### **B1 (Official Form 1) (4/10)**

| United S<br>Easte   | Voluntar  | Voluntary Petition  |   |   |  |  |  |
|---|---|---|---|---|--|--|--|
| Name of Debtor (if individual, enter Last, First, I<br>B & M Aerial Equipment, Inc.   | Middle):  | Name of Joint Debtor (Spouse) (Last, First, Middle):  |   |   |  |  |  |
| All Other Names used by the Debtor in the last 8 (include married, maiden, and trade names):<br>None  | years   | 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): <b>EIN: 43-1951183</b>   |   |   | s of Soc. Sec. or Individual-<br>one, state all):   | Taxpayer I.D. (ITI  | N) No./Complete EIN  |  |  |
| Street Address of Debtor (No. and Street, City, a<br>4390 State Highway 74<br>Cape Girardeau, MO  | and State)  | Street Addres   | ss of Joint Debtor (No. and S   | treet, City, and Sta  | ate  |  |  |
| Cape Gilai utau, MO   | ZIPCODE<br>63701  |   |   |   | ZIPCODE  |  |  |
| County of Residence or of the Principal Place of  | Business:   | County of Re  | sidence or of the Principal P   | lace of Business:   |  |  |  |
| Cape Girardeau<br>Mailing Address of Debtor (if different from stre   | et address):  | Mailing Addr  | ess of Joint Debtor (if differ  | ent from street add   | dress):  |  |  |
| PO Box 695  |   |   |   |   |  |  |  |
| Jackson, MO   | ZIPCODE<br>63755  | -   |   |   | ZIPCODE  |  |  |
| Location of Principal Assets of Business Debtor   |   | above):   |   |   | ZIPCODE  |  |  |
| Type of Debtor  | Nature of Business  |   | Chapter of Ba   | nkruptcy Code I   | Inder Which  |  |  |
| <ul> <li>(Form of Organization)<br/>(Check one box)</li> <li>Individual (includes Joint Debtors)<br/>See Exhibit D on page 2 of this form.</li> <li>✓ Corporation (includes LLC and LLP)</li> <li>Partnership</li> <li>Other (If debtor is not one of the above entities,<br/>check this box and state type of entity below.)</li> </ul>  | (Check one box)<br>Health Care Business<br>Single Asset Real Estate as d<br>11 U.S.C. § 101 (51B)<br>Railroad<br>Stockbroker<br>Commodity Broker<br>Clearing Bank         | efined in   | n Chapter of Bankruptcy Code Under Which<br>the Petition is Filed (Check one box)<br>Chapter 7<br>Chapter 7<br>Chapter 9<br>Chapter 9<br>Chapter 11<br>Chapter 12<br>Chapter 13<br>Chapter 13<br>Chapter 13<br>Chapter 13<br>Chapter 13<br>Chapter 14<br>Chapter 15<br>Chapter 11<br>Chapter 12<br>Chapter 13<br>Chapter 14<br>Chapter 14<br>Chapter 15<br>Chapter 13<br>Chapter 13 |   |  |  |  |
|   | Other<br>Dealership of Construction Eq<br>Tax-Exempt Enti<br>(Check box, if applic<br>Debtor is a tax-exempt or<br>under Title 26 of the Unit<br>Code (the Internal Reven | ity<br>able)<br>ganization<br>ed States   | Nar<br>(Cf<br>Debts are primarily<br>debts, defined in 11<br>§101(8) as "incurred<br>individual primarily<br>personal, family, or<br>purpose."  | U.S.C. 🚺<br>by an<br>for a  | Debts are primarily<br>business debts                                      |  |  |
| Filing Fee (Check one b   | ox)   | Check   | k one box: Chapter 11   | Debtors   |  |  |  |
| <ul> <li>Full Filing Fee attached</li> <li>Filing Fee to be paid in installments (Application for the court's consideration to pay fee except in installments. Rule 1006</li> <li>Filing Fee waiver requested (applicable to chattach signed application for the court's constructions)</li> </ul>  | on certifying that the debtor is u<br>(b). See Official Form No. 3A.<br>apter 7 individuals only). Must   | attach nable $\begin{array}{c} \mu \mu$ | ebtor is a small business as c<br>ebtor is not a small business<br><b>if:</b><br>biotor's aggregate noncontingent<br>iders or affiliates) are less than \$<br>01/13 and every three years there<br><b>k all applicable boxes</b><br>plan is being filed with this<br>cceptances of the plan were<br>ore classes, in accordance w  | as defined in 11 U<br>liquidated debts (exc<br>(2,343,300 (amount s<br>eafter)<br>petition.<br>solicited prepetitio | J.S.C. § 101(51D)<br>luding debts owed to<br>subject to adjustment on<br>- |  |  |
| Statistical/Administrative Information  |   |   |   |   | THIS SPACE IS FOR<br>COURT USE ONLY  |  |  |
| Debtor estimates that funds will be available for dist<br>Debtor estimates that, after any exempt property is edistribution to unsecured creditors.   |   | es paid, there will be  | e no funds available for  |   |  |  |  |
| Estimated Number of Creditors<br>-49<br>-49<br>-49<br>-49<br>-49<br>-49<br>-49<br>-49<br>-49<br>-49<br>-49<br>-49<br>-49<br>-49<br>-49<br>-49<br>-49<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40<br>-40 | 1000-<br>5000 5,001-<br>10,000  | 10,001-<br>25,000   | 25,001-<br>50,000 100,000   | Over<br>100,000   |  |  |  |
| Estimated Assets<br>\$0 to \$50,001 to \$100,001 to \$500,001<br>\$50,000 \$100,000 \$500,000 to \$1<br>million   | \$1,000,001 \$10,000,001<br>to \$10 to \$50<br>million million  | \$50,000,001<br>to \$100<br>million   | \$100,000,001 \$500,000,000<br>to \$500 to \$1 billion<br>million   | More than<br>\$1 billion  |  |  |  |
| Estimated Liabilities<br>\$0 to \$50,001 to \$100,001 to \$500,001<br>\$50,000 \$100,000 \$500,000 to \$1<br>million  | t \$1,000,001 \$10,000,001<br>to \$10 to \$50<br>million million  | \$50,000,001<br>to \$100<br>million   | \$100,000,001 \$500,000,00<br>to \$500 to \$1 billion<br>million  | More than<br>\$1 billion  |  |  |  |

### **B1 (Official Form 1) (4/10)**

| Page | 2 |
|------|---|
|      |   |

| <b>Voluntary Pet</b><br>( <i>This page must be</i> | t <b>ition</b><br>completed and filed in every case)  | Name of Debtor(s):<br><b>B &amp; M Aerial Equipment, Inc.</b>   |  |  |  |  |  |
|--|---|---|--|--|--|--|--|
|  | All Prior Bankruptcy Cases Filed Within Last 8 Years (  | If more than two, attach additional sheet)  |  |  |  |  |  |
| Location<br>Where Filed:                           | NONE  | Case Number:  | Date Filed:  |  |  |  |  |
| Location<br>Where Filed:                           | N.A.  | Case Number:  | Date Filed:  |  |  |  |  |
| Pending Ba   | nkruptcy Case Filed by any Spouse, Partner  | or Affiliate of this Debtor (If more the  | an one, attach additional sheet)   |  |  |  |  |
| Name of Debtor:                                    | NONE  | Case Number:  | Date Filed:  |  |  |  |  |
| District:  |   | Relationship:   | Judge:   |  |  |  |  |
| 10K and 10Q) with                                  | <b>Exhibit A</b><br>f debtor is required to file periodic reports (e.g., forms<br>the Securities and Exchange Commission pursuant to<br>of the Securities Exchange Act of 1934 and is requesting<br>11) | Exhib<br>(To be completed if del<br>whose debts are primar<br>I, the attorney for the petitioner named in the fore<br>the petitioner that [he or she] may proceed under<br>States Code, and have explained the relief availab<br>I further certify that I delivered to the debtor the r | otor is an individual<br>ily consumer debts)<br>going petition, declare that I have informed<br>chapter 7, 11, 12, or 13 of title 11, United<br>ole under each such chapter. |  |  |  |  |
| Exhibit A is                                       | s attached and made a part of this petition.  | X   | Date   |  |  |  |  |
|  | Exhi  | bit C   |  |  |  |  |  |
| _  | n or have possession of any property that poses or is alleged whibit C is attached and made a part of this petition.  |   | arm to public health or safety?  |  |  |  |  |
|  | Exh   | iibit D   |  |  |  |  |  |
| (To be completed                                   | by every individual debtor. If a joint petition is filed, each  | spouse must complete and attach a separate Exl  | nibit D.)  |  |  |  |  |
| Exhibit D  | completed and signed by the debtor is attached and made a   | part of this petition.  |  |  |  |  |  |
| If this is a joint pet                             | ition:  |   |  |  |  |  |  |
| Exhibit D  | also completed and signed by the joint debtor is attached a   | nd made a part of this petition.  |  |  |  |  |  |
|  | Information Reg<br>(Check ar  | arding the Debtor - Venue<br>ay applicable box)   |  |  |  |  |  |
| $\Box$   | Debtor has been domiciled or has had a residence, princip<br>immediately preceding the date of this petition or for a lo  | pal place of business, or principal assets in this inger part of such 180 days than in any other Di   | District for 180 days strict.  |  |  |  |  |
|  | There is a bankruptcy case concerning debtor's affiliate, §   | general partner, or partnership pending in this D   | istrict.   |  |  |  |  |
|  | Debtor is a debtor in a foreign proceeding and has its prin<br>or has no principal place of business or assets in the Unit<br>court] in this District, or the interests of the parties will b           | ed States but is a defendant in an action or proc   | eeding [in federal or state  |  |  |  |  |
|  | <b>Certification by a Debtor Who Resi</b><br>(Check all ap  | des as a Tenant of Residential Prop<br>oplicable boxes)   | erty   |  |  |  |  |
|  | Landlord has a judgment for possession of debtor's resid  | ence. (If box checked, complete the following.)   | )  |  |  |  |  |
|  | (Name of )  | andlord that obtained judgment)   |  |  |  |  |  |
|  | (Address  | of landlord)  | —  |  |  |  |  |
|  | Debtor claims that under applicable non bankruptcy law,<br>entire monetary default that gave rise to the judgment for   |   |  |  |  |  |  |
|  | Debtor has included in this petition the deposit with the c<br>period after the filing of the petition.   | court of any rent that would become due during  | the 30-day   |  |  |  |  |
|  | Debtor certifies that he/she has served the Landlord with   | this certification. (11 U.S.C. § 362(1)).   |  |  |  |  |  |

