| United States I Western Dist | Bankr Dpt un Cen irt rict of Missouri | Page 1 | of 10 Voluntar | y Petition |
|--|--|---|--|--|
| Name of Debtor (if individual, enter Last, First, Middle): K P & W, LLC | | Name of Joint D | bebtor (Spouse) (Last, First, Middle): | |
| All Other Names used by the Debtor in the last 8 yearsA(include married, maiden, and trade names):(i | | All Other Name: (include married | s used by the Joint Debtor in the last 8 years I, maiden, and trade names): | |
| Last four digits of Soc. Sec. or Indvidual-Taxpayer I.D. (ITII nore than one, state all): 43-1798998 | N) No./Complete EIN(if | Last four digits of than one, state a | of Soc. Sec. or Indvidual-Taxpayer I.D. (ITIN) III): | No./Complete EIN(if mo |
| Street Address of Debtor (No. & Street, City, and State): 1330 E. Seminole St. Springfield, MO | | Street Address of | of Joint Debtor (No. & Street, City, and State): | |
| ZIP | CODE 65804 | | | CODE |
| County of Residence or of the Principal Place of Business: Greene | | County of Resid | ence or of the Principal Place of Business: | |
| Mailing Address of Debtor (if different from street address) | : | Mailing Address | s of Joint Debtor (if different from street addre | ss): |
| ZIP | CODE | | ZIF | CODE |
| ocation of Principal Assets of Business Debtor (if different 330 E. Seminole, Springfield, MO Type of Debtor | from street address above): Nature of Busi | | ZIP Chapter of Bankruptcy Cod | CODE 65804 |
| (Form of Organization) (Check one box.) Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. Corporation (includes LLC and LLP) Partnership Other (If debtor is not one of the above entities, check this box and state type of entity below.) | (Check one box) Health Care Business Single Asset Real Estate U.S.C. § 101(51B) Railroad Stockbroker Commodity Broker Clearing Bank Ø Other Tax-Exempt En (Check box, if appl) Debtor is a tax-exempt of under Title 26 of the Un Code (the Internal Reve | as defined in 11 itity icable) organization ited States | the Petition is Filed (Chee Chapter 7 Chapter 9 Chapter 9 Chapter 9 Chapter 11 Chapter 12 Chapter 12 Chapter 13 Nature of Del (Check one boy Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or house- | ck one box) ter 15 Petition for gnition of a Foreign Proceeding ter 15 Petition for gnition of a Foreign nain Proceeding |
| Filing Fee (Check one box) | | , | hold purpose." Chapter 11 Debtors | |
| Full Filing Fee attached Filing Fee to be paid in installments (applicable to indisigned application for the court's consideration certifying unable to pay fee except in installments. Rule 1006(b) = Filing Fee waiver requested (applicable to chapter 7 in attach signed application for the court's consideration. Second S | ng that the debtor is See Official Form 3A. dividuals only). Must | Debtor Check if: Debtor insider Check all a A plan Accept | is a small business debtor as defined in 11 U.3 is not a small business debtor as defined in 11 's aggregate noncontingent liquidated debts (e s or affiliates) are less than \$2,190,000. | U.S.C. § 101(51D). A scluding debts owed to |
| Statistical/Administrative Information | | | litors, in accordance with 11 U.S.C. § 1126(b) | |

| Deb | otor estimates | that, after any | exempt proper | ty is excluded | to unsecured of and administron to unsecured | ative | | | | COURT USE ONLY |
|--------------------|--------------------------|---------------------------|--------------------------------|--|---|-------------------------------------|--------------------------------------|---------------------------------|--------------------------|----------------|
| Estimate | d Number of | | | ם נ | | | | | | |
| 1- 49 | 50- 99 | | | 000- 5,00 000 10,0 | , | -) | 50,001- 100,000 | Over 100,000 | | |
| Estimate | d Assets | | | | | | | | | |
| \$0 to \$50,000 | \$50,001 to \$100,000 | \$100,001 to \$500,000 | \$500,001 to \$1 | \$1,000,001 to \$10 | \$10,000,001 to \$50 | \$50,000,001 to \$100 million | | \$500,000,001 to \$1 billion | More than \$1 billion | |
| Estimate | d Liabilities | | million | million | million | | | | | |
| | | | I | | | | | | | |
| \$0 to \$50,000 | \$50,001 to \$100,000 | \$100,001 to \$500,000 | \$500,001 to \$1 million | <pre>\$1,000,001 to \$10 million</pre> | \$10,000,001 to \$50 million | \$50,000,001 to \$100 million | \$100,000,001 to \$500 million | \$500,000,001 to \$1 billion | More than \$1 billion | |

