B1 (Officia (Charge 1) 21 15 11 17 68-abf 11 Doc 1 Filed 09/21/12 Entered 09/21/12 13:31:32 Desc Main United States Bankrup Run Centre Page 1 of 12 **Voluntary Petition** Western District of Missouri Name of Debtor (if individual, enter Last, First, Middle): Name of Joint Debtor (Spouse) (Last, First, Middle): QM of Battlefield, L.L.C. 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 Quincy Magoo's 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 one, state all): than one, state all): 26-3356481 Street Address of Debtor (No. & Street, City, and State): Street Address of Joint Debtor (No. & Street, City, and State): 1108 North 18th Avenue Ozark, MO ZIP CODE 65721 ZIP CODE County of Residence or of the Principal Place of Business: County of Residence or of the Principal Place of Business: Christian Mailing Address of Debtor (if different from street address): Mailing Address of Joint Debtor (if different from street address): ZIP CODE ZIP CODE Location of Principal Assets of Business Debtor (if different from street address above): 900 E. Battlefield, Springfield, MO ZIP CODE 65807 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 Individual (includes Joint Debtors) Recognition of a Foreign Chapter 9 11 U.S.C. § 101(51B) See Exhibit D on page 2 of this form. Main Proceeding Chapter 11 Railroad V Ø Corporation (includes LLC and LLP) ☐ Chapter 15 Petition for Stockbroker Chapter 12 Partnership Recognition of a Foreign Commodity Broker Other (If debtor is not one of the above entities, Nonmain Proceeding Chapter 13 Clearing Bank check this box and state type of entity below.) **✓** Other **Nature of Debts Tax-Exempt Entity Chapter 15 Debtors** (Check box, if applicable) (Check one box) Country of debtor's center of main interests: Debts are primarily consumer Debts are primarily Debtor is a tax-exempt organization business debts. debts, defined in 11 U.S.C. under Title 26 of the United States § 101(8) as "incurred by an Each country in which a foreign proceeding by, Code (the Internal Revenue Code.) individual primarily for a regarding, or against debtor is pending: personal, family, or household 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 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 Check all applicable boxes attach signed application for the court's consideration. See Official Form 3B. 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). THIS SPACE IS FOR Statistical/Administrative Information 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{M} 100-200-50-1,000-5,001-10,001-25,001-50,001-Over 49 99 199 999 5,000 10,000 25,000 50.000 100,000 100,000 Estimated Assets $\mathbf{\Delta}$ \$500,001 to \$1,000,001 \$10,000,001 \$50,000,001 \$100,000,001 \$0 to \$50,001 to \$100,001 to \$500,000,001 More than \$50,000 \$100,000 to \$100 to \$500 \$500,000 to \$1 billion \$1 billion \$1 to \$10 to \$50 million million million million million Estimated Liabilities Ø \Box \$500,001 to \$1,000,001 \$10,000,001 \$50,000,001 \$100,000,001 \$50,001 to \$100,001 to \$500,000,001 More than to \$10 to \$50 to \$100 \$1 to \$500 \$50,000 \$100,000 \$500,000 \$1 billion to \$1 billion million million million million million

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Voluntary Petition Document Name general Page 2 of s.12						
(This page must be completed and filed in every case) QM of Battlefield, L.L.C.						
	All Prior Bankruptcy Cases Filed Within La	st 8 Years (If more than two, attach additional sheet.	ī			
Location Where Filed:	Western District of Missouri	Case Number: 12-60305	Date Filed: 02/29/2012			
Location Where Filed:		Case Number:	Date Filed:			
	Pending Bankruptcy Case Filed by any Spouse, Partner or	Affiliate of this Debtor (If more than one, attach a	additional sheet)			
Name of Debtor: NONE		Case Number:	Date Filed:			
District:		Relationship:	Judge:			
Exhibit A (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.) I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I have delivered to the debtor the notice required by 11 U.S.C. § 342(b). Exhibit A is attached and made a part of this petition.						
		X Not Applicable Signature of Attorney for Debtor(s)	Date			
	Exh	nibit C				
	n or have possession of any property that poses or is alleged to pose bit C is attached and made a part of this petition.	a threat of imminent and identifiable harm to public h	nealth or safety?			
	Exh	ibit D				
(To be completed by	v every individual debtor. If a joint petition is filed, each spouse mu	st complete and attach a separate Exhibit D.)				
☐ Exhibit D	completed and signed by the debtor is attached and made a part of	this petition.				
If this is a joint petit	ion:					
☐ Exhibit D	also completed and signed by the joint debtor is attached and made	a part of this petition.				
		ling the Debtor - Venue applicable box)				
	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 p	partner, or partnership pending in this District.				
	Debtor is a debtor in a foreign proceeding and has its principal place of business or assets in the United States by this District, or the interests of the parties will be served in regard	at is a defendant in an action or proceeding [in a feder				
		des as a Tenant of Residential Property oplicable boxes.)				
Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following).						
(Name of landlord that obtained judgment)						
		(Address of landlord)				
	Debtor claims that under applicable nonbankruptcy law, there are entire monetary default that gave rise to the judgment for possess:	-				
	Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.					
	Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).					