| B1 (Official Form 1) (4/10)   | Page 3   |
|---|--|
| Voluntary Petition  | Name of Debtor(s):   |
| (This page must be completed and filed in every case)   | B & M Aerial Equipment, Inc.   |
| Signa   | atures   |
| Signature(s) of Debtor(s) (Individual/Joint)  | Signature of a Foreign Representative  |
| I declare under penalty of perjury that the information provided in this petition<br>is true and correct.<br>[If petitioner is an individual whose debts are primarily consumer debts and<br>has chosen to file under chapter 7] I am aware that I may proceed under<br>chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief<br>available under each such chapter, and choose to proceed under chapter 7.<br>[If no attorney represents me and no bankruptcy petition preparer signs the<br>petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).<br>I request relief in accordance with the chapter of title 11, United States<br>Code, specified in this petition. | I declare under penalty of perjury that the information provided in this petition<br>is true and correct, that I am the foreign representative of a debtor in a foreign<br>proceeding, and that I am authorized to file this petition.<br>(Check only <b>one</b> box.)<br>I request relief in accordance with chapter 15 of title 11, United States<br>Code. Certified copies of the documents required by § 1515 of title 11 are<br>attached.<br>Pursuant to 11 U.S.C.§ 1511, I request relief in accordance with the chapter of<br>title 11 specified in this petition. A certified copy of the order granting<br>recognition of the foreign main proceeding is attached.  |
| Signature of Debtor   | X  |
| v   | (Signature of Foreign Representative)  |
| X<br>Signature of Joint Debtor<br>Telephone Number (If not represented by attorney)<br>Date   | (Printed Name of Foreign Representative)<br>(Date)   |
| Signature of Attorney*  |  |
| X       /s/ Nathan H. Goldberg         Signature of Attorney for Debtor(s)         NATHAN H. GOLDBERG 37321 & 3231         Printed Name of Attorney for Debtor(s)         Goldberg Law Firm, LLC         Firm Name         6901 Gravois         Address         St. Louis, MO 63116   | <b>Signature of Non-Attorney Petition Preparer</b><br>I declare under penalty of perjury that: 1) I am a bankruptcy petition preparer<br>as defined in 11 U.S.C. § 110, 2) I prepared this document for compensation,<br>and have provided the debtor with a copy of this document and the notices<br>and information required under 11 U.S.C. § 110(b), 110(h), and 342(b); and,<br>3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110<br>setting a maximum fee for services chargeable by bankruptcy petition<br>preparers, I have given the debtor notice of the maximum amount before any<br>document for filing for a debtor or accepting any fee from the debtor, as<br>required in that section. Official Form 19 is attached. |
| _314-771-1900nathan@goldberglawllc.com  | ······································   |
| Telephone Numbere-mailJanuary 7, 2011Date*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a<br>certification that the attorney has no knowledge after an inquiry that the<br>information in the schedules is incorrect.  | 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.)   |
| <b>Signature of Debtor (Corporation/Partnership)</b><br>I declare under penalty of perjury that the information provided in this petition<br>is true and correct, and that I have been authorized to file this petition on<br>behalf of the debtor.   | X  |
| The debtor requests relief in accordance with the chapter of title 11,<br>United States Code, specified in this petition.<br><b>X</b> /s/ Brian Ebner   | Date<br>Signature of bankruptcy petition preparer or officer, principal, responsible<br>person, or partner whose Social Security number is provided above.   |
| Signature of Authorized Individual<br>BRIAN EBNER<br>Printed Name of Authorized Individual  | Names and Social Security numbers of all other individuals who prepared or<br>assisted in preparing this document unless the bankruptcy petition preparer is<br>not an individual:   |
| President Title of Authorized Individual  | If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.  |
| January 7, 2011 Date  | A bankruptcy petition preparer's failure to comply with the provisions of title 11<br>and the Federal Rules of Bankruptcy Procedure may result in fines or<br>imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.   |

### UNITED STATES BANKRUPTCY COURT Eastern District of Missouri

In re **B & M Aerial Equipment, Inc.** 

Debtor

Case No.

Chapter \_\_\_\_1

### 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)<br>Name of creditor<br>and complete<br>mailing address<br>including zip code | (2)<br>Name, telephone number and<br>complete mailing address,<br>including zip code, of employee,<br>agent, or department of creditor<br>familiar with claim who may be contacted | (3)<br>Nature of claim<br>(trade debt, bank<br>loan, government<br>contract, etc. | (4)<br>Indicate if<br>claim is<br>contingent, unliquidated,<br>disputed or<br>subject to setoff | (5)<br>Amount of claim<br>[if secured also<br>state value of security] |
|--|--|---|---|--|
| Veolia<br>12900 Warrick County<br>Line Rd.<br>Evansville, IN 47725               |  |   |   | 172.06   |
| WOW<br>6045 Wedeking Ave.<br>Evansville, IN 47715                                |  |   |   | 273.29   |
| Aramark<br>PO Box 60445<br>St. Louis, MO<br>63160-0445                           |  |   |   | 524.57   |
| Wood & Huston Bank<br>2999 E. Jackson Blvd.<br>Jackson, MO 63755                 |  |   |   | 4,350.46<br>Collateral FMV<br>0.00                                     |

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| (1)<br>Name of creditor<br>and complete<br>mailing address<br>including zip code  | (2)<br>Name, telephone number and<br>complete mailing address,<br>including zip code, of employee,<br>agent, or department of creditor<br>familiar with claim who may be contacted | (3)<br>Nature of claim<br>(trade debt, bank<br>loan, government<br>contract, etc. | (4)<br>Indicate if<br>claim is<br>contingent, unliquidated,<br>disputed or<br>subject to setoff | (5)<br>Amount of claim<br>[if secured also<br>state value of security] |
|---|--|---|---|--|
| RMS<br>PO Box 3162<br>Cedar Rapids, IA<br>52406   |  |   |   | 6,626.26   |
| Montgomery<br>PO Box 790408<br>St. Louis, MO 63179  |  |   |   | 7,973.41   |
| Wells Fargo<br>Equipment Finance,<br>Inc.<br>733 Marquette Ave.,<br>Ste. 700<br>MAC N 9306-070<br>Minneapolis, MN 55402 |  |   |   | 28,707.68  |
| Wood & Huston Bank<br>2999 E. Jackson Blvd.<br>Jackson, MO 63755  |  |   |   | 499,996.00<br>Collateral FMV<br>0.00                                   |

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

I, [the president or other officer or an authorized agent of the corporation] named as debtor in this case, declare under penalty of perjury that I have read the foregoing LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS and that it is true and correct to the best of my information and belief.

Date January 7, 2011

Signature

/s/ Brian Ebner

BRIAN EBNER, President

Debtor

Case No. \_

(If known)

# **SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

# Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim."

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C – Property Claimed as Exempt.

| DESCRIPTION AND LOCATION<br>OF PROPERTY | NATURE OF DEBTOR'S<br>INTEREST IN PROPERTY | HUSBAND, WIFE, JOINT<br>OR COMMUNITY | CURRENT VALUE<br>OF DEBTOR'S<br>INTEREST IN<br>PROPERTY, WITHOUT<br>DEDUCTING ANY<br>SECURED CLAIM<br>OR EXEMPTION | AMOUNT OF<br>SECURED<br>CLAIM |
|---|--|--------------------------------------|--|-------------------------------|
| None                                    |  |                                      |  |                               |
|   |  |                                      |  |                               |
|   |  |                                      |  |                               |
|   |  |                                      |  |                               |
|   |  |                                      |  |                               |
|   |  |                                      |  |                               |
|   |  |                                      |  |                               |
|   |  |                                      |  |                               |
|   |  |                                      |  |                               |
|   |  |                                      |  |                               |
|   |  |                                      |  |                               |
|   | Tot  | al                                   | 0.00   |                               |

Debtor

Case No. \_

(If known)

# **SCHEDULE B - PERSONAL PROPERTY**

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

# Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply 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).

| TYPE OF PROPERTY  | N<br>O<br>N<br>E | DESCRIPTION AND LOCATION<br>OF PROPERTY                          | HUSBAND, WIFE, JOINT<br>OR COMMUNITY | CURRENT VALUE OF<br>DEBTOR'S INTEREST<br>IN PROPERTY,<br>WITHOUT<br>DEDUCTING ANY<br>SECURED CLAIM<br>OR EXEMPTION |
|---|------------------|--|--------------------------------------|--|
| 1. Cash on hand.  | x                |  |                                      |  |
| 2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.                                  |                  | One Checking account with Wood & Houston Bank in<br>Marshall, MO |                                      | 60,000.00  |
| 3. Security deposits with public utilities, telephone companies, landlords, and others.   | X                |  |                                      |  |
| 4. Household goods and furnishings, including audio, video, and computer equipment.   | X                |  |                                      |  |
| <ol> <li>Books. Pictures and other art objects,<br/>antiques, stamp, coin, record, tape, compact disc,<br/>and other collections or collectibles.</li> </ol>  | х                |  |                                      |  |
| 6. Wearing apparel.   | X                |  |                                      |  |
| 7. Furs and jewelry.  | х                |  |                                      |  |
| 8. Firearms and sports, photographic, and other hobby equipment.  | х                |  |                                      |  |
| <ol> <li>Interests in insurance policies. Name<br/>insurance company of each policy and itemize<br/>surrender or refund value of each.</li> </ol>   | X                |  |                                      |  |
| 10. Annuities. Itemize and name each issuer.  | х                |  |                                      |  |
| 11. Interests in an education IRA as defined in<br>26 U.S.C. § 530(b)(1) or under a qualified State<br>tuition plan as defined in 26 U.S.C. § 529(b)(1).<br>Give particulars. (File separately the record(s) of<br>any such interest(s). 11 U.S.C. § 521(c).) | Х                |  |                                      |  |
| 12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.   | Х                |  |                                      |  |
| 13. Stock and interests in incorporated and unincorporated businesses. Itemize.   | X                |  |                                      |  |
| 14. Interests in partnerships or joint ventures.<br>Itemize.  | X                |  |                                      |  |
|   |                  |  |                                      |  |
|   |                  |  |                                      |  |
|   |                  |  |                                      |  |

Debtor

Case No.