| Voluntary Pet (This page mus | tition Document be completed and filed in every case) | Name $g_{F} = \frac{1}{2} \frac{1}{10}$ K P & W, LLC | |
|---------------------------------|---|--|---|
| | All Prior Bankruptcy Cases Filed Within La | ast 8 Years (If more than two, attach additional shee | t.) |
| Location Where Filed: | NONE | Case Number: | Date Filed: |
| Location Where Filed: | | Case Number: | Date Filed: |
| | Pending Bankruptcy Case Filed by any Spouse, Partner o | or Affiliate of this Debtor (If more than one, attach | additional sheet) |
| Name of Debtor: NONE | | Case Number: | Date Filed: |
| District: | | Relationship: | Judge: |
| 10Q) with the Secu | Exhibit A if debtor is required to file periodic reports (e.g., forms 10K and urities and Exchange Commission pursuant to Section 13 or 15(d) xchange Act of 1934 and is requesting relief under chapter 11.) | Exhibit B (To be completed if debtor whose debts are primarily of I, the attorney for the petitioner named in the fore, have informed the petitioner that [he or she] may 12, or 13 of title 11, United States Code, and hav available under each such chapter. I further certify debtor the notice required by 11 U.S.C. § 342(b). | consumer debts) going petition, declare that I proceed under chapter 7, 11, e explained the relief |
| Exhibit A is | attached and made a part of this petition. | X Not Applicable Signature of Attorney for Debtor(s) | Date |
| | | hibit C | |
| | on or have possession of any property that poses or is alleged to pose a abilit C is attached and made a part of this petition. | hibit D | earth of safety? |
| If this is a joint pet | D completed and signed by the debtor is attached and made a part of t ition: D also completed and signed by the joint debtor is attached and made | | |
| | | ding the Debtor - Venue y applicable box) | |
| V | Debtor has been domiciled or has had a residence, principal place preceding the date of this petition or for a longer part of such 180 | of business, or principal assets in this District for 180 |) days immediately |
| | There is a bankruptcy case concerning debtor's affiliate. general particular | artner, or partnership pending in this District. | |
| | | | |
| | Debtor is a debtor in a foreign proceeding and has its principal pla has no principal place of business or assets in the United States bu this District, or the interests of the parties will be served in regard | t is a defendant in an action or proceeding [in a feder | |
| | has no principal place of business or assets in the United States bus this District, or the interests of the parties will be served in regard Certification by a Debtor Who Resid | t is a defendant in an action or proceeding [in a feder | |
| | has no principal place of business or assets in the United States bus this District, or the interests of the parties will be served in regard Certification by a Debtor Who Resid | t is a defendant in an action or proceeding [in a feder to the relief sought in this District. des as a Tenant of Residential Property pplicable boxes.) | al or state court] in |
| | has no principal place of business or assets in the United States but this District, or the interests of the parties will be served in regard Certification by a Debtor Who Resi (Check all ap | t is a defendant in an action or proceeding [in a feder to the relief sought in this District. des as a Tenant of Residential Property pplicable boxes.) | al or state court] in |
| | has no principal place of business or assets in the United States but this District, or the interests of the parties will be served in regard Certification by a Debtor Who Resi (Check all ap | t is a defendant in an action or proceeding [in a feder to the relief sought in this District. des as a Tenant of Residential Property pplicable boxes.) or's residence. (If box checked, complete the followin | al or state court] in |
| | has no principal place of business or assets in the United States but this District, or the interests of the parties will be served in regard Certification by a Debtor Who Resi (Check all ap | t is a defendant in an action or proceeding [in a feder to the relief sought in this District. des as a Tenant of Residential Property pplicable boxes.) or's residence. (If box checked, complete the followin (Name of landlord that obtained judgment) (Address of landlord) circumstances under which the debtor would be perm | al or state court] in g). uitted to cure the |
| | has no principal place of business or assets in the United States but this District, or the interests of the parties will be served in regard Certification by a Debtor Who Resi (Check all ap Landlord has a judgment against the debtor for possession of debtor Debtor claims that under applicable nonbankruptcy law, there are | t is a defendant in an action or proceeding [in a feder to the relief sought in this District. des as a Tenant of Residential Property pplicable boxes.) or's residence. (If box checked, complete the followin (Name of landlord that obtained judgment) (Address of landlord) circumstances under which the debtor would be permon, after the judgment for possession was entered, and | g). |