B1 (Officia CEagu 1)21617 68-abf11					
Voluntary Petition Document	NPage 3 of s12				
(This page must be completed and filed in every case)	QM of Battlefield, L.L.C.				
Sian	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 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 declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition. (Check only one box.) I request relief in accordance with chapter 15 of Title 11, United States Code. Certified Copies of the documents required by 11 U.S.C. § 1515 are attached. Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the				
I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.	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)					
receptione realises (if not represented by attorney)	Date				
Date					
Signature of Attorney X /s/ David E. Schroeder	Signature of Non-Attorney Petition Preparer				
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	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(b), 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				
(417) 890-1000 (417) 886-8563 Telephone Number 9/21/2012 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.	Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social-Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.) Address				
information in the selectures is incorrect.	V No4 Applicable				
Signature of Debtor (Corporation/Partnership) I declare under penalty of perjury that the information provided in this petition is true	X Not Applicable				
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/ Michael Lane Denney Signature of Authorized Individual	individual. If more than one person prepared this document, attach to the appropriate official				
Michael Lane Denney Printed Name of Authorized Individual	form for each person.				
Managing Member Title of Authorized Individual 9/21/2012 Date	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.				
					

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United States Bankruptcy Court Western District of Missouri

In Re:	Case No
iii ke.	Chapter 11

QM of BATTLEFIELD, L.L.C.

STATEMENT REGARDING AUTHORITY TO SIGN AND FILE PETITION

"I, **Michael Lane Denney**, declare under penalty of perjury that I am the co-managing member of **QM of BATTLEFIELD**, **L.L.C.**, 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: 9/4/2012

/s/ Michael Lane Denney

Michael Lane Denny, Managing Member

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B 203 (12/94)

UNITED STATES BANKRUPTCY COURT Western District of Missouri

In	re:	QM of Battlefield	d, L.L.C.			Case No.		
			Debtor			Chapter	11	
		DIS	CLOSURE C	0	F COMPENSATION OF ATT	(ORNE	Y	
1.	and the	hat compensation paid to	o me within one year be red or to be rendered o	befo	2016(b), I certify that I am the attorney for the aboore the filing of the petition in bankruptcy, or agree behalf of the debtor(s) in contemplation of or in		ebtor(s)	
	F	For legal services, I have	agreed to accept			\$	<u> </u>	2,500.00
	Р	Prior to the filing of this st	atement I have receive	ved		9	<u> </u>	2,500.00
	В	Balance Due				\$		0.00
2.	The s	source of compensation	paid to me was:					
		✓ Debtor		_	Other (specify)			
3.	The s	source of compensation t	o be paid to me is:					
		■ Debtor		_	Other (specify)			
4.	Ø	I have not agreed to shof my law firm.	are the above-disclose	sed	compensation with any other person unless they	are members	s and asso	ociates
		=			npensation with a person or persons who are not with a list of the names of the people sharing in t			; of
5.		urn for the above-disclosuding:	ed fee, I have agreed t	d to	render legal service for all aspects of the bankrup	otcy case,		
	a)	Analysis of the debtor's a petition in bankruptcy		nd r	rendering advice to the debtor in determining whe	ther to file		
	b)	Preparation and filing of	of any petition, schedule	ıles	s, statement of affairs, and plan which may be req	uired;		
	c)	Representation of the o	lebtor at the meeting of	of c	creditors and confirmation hearing, and any adjou	rned hearings	s thereof;	
	d)	[Other provisions as ne	eded]					
					be charged at attorney's standard hourly r ney Employment Agreement.	ate of \$290	.00.	
6.	By a	greement with the debto	r(s) the above disclosed	ed 1	fee does not include the following services:			
		None						
					CERTIFICATION			
r		rtify that the foregoing is entation of the debtor(s)	•		any agreement or arrangement for payment to meding.	e for		
[Dated:	9/21/2012						
					/s/ David E. Schroeder David E. Schroeder, Bar No. 32724			

David Schroeder Law Offices, P.C.

Attorney for Debtor(s)

Case 12-61768-abf11 Doc 1 Page 6 of 12 Document

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:

- 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 \$2500.00. 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. Client has also paid pre-bankruptcy legal service fees as indicated in the Disclosure of Compensation.
- 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 \$200.00 to \$290.00 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 \$2500.00 plus advance Court costs of \$1,046.00.
- 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.
- 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 21st day of September, 2012.				
	QM of BATTLEFIELD, L.L.C.			
	By /s/ Michael Lane Denney Client Representative			
APPROVED:				
DAVID SCHROEDER LAW OFFICES, P.C.				
BY:/s/ David E. Schroeder				
David E. Schroeder				
Attorney for Debtor				

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Document Page 7 of 12 United States Bankruptcy Court Western District of Missouri

In re: QM of Battlefield, L.L.C. Case No.