(If known)

# **SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

| TYPE OF PROPERTY  | N<br>O<br>N<br>E | DESCRIPTION AND LOCATION<br>OF PROPERTY   | HUSBAND, WIFE, JOINT<br>OR COMMUNITY | CURRENT VALUE OF<br>DEBTOR'S INTEREST<br>IN PROPERTY,<br>WITHOUT<br>DEDUCTING ANY<br>SECURED CLAIM<br>OR EXEMPTION          |
|---|------------------|---|--------------------------------------|---|
| <ol> <li>Government and corporate bonds and other<br/>negotiable and non-negotiable instruments.</li> <li>Accounts receivable.</li> </ol>   | X                | Account Receivables   |                                      | 201 572 20  |
| <ol> <li>Accounts receivable.</li> <li>Alimony, maintenance, support, and<br/>property settlement to which the debtor is or<br/>may be entitled. Give particulars.</li> </ol>   | X                | Account Receivables   |                                      | 291,573.20  |
| <ol> <li>Other liquidated debts owing debtor<br/>including tax refunds. Give particulars.</li> </ol>  | X                |   |                                      |   |
| <ol> <li>Equitable or future interests, life estates, and<br/>rights or powers exercisable for the benefit of<br/>the debtor other than those listed in Schedule A -<br/>Real Property.</li> </ol>  | X                |   |                                      |   |
| 20. Contingent and noncontingent interests in estate or a decedent, death benefit plan, life insurance policy, or trust.  | X                |   |                                      |   |
| 21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights of setoff claims. Give estimated value of each.  | X                |   |                                      |   |
| 22. Patents, copyrights, and other intellectual property. Give particulars.   | X                |   |                                      |   |
| 23. Licenses, franchises, and other general intangibles. Give particulars.  | X                |   |                                      |   |
| 24. Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. \$101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes. | X                |   |                                      |   |
| 25. Automobiles, trucks, trailers, and other<br>vehicles and accessories.   |                  | <ul> <li>2009 Chevy Tahoe used by owner</li> <li>2007 GMC 2500 used by Office Manager in Cape</li> <li>Girardeau office</li> <li>2009 Chevy Silverado used by sales manager in Kentucky</li> <li>(2) 1997 Freightliner with 886,563 miles and 914,151 miles</li> <li>(1) Freightliner with 459,795 miles</li> <li>(2) 2000 Freightliner with 602,210 and 714,481 miles</li> <li>(1) Kentworth T601with 1,124,318</li> <li>(2) GMC 3500 with 75,313 and 62,707</li> <li>(2) Chevy Express Vans with 160,579 and 198,787</li> <li>(1) 2005 Chevy Express Van</li> <li>1999 Ford 450 with 213,391 miles</li> </ul> |                                      | 20,000.00<br>10,000.00<br>20,000.00<br>33,000.00<br>39,000.00<br>20,000.00<br>30,000.00<br>7,000.00<br>3,000.00<br>7,000.00 |

Debtor

Case No. \_

(If known)

# **SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

| TYPE OF PROPERTY   | N<br>O<br>N<br>E | DESCRIPTION AND LOCATION<br>OF PROPERTY   | HUSBAND, WIFE, JOINT<br>OR COMMUNITY | CURRENT VALUE OF<br>DEBTOR'S INTEREST<br>IN PROPERTY,<br>WITHOUT<br>DEDUCTING ANY<br>SECURED CLAIM<br>OR EXEMPTION |
|--|------------------|---|--------------------------------------|--|
| 26. Boats, motors, and accessories.  | X                | 2004 GMC 3500 Pickup with 347,699<br>2006 Chevy 1500 2wd with 137,620 miles<br>2004 Chevy 1500 4x4 with 178,583 miles |                                      | 7,000.00<br>4,500.00<br>4,500.00   |
| <ul><li>27. Aircraft and accessories.</li><li>28. Office equipment, furnishings, and supplies.</li></ul> | X                | 6 computers, 7 desks and various small office supplies and equiptment   |                                      | 5,000.00   |
| 29. Machinery, fixtures, equipment, and supplies used in business.                                       |                  | List too lengthy to denote here. See answer to question to question 29 on attachment A.                               |                                      | 0.00   |
| 30. Inventory.   | X                |   |                                      |  |
| 31. Animals.   | X                |   |                                      |  |
| 32. Crops - growing or harvested. Give particulars.  | X                |   |                                      |  |
| 33. Farming equipment and implements.  | X                |   |                                      |  |
| 34. Farm supplies, chemicals, and feed.  | X                |   |                                      |  |
| 35. Other personal property of any kind not already listed. Itemize.                                     | X                |   |                                      |  |
|  |                  |   |                                      |  |
|  |                  |   |                                      |  |
|  |                  |   |                                      |  |
| L  | 1                | <b>0</b> continuation sheets attached To  | tal                                  | \$ 572,573.20  |

(Include amounts from any continuation sheets attached. Report total also on Summary of Schedules.)

Debtor

Case No.

(If known)

# SCHEDULE C - PROPERTY CLAIMED AS EXEMPT

Debtor claims the exemptions to which debtor is entitled under: (Check one box)

11 U.S.C. § 522(b)(2)

11 U.S.C. § 522(b)(3)

Check if debtor claims a homestead exemption that exceeds \$146,450\*.

| DESCRIPTION OF PROPERTY                          | SPECIFY LAW<br>PROVIDING EACH<br>EXEMPTION | VALUE OF<br>CLAIMED<br>EXEMPTION | CURRENT<br>VALUE OF PROPERTY<br>WITHOUT DEDUCTING<br>EXEMPTION |
|--|--|----------------------------------|--|
| Not Applicable.                                  |  |                                  |  |
|  |  |                                  |  |
|  |  |                                  |  |
|  |  |                                  |  |
|  |  |                                  |  |
|  |  |                                  |  |
|  |  |                                  |  |
|  |  |                                  |  |
|  |  |                                  |  |
| *Amount subject to adjustment on 4/1/13 and ever |  |                                  |  |

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Case No. \_

(If known)

#### Debtor

# SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is a creditor, 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). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim Without Deducting Value of Collateral" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion, if Any" on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

| CREDITOR'S NAME,<br>MAILING ADDRESS<br>INCLUDING ZIP CODE,<br>AND ACCOUNT NUMBER<br>(See Instructions Above.)    | CODEBTOR | HUSBAND, WIFE, JOINT<br>ORCOMMUNITY | DATE CLAIM WAS INCURRED,<br>NATURE OF LIEN, AND<br>DESCRIPTION AND<br>VALUE OF PROPERTY<br>SUBJECT TO LIEN   | CONTINGENT | UNLIQUIDATED | DISPUTED  | AMOUNT<br>OF<br>CLAIM<br>WITHOUT<br>DEDUCTING<br>VALUE OF<br>COLLATERAL | UNSECURED<br>PORTION,<br>IF ANY  |
|--|----------|-------------------------------------|--|------------|--------------|-----------|---|--|
| ACCOUNT NO. 61191437672<br>Ally Financial<br>P.O. Box 951<br>Horsham, PA 19044                                   |          |                                     | Incurred: 6/2009<br>Lien: PMSI in vehicle < 910 days<br>Security: 2009 Chevy Silverado<br>VALUE \$ 20,000.00 |            |              |           | 20,911.39   | 911.39   |
| ACCOUNT NO. 871419164<br>Fifth Third Bank<br>PO Box 630778<br>Cincinnati, OH 45263-0778                          |          |                                     | Incurred: 9/2009<br>Lien: PMSI in vehicle < 910 days<br>Security: 2009 Chevy Tahoe<br>VALUE \$ 20,000.00     |            |              |           | 21,000.00   | 1,000.00   |
| ACCOUNT NO. 9901428386<br>Harris Bank<br>P.O. Box 5041<br>3800 Golf Road, Ste 300-B<br>Rolling Meadows, IL 60008 |          |                                     | VALUE \$ 10,000.00   |            |              |           | 10,887.64   | 887.64   |
| 2continuation sheets attached  | •        |                                     | (Total<br>(Use only  |            | i Ota        | ge)<br>(R | \$ 52,799.03<br>\$<br>eport also on<br>mmary of Schedules)              | \$ 2,799.03<br>\$<br>(If applicable, report<br>also on Statistical<br>Summary of Certain |

also on Statistical Summary of Certain Liabilities and Related Data.)

