B1 (Offici **இதை 10-619**50-abf11 Doc 1 Filed 08/11/10 Entered 08/11/10 10:30:35 Desc Main United States Bankrupaum@ntrt Page 1 of 11
Western District of Missouri **Voluntary Petition** Name of Debtor (if individual, enter Last, First, Middle): Name of Joint Debtor (Spouse) (Last, First, Middle): Richard Purcell, MD, LLC All Other Names used by the Debtor in the last 8 years All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): (include married, maiden, and trade names): dba Adult Medicine & Wellness Center Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN(if more Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN(if more than than one, state all): 51-0591282 one, state all): Street Address of Debtor (No. & Street, City, and State): Street Address of Joint Debtor (No. & Street, City, and State): 1230 East Kingsley Street Suite A Springfield, MO ZIP CODE ZIP CODE 65804 County of Residence or of the Principal Place of Business: County of Residence or of the Principal Place of Business: Greene Mailing Address of Debtor (if different from street address): Mailing Address of Joint Debtor (if different from street address): ocation of Principal Assets of Business Debtor (if different from street address above): 1230 East Kingsley Street, Suite A ZIP CODE 65804 Springfield, MO Type of Debtor Chapter of Bankruptcy Code Under Which Nature of Business (Form of Organization) (Check one box) the Petition is Filed (Check one box) (Check one box.) ✓ Health Care Business ☐ Chapter 15 Petition for Chapter 7 ■ Single Asset Real Estate as defined in 11 Recognition of a Foreign Individual (includes Joint Debtors) Chapter 9 U.S.C. § 101(51B) See Exhibit D on page 2 of this form. Main Proceeding Railroad Chapter 11 Corporation (includes LLC and LLP) ☐ Chapter 15 Petition for Partnership Chapter 12 Recognition of a Foreign Commodity Broker Nonmain Proceeding Other (If debtor is not one of the above entities, Chapter 13 check this box and state type of entity below.) ☐ Clearing Bank Nature of Debts Other (Check one box) Tax-Exempt Entity Debts are primarily consumer ✓ Debts are primarily (Check box, if applicable) debts, defined in 11 U.S.C. business debts. § 101(8) as "incurred by an Debtor is a tax-exempt organization individual primarily for a under Title 26 of the United States personal, family, or house-Code (the Internal Revenue Code.) hold purpose. Chapter 11 Debtors Filing Fee (Check one box) Check one box: ✓ Full Filing Fee attached Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is Check if: unable to pay fee except in installments. Rule 1006(b) See Official Form 3A. ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,343,300 (amount subject to adjustment on 4/01/13 and every three years thereafter). ☐ Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B. Check all applicable boxes A plan is being filed with this petition Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b). Statistical/Administrative Information THIS SPACE IS FOR COURT USE ONLY ☐ Debtor estimates that funds will be available for distribution to unsecured creditors. Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors. Estimated Number of Creditors $\mathbf{\Lambda}$ 50-100-200-1.000-5 001-10 001-25 001-50,001-Over 49 5,000 10,000 100,000 99 25,000 50.000 100,000 Estimated Assets \Box \Box \Box \$50,001 to \$50,000,001 \$100,000,001 \$0 to \$100,001 to \$500,001 to \$1,000,001 \$10,000,001 \$500,000,001 More than \$1 \$50,000 \$100,000 to \$100 to \$500 \$500,000 to \$10 to \$50 to \$1 billion billion million million million million million Estimated Liabilities V \$50,000,001 \$100,000,001 \$500,001 to \$1,000,001 \$10,000,001 \$0 to \$50,001 to \$100,001 to \$500,000,001 More than \$1 to \$50 to \$100 \$1 to \$10 to \$500 \$50,000 \$100,000 \$500,000 billion to \$1 billion million million million million million