| B 1 (Official Cesse 109/08/1578-11 Doc 1 Filed 07/13/ | 09 Entered 07/13/09 14:14:42 Desc Mary B1, Page 3 |
|--|---|
| Voluntary Petition Document | Nane geo 3 tofs 10 |
| (This page must be completed and filed in every case) | KP&W,LLC |
| | |
| Sign | 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 is true and correct. [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such | I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition. (Check only one box.) |
| chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b). | ☐ I request relief in accordance with chapter 15 of Title 11, United States Code. Certified Copies of the documents required by § 1515 of title 11 are attached. |
| I request relief in accordance with the chapter of title 11, United States Code, specified in this petition. | Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the Chapter of title 11 specified in the petition. A certified copy of the order granting recognition of the foreign main proceeding is attached. |
| X Not Applicable | X Not Applicable |
| Signature of Debtor | (Signature of Foreign Representative) |
| X Not Applicable | |
| Signature of Joint Debtor | (Printed Name of Foreign Representative) |
| Telephone Number (If not represented by attorney) | |
| Date | Date |
| Signature of Attorney | Signature of Non-Attorney Petition Preparer |
| X /s/ David E. Schroeder Signature of Attorney for Debtor(s) David E. Schroeder Bar No. 32724 Printed Name of Attorney for Debtor(s) / Bar No. David Schroeder Law Offices, P.C. Firm Name 1524 East Primrose, Suite A Springfield, MO 65804 Address (417) 890-1000 (417) 886-8563 | I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached. Not Applicable Printed Name and title, if any, of Bankruptcy Petition Preparer Social-Security number (If the bankruptcy petition preparer is not an individual, state |
| Telephone Number 7/13/2009 | the Social-Security number (if the bankrupicy petition preparer is not an individual, state the Social-Security number of the officer, principal, responsible person or partner of the bankrupicy petition preparer.) (Required by 11 U.S.C. § 110.) |
| Date *In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect. | Address |
| Signature of Debtor (Corporation/Partnership) | X Not Applicable |
| I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor. | Date Signature of bankruptcy petition preparer or officer, principal, responsible person, or |
| The debtor requests the relief in accordance with the chapter of title 11, United States Code, specified in this petition. | partner whose Social-Security number is provided above. Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an |
| X /s/ Patrick O. Watkins | individual. |
| Signature of Authorized Individual | If more than one person prepared this document, attach to the appropriate official form for each person. |
| Patrick O. Watkins Printed Name of Authorized Individual | A bankruptcy petition preparer's failure to comply with the provisions of title 11 and |
| Managing member Title of Authorized Individual 7/13/2009 Date | the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156. |
| Date | |

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United States Bankruptcy Court

Western District of Missouri

Case No. Chapter 11

KP&W,LLC

STATEMENT REGARDING AUTHORITY TO SIGN AND FILE PETITION

"I, Patrick Watkins, declare under penalty of perjury that I am the managing member of K P & W, LLC a Missouri limited liability entity and that I am authorized to file a voluntary petition commencing a chapter 11 voluntary bankruptcy case on behalf of the LLC."

Executed on: 7/13/2009

Signed: <u>/s/ Patrick O. Watkins</u> Patrick Watkins, Managing Member

In re:

Case 09-61578-11 Doc 1

Debtor

I Filed 07/13/09 Entered 07/13/09 14:14:42 Desc Main Document Page 5 of 10

UNITED STATES BANKRUPTCY COURT Western District of Missouri

In re: K P & W, LLC

Case No. Chapter 11

DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR

| | | | | I OK DEBIOK | | | |
|----|-------------------|--|-------------------------------------|--|------------------------------|--------------|-----------------|
| 1. | and th paid to | nat compensation paid to me within | n one year befor e rendered on b | 016(b), I certify that I am the attorney the filing of the petition in bankrupto ehalf of the debtor(s) in contemplation | cy, or agreed to be | or(s) | |
| | F | or legal services, I have agreed to | accept | | 9 | s | 12,000.00 |
| | Р | Prior to the filing of this statement I | have received | | 9 | 5 | 12,000.00 |
| | В | Balance Due | | | 9 | 6 | 0.00 |
| 2. | The s | source of compensation paid to me | was: | | | | |
| | | Debtor | | Other (specify) | | | |
| 3. | The s | source of compensation to be paid | to me is: | | | | |
| | | Debtor | | Other (specify) | | | |
| 4. | Ø | I have not agreed to share the ab of my law firm. | oove-disclosed o | ompensation with any other person u | inless they are members an | d associates | 3 |
| 5. | | my law firm. A copy of the agree attached. | ment, together v | ensation with a person or persons whith a list of the names of the people sunder legal service for all aspects of the the service for all aspects of the se | sharing in the compensation | | |
| | a) | Analysis of the debtor's financial a petition in bankruptcy; | situation, and re | ndering advice to the debtor in deterr | mining whether to file | | |
| | b) | Preparation and filing of any petit | tion, schedules, | statement of affairs, and plan which r | may be required; | | |
| | c) | Representation of the debtor at th | ne meeting of cr | editors and confirmation hearing, and | l any adjourned hearings the | ereof; | |
| | d) | [Other provisions as needed] | | | | | |
| | | in the amount of \$12,000.0 | 0. | be charged at attorney's stand rney Employment Agreement. | - | ebtor has | paid a retainer |
| 6. | By aç | greement with the debtor(s) the ab | ove disclosed fe | e does not include the following servi | ces: | | |
| | | None | | | | | |
| | | | | CERTIFICATION | | | |
| | l cer | tify that the foregoing is a complete | e statement of a | ny agreement or arrangement for pay | ment to me for | | |