Case No. \_\_\_\_\_

Debtor

(If known)

\_\_\_\_,

# **SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

(Continuation Sheet)

|   |          |                                     |  |            |              | •                   |   |  |
|---|----------|-------------------------------------|--|------------|--------------|---------------------|---|--|
| CREDITOR'S NAME,<br>MAILING ADDRESS<br>INCLUDING ZIP CODE,<br>AND ACCOUNT NUMBER<br>(See Instructions Above.)             | CODEBTOR | HUSBAND, WIFE, JOINT<br>ORCOMMUNITY | DATE CLAIM WAS INCURRED,<br>NATURE OF LIEN, AND<br>DESCRIPTION AND<br>VALUE OF PROPERTY<br>SUBJECT TO LIEN | CONTINGENT | UNLIQUIDATED | DISPUTED            | AMOUNT<br>OF<br>CLAIM<br>WITHOUT<br>DEDUCTING<br>VALUE OF<br>COLLATERAL | UNSECURED<br>PORTION,<br>IF ANY                        |
| ACCOUNT NO. 49800363<br>Wood & Huston Bank<br>2999 E. Jackson Blvd.<br>Jackson, MO 63755                                  |          |                                     | Incurred: 2006-2010<br>Lien: PMSI<br>Security: All corporate assets  |            |              |                     | 2,777,272.14  | 0.00   |
| ACCOUNT NO. 49407764<br>Wood & Huston Bank<br>2999 E. Jackson Blvd.   |          |                                     | VALUE \$ 7,000,000.00<br>Incurred: 2006-2010<br>Lien: PMSI<br>Security: All corporate assets               |            |              |                     | 499,996.00  | 499,996.00   |
| Jackson, MO 63755<br>ACCOUNT NO. <b>49800409</b>  |          |                                     | VALUE \$ 0.00<br>Incurred: 2006-2010<br>Lien: PMSI   |            |              |                     |   | 48,118.42  |
| Wood & Huston Bank<br>2999 E. Jackson Blvd.<br>Jackson, MO 63755  |          |                                     | VALUE \$ 0.00  |            |              |                     | 48,118.42   |  |
| ACCOUNT NO. <b>59800540</b><br>Wood & Huston Bank<br>2999 E. Jackson Blvd.<br>Jackson, MO 63755                           |          |                                     | VALUE 5     0.00       Incurred: 2006-2010     Lien: PMSI       Security: All corporate assets     100     |            |              |                     | 4,350.46  | 4,350.46   |
| ACCOUNT NO.<br>Wood & Huston Bank<br>PO Box 40  |          |                                     | VALUE \$ 0.00<br>Incurred: 2006 - 2010<br>Security: All corporate assets                                   |            |              |                     | Notice Only   | Notice Only  |
| Marshall, MO 65340  |          |                                     | VALUE \$ 0.00  |            |              |                     |   |  |
| Sheet no. $\underline{1}$ of $\underline{2}$ continuation sheets attached<br>Schedule of Creditors Holding Secured Claims | το       |                                     | Su<br>(Total(s) c<br>(Use only o   | Т          | s pa<br>otal | .ge)<br>(s)<br>.ge) | \$ 3,329,737.02<br>\$ 3,382,536.05<br>(Report also on                   | \$ 552,464.88<br>\$ 555,263.91<br>(If applicable, repo |
|   |          |                                     |  |            |              |                     | Summary of Schedule   |  |

Summary of Certain Liabilities and Related

Data.)

Debtor

Case No.\_\_\_\_

(if known)

# SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, 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).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether husband, wife, both of them or the marital community may be liable on each claim by placing an "H,""W,""J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts <u>not</u> entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)

#### **Domestic Support Obligations**

Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. 507(a)(1).

#### **Extensions of credit in an involuntary case**

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).

#### Wages, salaries, and commissions

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$11,725\* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. \$507(a)(4).



#### Contributions to employee benefit plans

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).

\*Amount subject to adjustment on 4/1/13 and every three years thereafter with respect to cases commenced on or after the date of adjustment.

| In re_ <b>B &amp; M Aerial Equipment, Inc.</b> | , Case No. |
|--|------------|
| Debtor   | (if known) |
|  |            |

Certain farmers and fishermen

Claims of certain farmers and fishermen, up to \$5,775\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).

#### Deposits by individuals

Claims of individuals up to \$2,600\* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).



 $\square$ 

### Taxes and Certain Other Debts Owed to Governmental Units

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

#### Commitments to Maintain the Capital of an Insured Depository Institution

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).

#### Claims for Death or Personal Injury While Debtor Was Intoxicated

Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

\* Amounts are subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

<u>3</u> continuation sheets attached

Debtor

Case No. \_\_\_

(If known)

# SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

\_,

(Continuation Sheet) Sec. 507(a)(8)

Type of Priority for Claims Listed on This Sheet

| CREDITOR'S NAME,<br>MAILING ADDRESS<br>INCLUDING ZIP CODE,<br>AND ACCOUNT NUMBER<br>(See instructions above) | CODEBTOR | HUSBAND, WIFE, JOINT<br>ORCOMMUNITY | DATE CLAIM WAS<br>INCURRED AND<br>CONSIDERATION<br>FOR CLAIM  | CONTINGENT   | UNLIQUIDATED | DISPUTED | AMOUNT<br>OF<br>CLAIM   | AMOUNT<br>ENTITLED TO<br>PRIORITY | AMOUNT<br>NOT<br>ENTITLED<br>TO<br>PRIORITY, IF<br>ANY |
|--|----------|-------------------------------------|---|--------------|--------------|----------|-------------------------|-----------------------------------|--|
| ACCOUNT NO.  |          |                                     | Incurred: 1/07-6/09<br>Consideration: 1040''s   |              |              |          |                         |                                   |  |
| Illinois Department of Revenue<br>2309 W. Main<br>Suite 114<br>Marion, Illinois 62959-1196                   |          |                                     | for 2007-2009   |              |              |          | 46,614.00               | 46,614.00                         | 0.00   |
| ACCOUNT NO. 51A1029921   |          |                                     | Incurred: 9/2010  |              |              |          |                         |                                   |  |
| Kentucky Dept. of Revenue<br>Frankfort, KY 40620   |          |                                     | Consideration: Sales<br>tax for 9/2010  |              |              |          | 1,321.52                | 1,321.52                          | 0.00   |
| ACCOUNT NO. 51A1029911   |          |                                     | Incurred: 11/2010   |              |              |          |                         |                                   |  |
| Kentucky Dept. of Revenue<br>Frankfort, KY 40620   |          |                                     | Consideration: Sales<br>tax for 11/2010   |              |              |          | 1,737.86                | 1,737.86                          | 0.00   |
| ACCOUNT NO. 51A1029911   |          |                                     | Incurred: 10/2010   |              |              | -        |                         |                                   |  |
| Kentucky Dept. of Revenue<br>Frankfort, KY 40620   |          |                                     | Consideration: Sales<br>tax for 10/2010   |              |              |          | 1,632.57                | 1,632.57                          | 0.00   |
| Sheet no. $\frac{1}{2}$ of $\frac{3}{2}$ continuation sheets attached Creditors Holding Priority Claims      | to S     | chedu                               | le of (Totals of  | ıbto<br>this | uu           | ►<br>e)  | <sup>\$</sup> 51,305.95 | <sup>\$</sup> 51,305.95           | \$ 0.00  |
|  |          | Sche                                | To<br>e only on last page of the comp<br>edule E.) Report also on the Su<br>chedules)   |              |              | ►        | \$                      |                                   |  |
|  |          | Sche<br>the S                       | T<br>conly on last page of the comp<br>edule E. If applicable, report al<br>Statistical Summary of Certain<br>vilities and Related Data.) | so o         | 1            | >        | \$                      | \$                                | \$   |

Debtor

Case No. \_\_\_

(If known)

# SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

\_,

(Continuation Sheet) Sec. 507(a)(8)

Type of Priority for Claims Listed on This Sheet

| CREDITOR'S NAME,<br>MAILING ADDRESS<br>INCLUDING ZIP CODE,<br>AND ACCOUNT NUMBER<br>(See instructions above) | CODEBTOR | HUSBAND, WIFE, JOINT<br>ORCOMMUNITY | DATE CLAIM WAS<br>INCURRED AND<br>CONSIDERATION<br>FOR CLAIM   | CONTINGENT   | UNLIQUIDATED | DISPUTED | AMOUNT<br>OF<br>CLAIM | AMOUNT<br>ENTITLED TO<br>PRIORITY | AMOUNT<br>NOT<br>ENTITLED<br>TO<br>PRIORITY, IF<br>ANY |
|--|----------|-------------------------------------|--|--------------|--------------|----------|-----------------------|-----------------------------------|--|
| ACCOUNT NO. 17996431   |          |                                     | Incurred: 10/2010<br>Consideration: Sales  |              |              |          |                       |                                   |  |
| Missouri Department of Revenue<br>301 West High St., Rm 330<br>Jefferson City, MO 65101                      |          |                                     | tax for 2010   |              |              |          | Unknown               | Unknown                           | Unknown  |
| ACCOUNT NO. 17996431   |          |                                     | Incurred: 9/2010   |              |              |          |                       |                                   |  |
| Missouri Department of Revenue<br>301 West High St., Rm 330<br>Jefferson City, MO 65101                      |          |                                     | Consideration: Sales<br>tax for 9/2010   |              |              |          | 3,280.43              | 3,280.43                          | 0.00   |
| ACCOUNT NO. 17996431   |          |                                     | Incurred: 12/2010<br>Consideration: Sales  |              |              |          |                       |                                   |  |
| Missouri Department of Revenue<br>301 West High St., Rm 330<br>Jefferson City, MO 65101                      |          |                                     | tax for 12/2010  |              |              |          | 1,609.07              | 1,609.07                          | 0.00   |
| ACCOUNT NO. 431951183  |          |                                     | Incurred: 2009   | -            |              |          |                       |                                   |  |
| Missouri Department of Revenue<br>301 West High St., Rm 330<br>Jefferson City, MO 65101                      |          |                                     | Consideration: PP<br>Taxes for 2009  |              |              |          | 29,622.73             | 29,622.73                         | 0.00   |
| Sheet no. $\frac{2}{2}$ of $\frac{3}{2}$ continuation sheets attached Creditors Holding Priority Claims      | to S     | chedul                              | e of (Totals of  | ıbto<br>this |              | ►<br>e)  | \$ 34,512.23          | \$ 34,512.23                      | \$ 0.00  |
|  |          | Sche                                | To<br>only on last page of the comp<br>dule E.) Report also on the So<br>chedules)   |              |              | ►        | \$                    |                                   |  |
|  |          | Sche<br>the S                       | T<br>only on last page of the comp<br>dule E. If applicable, report al<br>Statistical Summary of Certain<br>ilities and Related Data.) | so o         | ł            | >        | \$                    | \$                                | \$   |

Debtor

Case No. \_\_\_

(If known)

# SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

\_,

(Continuation Sheet) Sec. 507(a)(8)

