**

3. Debtor's federal Employer Identification Number (EIN) **45-4368538**

4. Debtor's address Principal place of business

**690 Dodge Avenue NW**  
**Elk River, MN 55330**

Number, Street, City, State & ZIP Code

**Sherburne**

County

Mailing address, if different from principal place of business

P.O. Box, Number, Street, City, State & ZIP Code

Location of principal assets, if different from principal place of business

**Debtor's Big Lake Location:**  
**19868 172nd St N Big Lake, MN 55309**

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  
☐ Other. Specify:

Debtor **RPM Automotive, LLC**  
Name

Case number (if known)

**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(53AB))
- ☐ 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. §80a-3)

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.  
See <http://www.naics.com/search/>.

\_\_\_\_\_

**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 \$2,490,925 (amount subject to adjustment on 4/01/16 and every three 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 operation, 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 to you _____
District _____	When _____ Case number, if known _____

Debtor **RPM Automotive, LLC**  
Name

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 &amp; 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 **RPM Automotive, LLC**  
Name

Case number (if known)

**Request for Relief, Declaration, and Signature**

**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 **January 29, 2016**  
MM / DD / YYYY

**X /s/ Michael Sultany**  
Signature of authorized representative of debtor  
  
Title **President**

**Michael Sultany**  
Printed name

**18. Signature of attorney**

**X /s/ Steven B. Nosek**  
Signature of attorney for debtor

Date **January 29, 2016**  
MM / DD / YYYY

**Steven B. Nosek**  
Printed name

**Steven B. Nosek, P.A.**  
Firm name

**Attorney at Law**  
**2855 Anthony Lane S, #201**  
**St. Anthony, MN 55418**  
Number, Street, City, State & ZIP Code

Contact phone **612-335-9171** Email address **snosek@noseklawfirm.com**

**79960**  
Bar number and State

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

Debtor name **RPM Automotive, LLC**  
 United States Bankruptcy Court for the: **DISTRICT OF MINNESOTA**  
 Case number (if known): \_\_\_\_\_

☐ Check if this is an  
 amended filing

**Official Form 204****Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders**

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Complete Energy Solutions 14280 - 214th Ave NW Elk River, MN 55330						\$3,358.47
ECM Publishers 4095 Coon Rapids Blvd Coon Rapids, MN 55433						\$1,824.02
Lakes Marketing Group 13700 - 83rd Way #210 Maple Grove, MN 55369						\$977.44
Minnesota Revenue Ryan Johnson PO Box 64651 Saint Paul, MN 55164-0651		Sales and/or Use Tax and Withholding Taxes				\$356,173.42
NAPA Auto Parts 17137 Yale Street NW Elk River, MN 55330						\$4,768.00
Pioneer 2500 Kennedy Street NE Minneapolis, MN 55413						\$5,645.89
Robert Rich 4626 W Arm Road Spring Park, MN 55384						\$11,672.00

Debtor **RPM Automotive, LLC**  
Name

Case number (if known)

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Rogers Printing Metro Inc. 21310 John Milless Dr PO Box 333 Rogers, MN 55374						\$1,537.54
SAVE on Everything 1000 W Maple, Suite 200 Troy, MI 48084						\$2,815.00

COMPLETE ENERGY SOLUTIONS  
14280 - 214TH AVE NW  
ELK RIVER MN 55330

ECM PUBLISHERS  
4095 COON RAPIDS BLVD  
COON RAPIDS MN 55433

LAKES MARKETING GROUP  
13700 - 83RD WAY  
#210  
MAPLE GROVE MN 55369

MINNESOTA REVENUE  
RYAN JOHNSON  
PO BOX 64651  
SAINT PAUL MN 55164-0651

MINNESOTA REVENUE  
COLLECTION DIV. BKY DIVISION  
PO BOX 64447  
SAINT PAUL MN 55164-0447

NAPA AUTO PARTS  
17137 YALE STREET NW  
ELK RIVER MN 55330

PIONEER  
2500 KENNEDY STREET NE  
MINNEAPOLIS MN 55413

ROBERT RICH  
4626 W ARM ROAD  
SPRING PARK MN 55384

ROGERS PRINTING METRO INC.  
21310 JOHN MILLESS DR  
PO BOX 333  
ROGERS MN 55374

SAVE ON EVERYTHING  
1000 W MAPLE, SUITE 200  
TROY MI 48084



**United States Bankruptcy Court  
District of Minnesota**

In re **RPM Automotive, LLC**

Debtor(s)

Case No.

Chapter

**11**

**CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)**

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for **RPM Automotive, LLC** in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

☒ None [*Check if applicable*]

**January 29, 2016**

Date

**/s/ Steven B. Nosek**

**Steven B. Nosek 79960**

Signature of Attorney or Litigant

Counsel for **RPM Automotive, LLC**

**Steven B. Nosek, P.A.**

**Attorney at Law**

**2855 Anthony Lane S, #201**

**St. Anthony, MN 55418**

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

**snosek@noseklawfirm.com**