representation of the debtor(s) in this bankruptcy proceeding.

Dated: 7/13/2009

/s/ David E. Schroeder David E. Schroeder, Bar No. 32724

David Schroeder Law Offices, P.C. Attorney for Debtor(s)

B 203 (12/94)

Case 09-61578-11 Doc 1 Filed 07/13/09 Entered 07/13/09 14:14:42 Desc Main Document Page 6 of 10 <u>ATTORNEY EMPLOYMENT AGREEMENT</u> (CHAPTER 11 BANKRUPTCY PROCEEDING)

WHEREAS, the undersigned party, hereinafter designated as "Client" is desirous of retaining DAVID SCHROEDER LAW OFFICES, P.C., and the undersigned attorney to represent it with respect to its current legal financial situation and the law firm and attorney is desirous of representing Client, and

WHEREAS, The rules of professional conduct suggests that attorneys have written agreements with clients regarding matters being handled and fees, and

THEREFORE, it is mutually agreed to as follows:

A. The attorney hereby agrees to represent Client with respect to the analysis of Client's financial situation and render advice and assistance to the Client in determining whether to file a Petition under Title 11 of the United States Code. Additional services to be rendered include the preparation and filing of the Petition, Schedules, and Statement of Affairs and other documents required by the Court, together with representation of the Client at the Debtor Interview and Meeting of Creditors. For compensation and for attorney's services, time and attorney fees limited to the service or services described, Client agrees to pay the attorney a prepaid advance payment retainer or fee of \$12,000.00. The prepaid charge paid may, in the law firm's sole discretion, be retained in the law firm trust account or applied against charges for the afore-described services and is deemed earned upon receipt. The source of payment was disclosed in Disclosure of Compensation filed herein.

B. All services rendered or to be rendered in the future beyond the services previously described shall be charged at the law firm's standard hourly rate currently ranging from \$150.00 to \$260.00 for attorneys and \$65.00 for legal assistants or paralegals. Hourly charges shall include telephone conferences, voice mail retrieval and response, research, receipt and review of correspondence and pleadings, drafting of pleadings and correspondence, trial preparation, as well as such other matters that may be necessary for disposition of the matter or matters relating to the representation. In addition to hourly charges, Client agrees to pay for all costs, including but not limited to court costs, filing fees, court reporting costs, transcripts, long distance telephone charges, postage and copy charges and any charges that the firm may in its discretion incur as the result of employment of investigators or appraisals. Client has also advanced the court costs or filing fee of \$1,039.00.

C. Client agrees to pay all fees due upon request and understands that failure to pay attorney fees may be a basis for the attorney withdrawing from the case. Payment is due upon receipt of statements following Bankruptcy Court approval, if applicable. Unpaid balances shall bear interest at the rate of One and Five-Tenths percent (1.5%) per month for each Thirty (30) day period the balance remains unpaid. In the event legal action is taken to collect any past-due balance, Client agrees to pay costs of collection, including court costs and attorney fees.

D. Client may discharge the attorney at any time, subject to Court approval. The attorney may withdraw with the Client's consent or for good cause, subject to Court approval, which includes any breach by the Client of this representation agreement. When the attorney's services conclude, all unpaid charges are immediately due, and the attorney will deliver to Client any funds or other property of Clients in the attorney's possession.

Executed and terms accepted.

K P & W, LLC BY /s/ Patrick Watkins

Dated this 13 day of July, 2009.

APPROVED:

DAVID SCHROEDER LAW OFFICES, P.C.