List of Equity Security Holders

REGISTERED NAME OF HOLDER OF SECURITY	CLASS OF	NUMBER	KIND OF INTEREST
LAST KNOWN ADDRESS OR PLACE OF BUSINESS	SECURITY	REGISTERED	REGISTERED
Michael Lane Denney 1108 North 18th Avenue Ozark, MO 65721			100%

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

, Michael Lane Denney , Managing Member of the Corporatio the foregoing List of Equity Security Holders and that it is true ar	n named as the debtor in this case, declare under penalty of perjury that I have read and correct to the best of my information and belief.	
Date: 9/21/2012	s/ Michael Lane Denney	
	Michael Lane Denney, Managing Member, QM of Battle field, L.L.C.	

B4 (Official Form 4) (12/07)

Jefferson City, MO 65104-0059

United States Bankruptcy Court Western District of Missouri

In re	QM of Battlefield, L.L.C.	Case No.	
	Debtor	Chapter	<u>11</u>

Chapter 11						
LIST OF CREE	DITORS HOLDING	20 LARGEST	UNSECURE	D 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]		
Metropolitan National Bank 600 S. Glenstone PO Box 3840 Springfield, MO 65808		Security Agreement		\$470,768.81 SECURED VALUE:		
Small Business Administration 1000 Walnut Street Suite 500 Kansas City, MO 64106-2156			CONTINGENT UNLIQUIDATED DISPUTED	\$449,237.00		
Metropolitan National Bank 600 S. Glenstone PO Box 3840 Springfield, MO 65808		Security Agreement	CONTINGENT UNLIQUIDATED DISPUTED	\$449,237.00 SECURED VALUE: \$103,763.00		
Department of Treasury IRS Ogden, UT 84201-0039				\$336,000.00		
State of Missouri Department of Revenue PO Box 3390 Jefferson City, MO 65105-3390				\$62,501.76		
MO Department of Labor & Industrial Relations Box 59				\$31,385.00		

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

9900 Corporate Campus Drive

Louisville, KY 40223

In re	QM of Battlefield, L.L.C.	Case No.	
	Debtor	Chapter	11

(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]
Rewards Network 2 North Riverside Plaza Suite 950 Chicago, IL 60606				\$25,572.6
Springfield Grocer Co PO Box 8500 Springfield, MO 65801				\$24,361.9
Sysco of Kansas City 1915 Kansas City Road Box 820 Olathe, KS 66061-0820				\$14,929.8
Metropolitan Bank 600 S. Glenstone Springfield, MO 65808				\$13,500.0
Missouri Department of Revenue Taxation Division PO Box 3390 Jefferson City, MO 65105-3390				\$12,707.7
Aramark Linen 9900 Cornorate Campus Drive				\$5,332.0

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

In re	QM of Battlefield, L.L.C.		Case No.	
	Deb	for	Chapter	11

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Name of creditor and complete

(1)

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, government 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]

Travelers Business Insurance PO Box 26385 Richmond, VA 23260-6385

Assurant Health PO Box 9398 Minneapolis, MN 55440-9398

Springfield Door Deals LLC 315 Park Central East Springfield, MO 65806

Retail Data Systems of Kansas City 106 Greystone Avenue Kansas City, KS 66103

Island Oasis (Evans & Green LLP) 1615 S. Ingram Mills Road Bldg F Springfield, MO 65808

NewsLeader CMI Credit Mediators PO Box 456 Upper Darby, PA 19082-0456

\$4,156.00

\$3,300.00

\$3,500.00

\$2,400.00

\$2,300.00

\$2,000.00

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

In re	QM of Battlefield, L.L.C.			
	D	ebtor	Chapter	11

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED 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, government 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]

Earthgrains 3301 Rider Trail South Suite 100 Earth City, MO 63045

\$1,330.87

Accident Fund Insurance Company PO Box 77000 Dept 77125 Detroit, MI 48277-0125 \$1,200.00

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

foregoing list and that it is true and correct to the best of my information a	nd belief.
Date: 9/21/2012 Signature:	s/ Michael Lane Denney
	Michael Lane Denney ,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.

Case 12-61768-abf11			Entered 09/21/12 13:31:32 ge 12 of 12	Desc Main				
MOW 1009-1.2 (05/07)								
, ,	_	O STATES BANKI FERN DISTRICT						
IN RE:)						
QM of Battlefield, L.L.C.))) C	ase No.					
Debtor(s))						
	VERIF	ICATION OF MA	ILING 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: 9/21/2012	9/21/2012		s/ Michael Lane Denney					
		Mich	Michael Lane Denney, Managing Member Signature of Debtor					