Type of Priority for Claims Listed on This Sheet

| CREDITOR'S NAME,<br>MAILING ADDRESS<br>INCLUDING ZIP CODE,<br>AND ACCOUNT NUMBER<br>(See instructions above) | CODEBTOR | HUSBAND, WIFE, JOINT<br>ORCOMMUNITY | DATE CLAIM WAS<br>INCURRED AND<br>CONSIDERATION<br>FOR CLAIM  | CONTINGENT   | UNLIQUIDATED | DISPUTED | AMOUNT<br>OF<br>CLAIM | AMOUNT<br>ENTITLED TO<br>PRIORITY | AMOUNT<br>NOT<br>ENTITLED<br>TO<br>PRIORITY, IF<br>ANY |
|--|----------|-------------------------------------|---|--------------|--------------|----------|-----------------------|-----------------------------------|--|
| ACCOUNT NO. 431951183  |          |                                     | Incurred: 2010  |              |              |          |                       |                                   |  |
| Missouri Department of Revenue<br>301 West High St., Rm 330<br>Jefferson City, MO 65101                      |          |                                     | Consideration: PP<br>taxes for 2010   |              |              |          | 24,652.59             | 24,652.59                         | 0.00   |
| ACCOUNT NO. 17996431   |          |                                     | Incurred: 11/2010   |              |              |          |                       |                                   |  |
| Missouri Dept of Revenue<br>301 West High St, Rm 330<br>Jefferson City, MO 65101                             |          |                                     | Consideration: Sales<br>tax for 11/2010   |              |              |          | 1,788.03              | 1,788.03                          | 0.00   |
| ACCOUNT NO. USDOT-001027110  |          |                                     | Incurred: 2009  |              |              |          |                       |                                   |  |
| MODOT<br>PO Box 893<br>Jefferson City, MO 65102  |          |                                     | Consideration: HHG<br>& Services<br>Acct# 2810  |              |              |          | 3,823.22              | 3,823.22                          | 0.00   |
| ACCOUNT NO.  |          |                                     |   | -            | -            |          |                       |                                   |  |
|  |          |                                     |   |              |              |          |                       |                                   |  |
| Sheet no. $\underline{3}$ of $\underline{3}$ continuation sheets attached                                    | to S     | chedul                              | e of (Totals of   | ıbto<br>this |              | ≻<br>e)  | \$ 30,263.84          | \$                                | \$   |
| Creditors Holding Priority Claims  |          | Sche                                |   | otal<br>lete | d            | >        | \$ 116,082.02         |                                   |  |
|  |          | Sche<br>the S                       | T<br>only on last page of the comp<br>edule E. If applicable, report al<br>Statistical Summary of Certain<br>ilities and Related Data.) | so o         | ł            | >        | \$                    | \$ 116,082.02                     | \$ 0.00  |

Case No. \_

(If known)

Debtor

# SCHEDULE F- CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, 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). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

| CREDITOR'S NAME,<br>MAILING ADDRESS<br>INCLUDING ZIP CODE,<br>AND ACCOUNT NUMBER<br>(See instructions above.) | CODEBTOR | HUSBAND, WIFE, JOINT<br>ORCOMMUNITY | DATE CLAIM WAS INCURRED AND<br>CONSIDERATION FOR CLAIM.<br>IF CLAIM IS SUBJECT TO SETOFF,<br>SO STATE. | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT<br>OF<br>CLAIM |
|---|----------|-------------------------------------|--|------------|--------------|----------|-----------------------|
| ACCOUNT NO. 13232<br>AD Lift<br>5434 Natural Bridge Ave,<br>St. Louis, MO 63120                               |          |                                     | Incurred: 2008-2010<br>Consideration: Business debt  |            |              |          | 10,000.00             |
| ACCOUNT NO. 439667001   |          |                                     | Incurred: 2009-2010<br>Consideration: Business debt  |            |              |          |                       |
| Aramark<br>PO Box 60445<br>St. Louis, MO 63160-0445   |          |                                     | Consideration: Business debt   |            |              |          | 524.57                |
| ACCOUNT NO. 439759001   | $\vdash$ |                                     | Incurred: 2010   |            |              |          |                       |
| Aramark<br>PO Box 60445<br>St. Louis, MO 63160-0445   |          |                                     | Consideration: Business debt   |            |              |          | 1,006.59              |
| ACCOUNT NO. 70-0003683  | ┢        |                                     | Incurred: 2009-2010  |            |              |          |                       |
| Heritage<br>PO Box 6850<br>Evansville, IN 47719   |          |                                     | Consideration: Business debt   |            |              |          | 1,037.76              |
| 2 continuation sheets attached  | •        |                                     |  | Subt       | otal         | >        | \$ 12,568.92          |
|   |          |                                     |  | Т          | otal         | >        | \$                    |

(Use only on last page of the completed Schedule F.) (Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)

Debtor

(If known)

# SCHEDULE F- CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

| CREDITOR'S NAME,<br>MAILING ADDRESS<br>INCLUDING ZIP CODE,<br>AND ACCOUNT NUMBER<br>(See instructions above.)               | CODEBTOR | HUSBAND, WIFE, JOINT<br>ORCOMMUNITY | DATE CLAIM WAS INCURRED AND<br>CONSIDERATION FOR CLAIM.<br>IF CLAIM IS SUBJECT TO SETOFF, | CONTINGENT | UNLIQUIDATED  | DISPUTED | AMOUNT<br>OF<br>CLAIM     |
|---|----------|-------------------------------------|---|------------|---------------|----------|---------------------------|
| ACCOUNT NO. 4802178210019101<br>Montgomery<br>PO Box 790408<br>St. Louis, MO 63179  |          |                                     | Incurred: 2009-2010<br>Consideration: Business debt                                       |            |               |          | 7,973.41                  |
| ACCOUNT NO. 4798510044328934<br>Montgomery<br>PO Box 790408<br>St. Louis, MO 63179  |          |                                     | Incurred: 2008-2010<br>Consideration: Business debt                                       |            |               |          | 15,598.48                 |
| ACCOUNT NO. 10CG-CC00136<br>Randall F. Scherck<br>Re: PNCEF LLC<br>7701 Forsythe Blvd. Ste. 400<br>Clayton, MO 63105        |          |                                     | Incurred: 2010<br>Consideration: Business debt  |            |               |          | Notice Only               |
| ACCOUNT NO. BG1610663<br>Rhodes Travel Center<br>3508 Nash Rd.<br>Scott City, MO 63780                                      |          |                                     | Incurred: 2009-2010<br>Consideration: Business debt                                       |            |               |          | 25,096.23                 |
| ACCOUNT NO. AONT6K<br>RMS<br>PO Box 3162<br>Cedar Rapids, IA 52406  | -        |                                     | Incurred: 2009-2010<br>Consideration: Business debt                                       |            |               |          | 6,626.26                  |
| Sheet no. <u>1</u> of <u>2</u> continuation sheets atta<br>to Schedule of Creditors Holding Unsecured<br>Nonpriority Claims | ached    |                                     | 1   |            | tota<br>Total |          | \$ <b>55,294.38</b><br>\$ |

(Use only on last page of the completed Schedule F.) (Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)

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Debtor

(If known)

# SCHEDULE F- CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

| CREDITOR'S NAME,<br>MAILING ADDRESS<br>INCLUDING ZIP CODE,<br>AND ACCOUNT NUMBER<br>(See instructions above.)                             | CODEBTOR | HUSBAND, WIFE, JOINT<br>ORCOMMUNITY | DATE CLAIM WAS INCURRED AND<br>CONSIDERATION FOR CLAIM.<br>IF CLAIM IS SUBJECT TO SETOFF, | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT<br>OF<br>CLAIM |
|---|----------|-------------------------------------|---|------------|--------------|----------|-----------------------|
| ACCOUNT NO. 381517515<br>RMS<br>Re: Yellow Book/West<br>PO Box 5471<br>Mount Laurel, NJ 08054   |          |                                     | Incurred: 2010<br>Consideration: Business debt  |            |              |          | 18,023.98             |
| ACCOUNT NO. N3040886-6<br>Veolia<br>12900 Warrick County Line Rd.<br>Evansville, IN 47725   |          |                                     | Incurred: 2010<br>Consideration: Business debt  |            |              |          | 172.06                |
| ACCOUNT NO. 0195583-100<br>Wells Fargo Equipment Finance, Inc.<br>733 Marquette Ave., Ste. 700<br>MAC N 9306-070<br>Minneapolis, MN 55402 | -        |                                     | Incurred: 2007-2010<br>Consideration: Repo deficiency                                     |            |              |          | 28,707.68             |
| ACCOUNT NO. 291004<br>WOW<br>6045 Wedeking Ave.<br>Evansville, IN 47715   |          |                                     | Incurred: 2009-2010<br>Consideration: Business debt                                       |            |              |          | 273.29                |
| ACCOUNT NO.   |          |                                     |   |            |              |          |                       |
| Sheet no. $2$ of $2$ continuation sheets atta to Schedule of Creditors Holding Unsecured  | ched     |                                     |   | Sub        | tota         | ı≻       | \$ 47,177.01          |
| Nonpriority Claims  |          |                                     | (Use only on last page of the completed Sch   |            | otal         |          | \$ 115,040.31         |

(Use only on last page of the completed Schedule F.) (Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)

# In re B & M Aerial Equipment, Inc.

Debtor

\_\_\_\_\_

(if known)

Case No.

# SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, 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).

Check this box if debtor has no executory contracts or unexpired leases.

| NAME AND MAILING ADDRESS, INCLUDING ZIP CODE,<br>OF OTHER PARTIES TO LEASE OR CONTRACT.         | DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF<br>DEBTOR'S INTEREST. STATE WHETHER LEASE IS FOR<br>NONRESIDENTIAL REAL PROPERTY. STATE CONTRACT<br>NUMBER OF ANY GOVERNMENT CONTRACT.   |
|---|---|
| Bank of America Leasing<br>Lease Administration Center<br>PO Box 371992<br>PIttsburgh, PA 15250 | 1 Terex Th 1056c Telehandler Serial No.: TH1056C-57797, 1<br>Terex Th 1056c Telehandler Serial No.: TH1006A-8392 and 1<br>Genie GTH-842 Telehandler Serial No.: GTH0806A-8846   |
| LEAF<br>PO Box 644006<br>Cincinnati, OH 45264   | 1 2006 GTH 842 Telehandler  |
| First Federal Leasing<br>31 North 9th St.<br>Richmond, IN 47374                                 | 1 GTH1056 Telehandler   |
| Dolphin Capital Corp.<br>PO Box 644006<br>Cincinnati, OH 45264                                  | 1 2006 GTH-842 Telehandler  |
| GE Capital<br>PO BOX 740425<br>ATLANTA, GA 30374  | 1 2006 Genie Telehandler GTH1056 Serial No.:<br>GTH1006A-10161, 4 Genie GTH 842 Telehandlers Serial<br>Nos.: GTH0806A-10317, GTH0806B-7603, GTH08086B-7633<br>& GTH0806B-7633; 1 Genie GTH1056 Telehandler Serial<br>No.: GTH1007A-10670                              |
| GE Capital<br>PO BOX 740425<br>ATLANTA, GA 30374  | 9 Genie GS2032 Electric Scissorlifts Serial No.:<br>GS3027-85222, GS3027-85225, GS3027-85227,<br>GS3027-85223, GS3027-85218, GS3027-85216,<br>GS3027-85230, GS3027-85288, GS3027-85220,<br>GS4607-84891, GS4607-84893, and 2 Rough Terrain<br>Scissorlifts JLG 3394RT |
| Wells Fargo Finance Leasing<br>300 Tri State International, Ste. 400<br>Lincolnshire, IL 60069  | 2 World lift Ind. Forklifts, Serial No.: WFG60-6100814,<br>WFG60-6100815  |

Debtor

Case No.

(if known)

### **SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, 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. Bankr. P. 1007(m).

 $\mathbf{V}$  Check this box if debtor has no codebtors.

| NAME AND ADDRESS OF CODEBTOR | NAME AND ADDRESS OF CREDITOR |
|------------------------------|------------------------------|
|                              |                              |
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# United States Bankruptcy Court

Eastern District of Missouri

In re **B & M** Aerial Equipment, Inc.

Case No.

11

Debtor

| $\mathbf{C}$ |       |  |
|--------------|-------|--|
| UI           | apter |  |

# SUMMARY OF SCHEDULES

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors must also complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

AMOUNTS SCHEDULED

| NAME OF SCHEDULE  | ATTACHED<br>(YES/NO) | NO. OF SHEETS | ASSETS        | LIABILITIES     | OTHER   |
|---|----------------------|---------------|---------------|-----------------|---------|
| A – Real Property   | YES                  | 1             | \$ 0.00       |                 |         |
| B – Personal Property   | YES                  | 3             | \$ 572,573.20 |                 |         |
| C – Property Claimed<br>as exempt   | YES                  | 1             |               |                 |         |
| D – Creditors Holding<br>Secured Claims   | YES                  | 2             |               | \$ 3,382,536.05 |         |
| E - Creditors Holding Unsecured<br>Priority Claims<br>(Total of Claims on Schedule E) | YES                  | 5             |               | \$ 116,082.02   |         |
| F - Creditors Holding Unsecured<br>Nonpriority Claims                                 | YES                  | 3             |               | \$ 115,040.31   |         |
| G - Executory Contracts and<br>Unexpired Leases                                       | YES                  | 1             |               |                 |         |
| H - Codebtors   | YES                  | 1             |               |                 |         |
| I - Current Income of<br>Individual Debtor(s)   | NO                   | 0             |               |                 | \$ 0.00 |
| J - Current Expenditures of Individual<br>Debtors(s)                                  | NO                   | 0             |               |                 | \$ 0.00 |
| тот   | AL                   | 17            | \$ 572,573.20 | \$ 3,613,658.38 |         |

### Official Form 6 - Statistical Summary (12/07)

# United States Bankruptcy Court Eastern District of Missouri

B & M Aerial Equipment, Inc. In re

Case No.

Debtor

| Chapter | 11 |  |
|---------|----|--|
|         |    |  |

### STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C. \$101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below.

☑ Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

#### This information is for statistical purposes only under 28 U.S.C. § 159.

#### Summarize the following types of liabilities, as reported in the Schedules, and total them.

| Type of Liability   | Amount             |
|---|--------------------|
| Domestic Support Obligations (from Schedule E)  | <sup>\$</sup> N.A. |
| Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)  | \$<br><b>N.A.</b>  |
| Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed) | \$<br>N.A.         |
| Student Loan Obligations (from Schedule F)  | \$ N.A.            |
| Domestic Support, Separation Agreement, and Divorce Decree<br>Obligations Not Reported on Schedule E                | \$ <b>N.A.</b>     |
| Obligations to Pension or Profit-Sharing, and Other Similar Obligations<br>(from Schedule F)                        | <sup>\$</sup> N.A. |
| TOTAL   | \$ N.A.            |

#### State the Following:

| Average Income (from Schedule I, Line 16)   | \$<br>N.A. |
|---|------------|
| Average Expenses (from Schedule J, Line 18)   | \$<br>N.A. |
| Current Monthly Income (from Form 22A Line 12; <b>OR</b> , Form 22B Line 11; <b>OR</b> , Form 22C Line 20 ) | \$<br>N.A. |

#### State the Following:

| 1. Total from Schedule D, "UNSECURED PORTION, IF<br>ANY" column               |         | \$ N.A. |
|---|---------|---------|
| 2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column.               | \$ N.A. |         |
| 3. Total from Schedule E, "AMOUNT NOT ENTITLED TO<br>PRIORITY, IF ANY" column |         | \$ N.A. |
| 4. Total from Schedule F  |         | \$ N.A. |
| 5. Total of non-priority unsecured debt (sum of 1, 3, and 4)                  |         | \$ N.A. |

Debtor

Case No. \_\_\_\_\_(If known)

# **DECLARATION CONCERNING DEBTOR'S SCHEDULES**

### DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of \_\_\_\_\_\_ sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date \_\_\_\_\_

Date \_\_\_\_\_

Signature: \_\_\_\_\_

Debtor:

Signature: \_\_\_\_\_\_(Joint Debtor, if any)

[If joint case, both spouses must sign.]

Social Security No.

(Required by 11 U.S.C. § 110.)

#### DECLARATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)

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 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 by that section.

Printed or Typed Name and Title, if any, of Bankruptcy Petition Preparer

If the bankruptcy petition preparer is not an individual, state the name, title (if any), address, and social security number of the officer, principal, responsible person, or partner who signs this document.

Address X

Signature of Bankruptcy Petition Preparer

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 signed 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.

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

I, the <u>**President**</u> [the president or other officer or an authorized agent of the corporation or a member or an authorized agent of the partnership ] of the <u>**B** & M Aerial Equipment, Inc.</u> [corporation or partnership] named as debtor in this case, declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of <u>19</u> sheets (*total shown on summary page plus 1*), and that they are true and correct to the best of my knowledge, information, and belief.

| Date | January 7, 2011           | Signature:                                    | /s/ Brian Ebner   |
|------|---------------------------|---|---|
|      |                           | -   | BRIAN EBNER   |
|      |                           |   | [Print or type name of individual signing on behalf of debtor.] |
|      | [An individual signing on | ehalf of a partnership or corporation must in | dicate position or relationship to debtor.]                     |

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.

Date

### UNITED STATES BANKRUPTCY COURT Eastern District of Missouri

In Re **B & M Aerial Equipment, Inc.** 

Case No.

(if known)

### STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, 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).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. If the answer to an applicable question is "None," mark the box labeled "None." If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

#### DEFINITIONS

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

*"Insider."* The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

#### 1. Income from employment or operation of business

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

|      | AMOUNT     |                       | SOURCE |
|------|------------|-----------------------|--------|
| 2011 | 12,374.60  | estimated gross sales |        |
| 2010 | 1.6 mil    | estimated gross sales |        |
| 2009 | 2,121,341. | gross sales           |        |

None

#### 2. Income other than from employment or operation of business

State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the two years immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT

SOURCE

#### 3. Payments to creditors None

Complete a. or b., as appropriate, and c.

a. Individual or joint debtor(s) with primarily consumer debts: List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within 90 days immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS OF CREDITOR | DATES OF | AMOUNT | AMOUNT STILL |
|------------------------------|----------|--------|--------------|
|                              | PAYMENTS | PAID   | OWING        |

b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within 90 days immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,850\*. If the debtor is an individual, indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

\*Amount subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after date of adjustment.

NAME AND ADDRESS OF CREDITOR AND RELATIONSHIP TO DEBTOR

DATES OF PAYMENTS

AMOUNT STILL AMOUNT OWING

PAID



 $\square$ 

None

 $\boxtimes$ 

None

None

*c.* All debtors: List all payments made within one year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 4. Suits and administrative proceedings, executions, garnishments and attachments

a. List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| CAPTION OF SUIT<br>AND CASE NUMBER  | NATURE OF PROCEEDING | COURT OR<br>AGENCY AND LOCATION | STATUS OR<br>DISPOSITION                                |
|---|----------------------|---------------------------------|---|
| PNCEF LLC<br>v.<br>B&M Aerial<br>Equipment, Inc.<br>Case No.:<br>10CG-CC00136       | Breach of Contract   | Cape Girardeau Circuit<br>Court | was pending at the<br>time of this<br>bankruptcy filing |
| B&M Aerial<br>Equipment, Inc.<br>v.<br>S Cole Company<br>Case No.:<br>10CG-AC01473  | Breach of Contract   | Cape Girardeau Circuit<br>Court | was pending at the<br>time of this<br>bankruptcy filing |
| B&M Aerial<br>Equipment, Inc.<br>v.<br>Rick Pigg et al<br>Case No.:<br>10CG-AC02507 | Breach of Contract   | Cape Girardeau Circuit<br>Court | dismissed with<br>predjudice                            |

None b. Describe all property that has been attached, garnished or seized under any legal or equitable process within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON FOR WHOSE BENEFIT PROPERTY WAS SEIZED