Voluntary Peti		Name ge 200 (s) 11				
(This page must be completed and filed in every case) Richard Purcell, MD, LLC						
	All Prior Bankruptcy Cases Filed Within La	ast 8 Years (If more than two, attach additional sheet.)	ī			
	NONE	Case Number:	Date Filed:			
Location Where Filed:		Case Number:	Date Filed:			
	Pending Bankruptcy Case Filed by any Spouse, Partner o	r Affiliate of this Debtor (If more than one, attach ac	dditional sheet)			
Name of Debtor: NONE		Case Number:	Date Filed:			
District:		Relationship:	Judge:			
10Q) with the Secur	Exhibit A f debtor is required to file periodic reports (e.g., forms 10K and rities and Exchange Commission pursuant to Section 13 or 15(d) change Act of 1934 and is requesting relief under chapter 11.)	Exhibit B (To be completed if debtor is whose debts are primarily cor I, the attorney for the petitioner named in the forego have informed the petitioner that [he or she] may pro 12, or 13 of title 11, United States Code, and have e available under each such chapter. I further certify the debtor the notice required by 11 U.S.C. § 342(b).	nsumer debts) ing petition, declare that I oceed under chapter 7, 11, explained the relief			
Exhibit A is a	attached and made a part of this petition.	X Not Applicable Signature of Attorney for Debtor(s)	Date			
	Ext	l hibit C				
	n or have possession of any property that poses or is alleged to pose a bit C is attached and made a part of this petition.	threat of imminent and identifiable harm to public heal	lth or safety?			
	Ext	hibit D				
(To be completed by	y every individual debtor. If a joint petition is filed, each spouse must	st complete and attach a separate Exhibit D.)				
	completed and signed by the debtor is attached and made a part of the					
_		and petitions				
If this is a joint petit						
Exhibit D	also completed and signed by the joint debtor is attached and made Information Regare	a part of this petition. ding the Debtor - Venue				
	(Check any	y applicable box)				
A	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 or	of business, or principal assets in this District for 180 d days than in any other District.	ays immediately			
	There is a bankruptcy case concerning debtor's affiliate. general pa	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 but this District, or the interests of the parties will be served in regard	t is a defendant in an action or proceeding [in a federal				
		des as a Tenant of Residential Property pplicable boxes.)				
	Landlord has a judgment against the debtor for possession of debtor	or's residence. (If box checked, complete the following)				
		(Name of landlord that obtained judgment)				
		(Address of landlord)				
	Debtor claims that under applicable nonbankruptcy law, there are entire monetary default that gave rise to the judgment for possession		ed to cure the			
	Debtor has included in this petition the deposit with the court of ar filing of the petition.	ny rent that would become due during the 30-day perior	d after the			
Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).						

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Voluntary Petition Document	Nanage 3 of s11			
(This page must be completed and filed in every case)	Richard Purcell, MD, 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	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	and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.			
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	(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)			
Signature of John Dector	(Finice Fame of Foleign Representative)			
Telephone Number (If not represented by attorney)				
	Date			
Date Standard of A44 and a	Ci d AN AU D CI D			
Signature of Attorney X /s/ David E. Schroeder	Signature of Non-Attorney Petition Preparer			
Signature of Attorney for Debtor(s)	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			
David E. Schroeder Bar No. 32724	debtor with a copy of this document and the notices and information required under 11			
Printed Name of Attorney for Debtor(s) / Bar No.	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,			
•				
David Schroeder Law Offices, P.C. Firm Name	as required in that section. Official Form 19 is attached.			
1524 East Primrose, Suite A Springfield, MO 65804				
	Not Applicable			
Address	Not Applicable Printed Name and title, if any, of Bankruptcy Petition Preparer			
- 	Timed Name and tate, it any, of Banatapery Fedition Frepares			
(417) 890-1000 (417) 886-8563				
Telephone Number	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			
8/10/2010	the bankruptcy 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	Address			
certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.				
	X Not Applicable			
Signature of Debtor (Corporation/Partnership)	A Not Applicante			
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	Date			
debtor.	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	partner whose Social-Security number is provided above.			
Code, specified in this petition.	Names and Social-Security numbers of all other individuals who prepared or assisted			
X /s/ Richard Purcell	in preparing this document unless the bankruptcy petition preparer is not an individual.			
Signature of Authorized Individual	If more than one person prepared this document, attach to the appropriate official form			
Richard Purcell	for each person.			
Printed Name of Authorized Individual	A bankruptcy petition preparer's failure to comply with the provisions of title 11 and			
Managing Member	the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.			
Title of Authorized Individual	2011. 11 O.B.C. § 110, 10 O.B.C. § 150.			
8/10/2010				