BY:/s/ David E. Schroeder

David E. Schroeder Attorney for Debtor

Case 09-61578-11 Doc 1 Filed 07/13/09 Entered 07/13/09 14:14:42 Desc Main Document Page 7 of 10 America First Insurance PO Box 85826

San Diego CA 91286-5826

Central Bank 101 W Commercial St Lebanon MO 65536

Greene County Collector 940 Boonville Springfield MO 65802

Lathrop & Gage-Attorneys Attention - Dan Nelson 1845 S National Sprnigfield MO 65804

Nixon & Lindstrom 901 E. Battlefield Rd Springfield MO 65807

Wood & Huston 204 W Primrose Springfield MO 65807

| Case 09- | 61578-11 | Doc 1 |
|----------|----------|-------|
|----------|----------|-------|

MOW 1009-1.2 (05/07)

UNITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF MISSOURI

)

))

)

)

| IN INC. | IN | RE: |
|---------|----|-----|
|---------|----|-----|

KP&W,LLC

Debtor(s)

Case No.

VERIFICATION OF MAILING MATRIX

The above-named Debtor(s) hereby verifies that the attached list of creditors is true and correct to the best of my knowledge and includes the name and address of my ex-spouse (if any).

Date: 7/13/2009

/s/ Patrick O. Watkins

Patrick O. Watkins, Managing member Signature of Debtor Case 09-61578-11 Doc 1

United States Bankruptcy Court Western District of Missouri

In re KP&W, LLC

B4 (Official Form 4) (12/07)

Debtor

Case No Chapter 11

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

| (1) | (2) | (3) | (4) | (5) |
|---|--|--|--|--|
| Name of creditor and complete mailing address including zip code | Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted | Nature of claim (trade debt, bank loan, gov- ernment contract, etc.) | Indicate if claim is contingent, unliquidated, disputed or subject to setoff | Amount of claim [if secured also state value of security] |
| Lathrop & Gage-Attorneys Attention - Dan Nelson 1845 S National Sprnigfield MO 65804 | 417-886-2000 | legal services | UNLIQUIDATED | \$7,769.00 |
| America First Insurance PO Box 85826 San Diego CA 91286-5826 | c/o 417-881-6623 | monies owed | UNLIQUIDATED | \$3,017.00 |
| Nixon & Lindstrom 901 E. Battlefield Rd Springfield MO 65807 | 417-881-6623 | monies owed | UNLIQUIDATED | \$500.00 |

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

I, Patrick O. Watkins, Managing member of the Corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date: 7/13/2009

Signature: /s/ Patrick O. Watkins

Patrick O. Watkins , Managing member

(Print Name and Title)

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.

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IN THE UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF MISSOURI SOUTHERN DIVISION

| IN RE: | | | |
|--------|----|-----|--|
| K P & | W, | LLC | |

| | | |) | |
|----|-----|---------|---|----------|
| W, | LLC | |) | Case No. |
| | | Debtor. |) | |

LOCAL RULE 2015-2A and B STATEMENT

COMES NOW Debtor herein, and having been duly sworn upon oath, states as follows:

A. Pursuant to Local Rule 2015-2A and B, in the best information and belief of the undersigned, the following is

true:

- 1. No prior petition in bankruptcy has been filed on behalf of Debtor.
- 2. There areno judgments pending against Debtor;
- 3. No property of the Debtor is in the hands of a public officer, receiver, trustee, assignee for the benefit of creditors, mortgagee, pledgee, or assignee of rents;
- 4. Following deposits are being held by utility companies: N/a

B. As to projected operating statements, pursuant to Local Rule 2015-2A and B, in the best information and belief of

the undersigned, the following is true:

- 1. No sums of money are proposed to be paid for services for a period of thirty (30) days following the filing of this Petition except for general operations;
- 2. The amounts proposed to be paid for services for a period of thirty (30) days to the Debtor is: Payment of operating expenses.
- 3. The estimated gain in the operation for the Debtor's business for a period of thirty (30) days following the filing of the Petition is unknown at this time.
- 4. Debtor has 0 employees. KP&W,LLC

By /s/Patrick Watkins Debtor Representative

| STATE OF MISSOURI |) | |
|-------------------|---|-----|
| |) | ss: |
| COUNTY OF GREENE |) | |

Debtor representative hereby swear that the statements contained herein are true according to the best of our knowledge, information and belief.

/s/ Patrick Watkins Debtor representative

Subscribed and sworn to before me, a Notary Public, this 23 day of July, 2009.

> /s/ Denise J. Parnell Notary Public #08622324

My commission expires: 10/14/2012 (SEAL)