None

DATE OF SEIZURE DESCRIPTION AND VALUE OF PROPERTY

#### 5. Repossessions, foreclosures and returns

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND<br>ADDRESS OF<br>CREDITOR OR SELLER  | DATE OF REPOSESSION,<br>FORECLOSURE SALE,<br>TRANSFER OR RETURN | DESCRIPTION AND<br>VALUE OF PROPERTY  |
|---|---|---|
| PNC Bank<br>c/p VGC Capital Services  | 4/2010  | 1 Genie S40 DTZ w/<br>Telescopic Boom SN#<br>S4008-13454, 1 Genie S40<br>DTZ w/ Telescopic Boom<br>SN# S4007-13448, 1 Genie<br>1058 Air Telehandler SN#<br>GTH0807A-11741, and 1<br>Genie 842 Telehandandler<br>SN#<br>GTH1007-A11697leased<br>equiptment costs/ price<br>\$243,803,41. |
| Wells Fargo Equiptment Finance<br>c/o Celdiron Companies, Inc.<br>1540 West Fountainhead Parkway<br>Tempe, AZ 85282 | 6/7/10  | 1 JLG G6-42 A Turbo<br>Handler, SN# 0160026038,<br>1 JLG C6-42A Turbo<br>Handler, SN# 0160026079,<br>1 JLG 400 S Boom Lift,<br>SN# 0300126466, 1 JLG<br>400 S Boom Lift SN#<br>0300126611   |
| Wells Fargo Equiptment Finance<br>]1540 West Fountainhead Parkway<br>MAC S3966-010<br>Tempe, AZ 85282               | 5/26/10   | 1 Genie S40 SN#<br>S4007-13121, 1 Genie S-40<br>SN# S4007-13125, 1 Genie<br>GTH 1007 A SN# 11102, !<br>Z80 SN#Z8005-662   |

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#### 6. Assignments and Receiverships

None

a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND    | DATE OF ASSIGNMENT | TERMS OF      |
|-------------|--------------------|---------------|
| ADDRESS     |                    | ASSIGNMENT    |
| OF ASSIGNEE |                    | OR SETTLEMENT |

None

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND     | NAME AND LOCATION   | DATE OF | DESCRIPTION AND   |
|--------------|---------------------|---------|-------------------|
| ADDRESS      | OF COURT CASE TITLE | ORDER   | VALUE OF PROPERTY |
| OF CUSTODIAN | & NUMBER            |         |                   |

#### 7. Gifts

None

List all gifts or charitable contributions made within one year immediately preceding the commencement of this case, except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND               | RELATIONSHIP      | DATE OF | DESCRIPTION AND |
|------------------------|-------------------|---------|-----------------|
| ADDRESS OF             | TO DEBTOR, IF ANY | GIFT    | VALUE OF GIFT   |
| PERSON OR ORGANIZATION |                   |         |                 |

8. Losses

None

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| DESCRIPTION<br>AND VALUE        | DESCRIPTION OF CIRCUMSTANCES, AND, IF LOSS<br>WAS COVERED IN WHOLE OR IN PART BY   | DATE OF<br>LOSS |
|---------------------------------|--|-----------------|
| OF PROPERTY                     | INSURANCE, GIVE PARTICULARS  | 1000            |
| 1993 International<br>Dumptruck | Dumptruck rolled downhill and flipped. Commercial Auto<br>policy with Safeco paid out \$14,532.00. Debtor used funds to<br>maintain operation costs. | 11/10/2010      |
| Workers Compensation            | Employee, Johhn James was trying to break a bolt loose,<br>slipped and hurt his ribs. Workers Comp policy with America                               | 8/20/10         |

First paid out \$329.54.

#### DESCRIPTION OF CIRCUMSTANCES, AND, IF LOSS WAS COVERED IN WHOLE OR IN PART BY INSURANCE, GIVE PARTICULARS

DATE OF LOSS

2000 freightliner vin# 1fuydcyb3ymf37332

Insured driver was hauling rented equipment and hit overpass with lift. Equipment policy with America First paid out \$9,621.18.

2/19/10

#### 9. Payments related to debt counseling or bankruptcy

None List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one year immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE

DATE OF PAYMENT, NAME OF PAYOR IF OTHER THAN DEBTOR

12/18/10

AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY

\$25,000

Nathan H. Goldberg Goldberg Law Firm, LLC 6901 Gravois St. Louis, MO 63116

#### 10. Other transfers

None List all other property, other than property transferred in the ordinary course of the business or financial a. affairs of the debtor, transferred either absolutely or as security within two years immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF TRANSFEREE, DATE DESCRIBE PROPERTY RELATIONSHIP TO DEBTOR TRANSFERRED AND VALUE RECEIVED Wood & Huston Bank 7/29/10 **Refinancing with secured corporate** creditor of all loans in the amount of 2999 E. Jackson Blvd. Jackson, MO 63755 \$48,435.68 **Relationship: Secured Creditor on all collateral** Wood & Huston Bank **Refinancing with secured corporate** 10/26/09

2999 E. Jackson Blvd. Jackson, MO 63755 **Relationship: Secured Creditor on all collateral**  creditor of all loans in the amount of \$2,785,448.23

b. List all property transferred by the debtor within ten years immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

None

None

 $\square$ 

NAME OF TRUST OR OTHER DEVICE

DATE(S) OF TRANSFER(S) AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY OR DEBTOR'S INTEREST IN PROPERTY

#### 11. Closed financial accounts

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND       | TYPE OF ACCOUNT, LAST FOUR  | AMOUNT AND   |
|----------------|-----------------------------|--------------|
| ADDRESS        | DIGITS OF ACCOUNT NUMBER,   | DATE OF SALE |
| OF INSTITUTION | AND AMOUNT OF FINAL BALANCE | OR CLOSING   |

#### 12. Safe deposit boxes

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND            | NAMES AND ADDRESSES OF   | DESCRIPTION OF | DATE OF           |
|---------------------|--------------------------|----------------|-------------------|
| ADDRESS OF BANK     | THOSE WITH ACCESS TO BOX | CONTENTS       | TRANSFER OR       |
| OR OTHER DEPOSITORY | OR DEPOSITORY            |                | SURRENDER, IF ANY |

#### 13. Setoffs

None

None

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List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS OF CREDITOR | DATE   | AMOUNT |
|------------------------------|--------|--------|
|                              | OF     | OF     |
|                              | SETOFF | SETOFF |

#### 14. Property held for another person

List all property owned by another person that the debtor holds or controls.

| NAME AND         | DESCRIPTION AND   | LOCATION OF PROPERTY |
|------------------|-------------------|----------------------|
| ADDRESS OF OWNER | VALUE OF PROPERTY |                      |

#### 15. Prior address of debtor

None

None

None

 $\square$ 

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If the debtor has moved within the three years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

| ADDRESS | NAME USED | DATES OF OCCUPANCY |
|---------|-----------|--------------------|
|         |           |                    |

#### 16. Spouses and Former Spouses

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within eight years immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

#### NAME

#### 17. Environmental Sites

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law

None

a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

| SITE NAME   | NAME AND ADDRESS     | DATE OF | ENVIRONMENTAL |
|-------------|----------------------|---------|---------------|
| AND ADDRESS | OF GOVERNMENTAL UNIT | NOTICE  | LAW           |

b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

| SITE NAME   | NAME AND ADDRESS     | DATE OF | ENVIRONMENTAL |
|-------------|----------------------|---------|---------------|
| AND ADDRESS | OF GOVERNMENTAL UNIT | NOTICE  | LAW           |
|             |                      |         |               |

c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

NAME AND ADDRESS OF GOVERNMENTAL UNIT

None

None

None

 $\boxtimes$ 

DOCKET NUMBER

STATUS OR DISPOSITION

#### 18. Nature, location and name of business

a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partnership, sole proprietorship, or was self-employed in a trade, profession, or other activity either full- or part-time within six years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within the six years immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within the six years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within the six years immediately preceding the commencement of this case.

| NAME                       | LAST FOUR DIGITS OF<br>SOCIAL-SECURITY OR<br>OTHER INDIVIDUAL<br>TAXPAYER-I.D. NO.<br>(ITIN)/ COMPLETE EIN | ADDRESS  | NATURE OF BUSINESS  | BEGINNING AND<br>ENDING DATES |
|----------------------------|--|--|---|-------------------------------|
| B & M Aerial<br>Equiptment | 43-1951183   | 4390 State Highway 74<br>Cape Girardeau, MO<br>63701 | Rents, Sells and<br>Purchases<br>construction<br>equiptment<br>(Backhoes, boom<br>lifts, industrial<br>forklifts, light<br>towers, air<br>compressors, scissor<br>lifts, skid steers, mini<br>excavators and<br>telescopic forklifts)<br>Debtor has two<br>locations.Debtor also<br>has second location<br>in3/25/02 to present |                               |

Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined b. in 11 U.S.C. § 101.

# None NAME

 $\boxtimes$ 

#### ADDRESS

DATES SERVICES RENDERED

Yearly

The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within the six years immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or otherwise self-employed.

(An individual or joint debtor should complete this portion of the statement only if the debtor is or has been in business, as defined above, within the six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)

19. Books, record and financial statements

None a. List all bookkeepers and accountants who within the two years immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

NAME AND ADDRESS

Crouch ,Farley & Heuring, PC **Cape Girardeau Office** 623 S. Silver Springs Rd. Cape Girardeau, MO 63703

> List all firms or individuals who within the two years immediately preceding the filing of this bankruptcy b. case have audited the books of account and records, or prepared a financial statement of the debtor.