Date

UNITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF MISSOURI

Case No	_
Chapter 11	

In re:

RICHARD PURCELL, MD, LLC

STATEMENT REGARDING AUTHORITY TO SIGN AND FILE PETITION

I, Richard Purcell, declare under penalty of perjury that I am Managing Member of Richard Purcell, MD, LLC, a Missouri Limited Liability Company, that I am authorized to file a voluntary petition commencing a Chapter 11 voluntary bankruptcy case on behalf of the company.

Executed on: 8/10/2010

Signed: /s/ Richard Purcell
Richard Purcell, Managing Member

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B 203 (12/94)

UNITED STATES BANKRUPTCY COURT Western District of Missouri

			V	vestern district or wissouri			
In re:		Richard Purcell, MD, LLC			Case No.		
		Debtor	-		Chapter	11	
		DISCLOSURE	Ξ C	OF COMPENSATION OF ATT FOR DEBTOR	ORNE	Υ	
and paid	d that c	compensation paid to me within one year	befo I on I	2016(b), I certify that I am the attorney for the above re the filing of the petition in bankruptcy, or agreed to behalf of the debtor(s) in contemplation of or in		tor(s)	
	For le	egal services, I have agreed to accept				\$	5,000.00
	Prior	to the filing of this statement I have recei	ved			\$	5,000.00
	Balan	nce Due				\$	0.00
2. The	e sourc	ce of compensation paid to me was:					
		Debtor		Other (specify)			
3. The	e sourc	ce of compensation to be paid to me is:					
		Debtor		Other (specify)			
4. ₹		ave not agreed to share the above-disclomy law firm.	sed	compensation with any other person unless they are	e members a	and associate	es
	my atta	value firm. A copy of the agreement, toge ached. For the above-disclosed fee, I have agree	ther	spensation with a person or persons who are not me with a list of the names of the people sharing in the render legal service for all aspects of the bankruptcy	compensatio		
a)	An		and r	endering advice to the debtor in determining whethe	er to file		
b)	Pre	eparation and filing of any petition, sched	ules	, statement of affairs, and plan which may be require	ed;		
c)	Re	presentation of the debtor at the meeting	of c	reditors and confirmation hearing, and any adjourne	d hearings th	hereof;	
d)	-	ther provisions as needed]					
6. By			sed f	ee does not include the following services:			
	in	For attorney's services Debtor s the amount of \$5,000.00 See Attachment 1 for complete		I be charged at attorney's standard hourly orney Employment Agreement	rate and	Debtor has	s paid a retaine
				CERTIFICATION			
	•	hat the foregoing is a complete statemen tion of the debtor(s) in this bankruptcy pro		any agreement or arrangement for payment to me fo ding.	r		
Date	ed: 8/	10/2010					
				/s/ David E. Schroeder			
				David E. Schroeder, Bar No. 32724	4		

David Schroeder Law Offices, P.C.

Attorney for Debtor(s)

ATTORNEY EMPLOYMENT AGREEMENT (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:

qw

- 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 \$5,000.00. 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.
- 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 \$75.00 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. As security for payment of future services beyond the services and total fee charged in paragraph A above, Client shall pay the attorney a retainer of \$5,000.00 plus advance Court costs of \$1,040.00.
- 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 this 10th day of August, 2010.