NAME

None

 $\square$ 

ADDRESS

DATES SERVICES RENDERED

c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

| NAME                         | ADDRESS  |  |
|------------------------------|--|--|
| B& M Aerial, Inc.            | 4390 State Highway 74<br>Cape Girardeau, MO 63701                              |  |
| Crouch ,Farley & Heuring, PC | Cape Girardeau Office<br>623 S. Silver Springs Rd.<br>Cape Girardeau, MO 63703 |  |

None

None

List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom d. a financial statement was issued within the two years immediately preceding the commencement of this case by the debtor.

| NA       | ME AND ADDRESS   | DATE<br>ISSUED<br>Monthly<br>Monthly |  |  |  |
|----------|--|--------------------------------------|--|--|--|
| 65       | rian Ebner<br>50 Wellington<br>ackson, MO 63755  |                                      |  |  |  |
| C:<br>62 | rouch Farley & Heuring, PC<br>ape Girardeau Office<br>23 S. Silver Springs Rd.<br>ape Girardeau, MO 63703  |                                      |  |  |  |
|          | 20. Inventories  |                                      |  |  |  |
| None     | a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory. |                                      |  |  |  |

DATE OF INVENTORY INVENTORY SUPERVISOR DOLLAR AMOUNT OF INVENTORY (Specify cost, market or other basis) Ongoing inventory of **Brian Ebner** FMV of all equipment \$6 mil Equipment

reported in a., above. DATE OF INVENTORY NAME AND ADDRESSES OF CUSTODIAN OF INVENTORY RECORDS Debtor 21. Current Partners, Officers, Directors and Shareholders None If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership. a. NAME AND ADDRESS NATURE OF INTEREST PERCENTAGE OF INTEREST **Brian Ebner** President 100 650 Wellington Dr. Jackson, MO 63755 None If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who b. directly or indirectly owns, controls, or holds 5 percent or more of the voting or equity securities of the corporation.  $\square$ NAME AND ADDRESS TITLE NATURE AND PERCENTAGE OF STOCK OWNERSHIP 22. Former partners, officers, directors and shareholders None If the debtor is a partnership, list each member who withdrew from the partnership within one year a. immediately preceding the commencement of this case. ADDRESS DATE OF WITHDRAWAL NAME **Charlotte Amelunke** 922 Spring Hollow Trail **Pursuant to dissolution** Jackon, MO 63755 decree entered September 20, 2010 transfered 50% of her If the debtor is a corporation, list all officers, or directors whose relationships static the company of Bolan None b. terminated within one year immediately preceding the commencement of this case. Ebner  $\square$ 

TITLE

DATE OF TERMINATION

List the name and address of the person having possession of the records of each of the two inventories

None

b.

NAME AND ADDRESS

#### 23. Withdrawals from a partnership or distribution by a corporation

If the debtor is a partnership or a corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during one year immediately preceding the commencement of this case.

NAME & ADDRESS OF RECIPIENT, RELATIONSHIP TO DEBTOR

None

Brian Ebner 650 Wellington Dr. Javkson. MO 63755 Relationship: President and Owner DATE AND PURPOSE OF WITHDRAWAL

Yearly Salary of \$102,000 minus \$24,000 of weekly paychecks he did not take for a total of \$78,000. AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY

2 vehicles for work 2009 Dodge 2500 Truck with a company made monthly payment of \$630.77 with prinicpal balance of \$4,350.46 and a 2009 Chevy Tahoe with company made paymnents of \$638.62 with a principal balance of \$20,000. Insurance benefits

Yearly Salary of \$70,500 and company paid health insurance.

Charlotte Amelunke1/10-12/10922 Spring Hollow TrailJackson, MO 63755Relationship: Previous owner untildissolution on September, 2010.

#### 24. Tax Consolidation Group

If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within the six-year period immediately preceding the commencement of the case.

NAME OF PARENT CORPORATION

TAXPAYER IDENTIFICATION NUMBER (EIN)

#### 25. Pension Funds

None

None

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If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within the six-year period immediately preceding the commencement of the case.

NAME OF PENSION FUND

TAXPAYER IDENTIFICATION NUMBER (EIN)

\* \* \* \* \* \*

#### [If completed on behalf of a partnership or corporation]

January 7, 2011

Date

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct to the best of my knowledge, information and belief.

Signature

/s/ Brian Ebner

BRIAN EBNER, President

Print Name and Title

[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]

\_\_\_\_ continuation sheets attached

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

#### DECLARATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)

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 required under 11U.S.C. § 110(b), 110(h), and 342(b); (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110 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.

 Printed or Typed Name and Title, if any, of Bankruptcy Petition Preparer
 Social Security No. (Required by 11 U.S.C. § 110(c).)

 If the bankruptcy petition preparer is not an individual, state the name, title (if any), address, and social security number of the officer, principal, responsible person, or partner who signs this document.

Address

Х

Signature of Bankruptcy Petition Preparer

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 signed 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. 18 U.S.C. §156.

### UNITED STATES BANKRUPTCY COURT Eastern District of Missouri

#### In re:

B & M Aerial Equipment, Inc.

Case No. Chapter 11

\$ 25,000.00

25,000.00

\$ 0.00

Debtor(s)

### DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR

 Pursuant to 11 U .S.C. § 329(a) and Fed. Bankr . P. 2016(b), I certify that I am the attorney for the above-named debtor(s) and that compensation paid to me w ithin one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept thus far

Prior to the filing of this statement I have received

Balance Due is to be determined after attornry fee billing and Oder of the Court; the above amount is in Attorney Trust account and no distibution for Attorney feesfrom this amount, \$25,000, until ordered by the Court.

Other

2. The source of the compensation paid to me was:

| (specify) A female friend of the company, not an insider, not<br>or owner, submitted the funds to this attorney from her own<br>account. Due to emergency filing and time constraints, statu<br>gift to be determined upon proper motion if necessary. | personal  |
|--|---|
| 3. The source of compensation to be paid to me is:<br>Debtor<br>the Debtor after Order from the Court  | Other (specify) Any future attorney fees will come from |
| 4. I have not agreed to share the above-disclosed com<br>any other person unless they are members and associates of  |   |

I have agreed to share the above-disclosed compensation with a other person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation, is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, incl uding:

a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;

b. X Preparation and filing of any petition, schedules, statements of affairs and plan w hich 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. [Other provisions as needed]

B 203 (12/94)

### DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR (Continued)

6. By agreement with the debtor(s), the above-disclosed fee does not include the following services:

Representation of the Debtor in Post Confirmation matters after the case is no longer in the Bankruptcy Court; though the Court retains jurisdiction, and repesentation in any other chapter including a conversion .Seperate fee arrangements would have to be obtained in these aforestated representations.

### CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceedings.

| January 7, 2011 |                  | /s/Nathan H. Goldberg   |  |
|-----------------|------------------|---|--|
| Date            |                  | Signature of Attorney   |  |
|                 | Name of law firm | Goldberg Law Firm, LLC<br>6901 Gravois<br>St. Louis, MO 63116<br>314-771-1900 fax 314-771-1903<br>nathan@goldberglawllc.com |  |

AD Lift 5434 Natural Bridge Ave, St. Louis, MO 63120

Ally Financial P.O. Box 951 Horsham, PA 19044

Aramark PO Box 60445 St. Louis, MO 63160-0445

Bank of America Leasing Lease Administration Center PO Box 371992 PIttsburgh, PA 15250

Dolphin Capital Corp. PO Box 644006 Cincinnati, OH 45264

Fifth Third Bank PO Box 630778 Cincinnati, OH 45263-0778

First Federal Leasing 31 North 9th St. Richmond, IN 47374

GE Capital PO BOX 740425 ATLANTA, GA 30374

Harris Bank P.O. Box 5041 3800 Golf Road, Ste 300-B Rolling Meadows, IL 60008 Heritage PO Box 6850 Evansville, IN 47719

Illinois Department of Revenue 2309 W. Main Suite 114 Marion, Illinois 62959-1196

Kentucky Dept. of Revenue Frankfort, KY 40620

LEAF PO Box 644006 Cincinnati, OH 45264

Missouri Department of Revenue 301 West High St., Rm 330 Jefferson City, MO 65101

Missouri Dept of Revenue 301 West High St, Rm 330 Jefferson City, MO 65101

MODOT PO Box 893 Jefferson City, MO 65102

Montgomery PO Box 790408 St. Louis, MO 63179

Montgomery PO Box 790408 St. Louis, MO 63179 Randall F. Scherck Re: PNCEF LLC 7701 Forsythe Blvd. Ste. 400 Clayton, MO 63105

Rhodes Travel Center 3508 Nash Rd. Scott City, MO 63780

RMS PO Box 3162 Cedar Rapids, IA 52406

RMS Re: Yellow Book/West PO Box 5471 Mount Laurel, NJ 08054

Veolia 12900 Warrick County Line Rd. Evansville, IN 47725

Wells Fargo Equipment Finance, Inc. 733 Marquette Ave., Ste. 700 MAC N 9306-070 Minneapolis, MN 55402

Wells Fargo Finance Leasing 300 Tri State International, Ste. 400 Lincolnshire, IL 60069

Wood & Huston Bank 2999 E. Jackson Blvd. Jackson, MO 63755

Wood & Huston Bank PO Box 40 Marshall, MO 65340 WOW 6045 Wedeking Ave. Evansville, IN 47715

### UNITED STATES BANKRUPTCY COURT Eastern District of Missouri

In re **B & M Aerial Equipment, Inc.** 

Debtor

Case No.

Chapter \_\_\_\_\_

### **VERIFICATION OF LIST OF CREDITORS**

I hereby certify under penalty of perjury that the attached List of Creditors which consists of 4 pages, is true, correct

and complete to the best of my knowledge.

January 7, 2011

Date

\_\_\_\_\_ Signature

/s/ Brian Ebner

BRIAN EBNER, President

Nathan H. Goldberg Goldberg Law Firm, LLC 6901 Gravois St. Louis, MO 63116 314-771-1900 314-771-1903

### UNITED STATES BANKRUPTCY COURT Eastern District of Missouri

| In re                           | B & M Aerial Equipment, Inc. |          |                   |                  |  |  |  |  |  |
|---------------------------------|------------------------------|----------|-------------------|------------------|--|--|--|--|--|
|                                 | Debtor                       | Case No. |                   |                  |  |  |  |  |  |
|                                 |                              |          | Chapter           | 11               |  |  |  |  |  |
| List of Equity Security Holders |                              |          |                   |                  |  |  |  |  |  |
| Hole                            | der of Security              |          | Number Registered | Type of Interest |  |  |  |  |  |