	RICHARD PURCELL, M.D., LLC by Richard Purcell /s/ Richard Purcell	
	Client	
APPROVED:		
DAVID SCHROEDER LAW OFFICE	ES, P.C.	
BY: /s/ David E. Schroeder		
David E. Schroeder		
Attorney for Debtor		

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Document Page 7 of 11 Cox Medical Center 1423 N. Jefferson Springfield, MO 65802

Cytocheck Laboratory 1201 Corporate Drive Parsons, KS 67357

David Kraft & Associates LLC 4110 Baltimore Avenue Kansas City, MO 64111

Davis, Lynn & Moots 3828 South Avenue Springfield, MO 65807

Fouche Enterprises 610-A E. Battlefield #129 Springfield, MO 65807-4865

GE Medical Systems Info Tech Inc. c/o DeHaan & Bach 25 Whitney Drive #106 Milford, OH 45150

Hankins Surgical Supply Co. PO Box 3528 Springfield, MO 65806

IRS Cincinnati, OH 45999-0039

IRS 3333 S. National Avenue Suite 300 Springfield, MO 65807

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Document Page 8 of 11 Johnson & Repasky, PLLC 535 Wellington Way Suite 380 Lexington, KY 40503

LabCorp PO Box 12140 Burlington, NC 27216-2140

Quest Diagnostics PO Box 14730 St. Louis, MO 63150-4730

Sanofi Pasteur Inc. 12458 Collections Center Drive Chicago, IL 60693

SonoSite Inc. 4332 Solutions Center Chicago, IL 60677-4003

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MOW 1009-1.2 (05/07)						
UNITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF MISSOURI						
IN RE:)				
Richard Purcell, MD, LLC)				
)	Case No.			
Debtor(s))				
	VER	IFICATION OF	MAILING MATRIX			
The above-named D of my knowledge and include			ne attached list of creditors is true and cor y ex-spouse (if any).	rect to the best		
Date: 8/10/2010		/s	s/ Richard Purcell			
			Richard Purcell,Managing Member			
			Signature of Debtor			

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United States Bankruptcy Court Western District of Missouri

in re Richard Purcell, MD, LLC		Case No.		
	Debtor	Chapter	11	

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

LIST OF CRE	DITORS HOLDING	20 LARGEST	UNSECURE	O CLAIMS
(1) Name of creditor and complete mailing address including zip code	(2) Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	(3) Nature of claim (trade debt, bank loan, gov- ernment contract, etc.)	(4) Indicate if claim is contingent, unliquidated, disputed or subject to setoff	(5) Amount of claim [if secured also state value of security]
IRS 3333 S. National Avenue Suite 300 Springfield, MO 65807			UNLIQUIDATED DISPUTED	\$150,147.65
GE Medical Systems Info Tech Inc. c/o DeHaan & Bach 25 Whitney Drive #106 Milford, OH 45150		Trade debt	CONTINGENT UNLIQUIDATED DISPUTED	\$41,228.24
LabCorp PO Box 12140 Burlington, NC 27216-2140		Trade debt	CONTINGENT UNLIQUIDATED DISPUTED	\$22,158.01
Fouche Enterprises 610-A E. Battlefield #129 Springfield, MO 65807-4865		Trade debt	CONTINGENT UNLIQUIDATED DISPUTED	\$12,870.00
Quest Diagnostics PO Box 14730 St. Louis, MO 63150-4730		Trade debt	CONTINGENT UNLIQUIDATED DISPUTED	\$11,974.83
Davis, Lynn & Moots 3828 South Avenue Springfield, MO 65807		Trade debt	CONTINGENT UNLIQUIDATED DISPUTED	\$10,063.96

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In re Richard Purcell, MD, LLC			Case No.	
	Debtor	,	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]
Hankins Surgical Supply Co. PO Box 3528 Springfield, MO 65806		Trade debt	CONTINGENT UNLIQUIDATED DISPUTED	\$6,379.00
Cox Medical Center 1423 N. Jefferson Springfield, MO 65802		Trade debt	CONTINGENT UNLIQUIDATED DISPUTED	\$4,041.94
Cytocheck Laboratory 1201 Corporate Drive Parsons, KS 67357		Trade debt	CONTINGENT UNLIQUIDATED DISPUTED	\$3,187.00
SonoSite Inc. 4332 Solutions Center Chicago, IL 60677-4003		Trade debt	CONTINGENT UNLIQUIDATED DISPUTED	\$2,636.06

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

that it is true and correct to the best of my information and belief.

Date: 8/10/2010	Signature:	/s/ Richard Purcell
		Richard Purcell ,Managing Member (Print Name and Title)

I, Richard Purcell, 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