Case 13-41157-can11

Doc 1 Filed 04/01/13 Entered 04/01/13 17:20:39 Desc Main Document Page 1 of 13 UNITED STATES BANKRUPTCY COURT Western District of Missouri

In re:	Kansas City Wholesale Mottors LLC		_,	Case No.	
		Debtor		Chapter	11

	Exh	ibit "A" to Volu	untary Petition	
1.	If any of debtor's securities are registere number is .	ed under section 12 of the Secu	rities and Exchange Act of 1934	4, the SEC file
2.	The following financial data is the latest	available information and refers	s to debtor's condition on .	
a.	Total assets		\$	
b.	Total debts (including debts listed in 2.c	., below)	\$	378,000.00
				Approximate number of holders
c.	Debt securities held by more than 500 l	nolders.		
	secured unsecured	subordinated		
d.	Number of shares of preferred stock	-		
e.	Number of shares of common stock	-		
	Comments, if any:			
3.	Brief description of debtor's business:			
	Use car dealership			
4.	List the name of any person who directl voting securities of debtor:	y or indirectly owns, controls, or	holds, with power to vote, 5% of	or more of the

B1 (Official as em 1/3 (14/1/157-can 11 Doc 1 Filed 04/01/13 Entered 04/01/13 17:20:39 Desc Main United States Bankrupaum Contrt Page 2 of 13
Western District of Missouri **Voluntary Petition** Name of Debtor (if individual, enter Last, First, Middle): Name of Joint Debtor (Spouse) (Last, First, Middle): Kansas City Wholesale Mottors 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): 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): 43-1928541 one, state all): Street Address of Debtor (No. & Street, City, and State): Street Address of Joint Debtor (No. & Street, City, and State): 4204 Truman Road Kansas City, MO ZIP CODE ZIP CODE 64127 County of Residence or of the Principal Place of Business: County of Residence or of the Principal Place of Business: Jackson Mailing Address of Debtor (if different from street address): Mailing Address of Joint Debtor (if different from street address): Location of Principal Assets of Business Debtor (if different from street address above): ZIP CODE Type of Debtor Nature of Business Chapter of Bankruptcy Code Under Which (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 **J** Chapter 11 □ Railroad 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 Tax-Exempt Entity **Nature of Debts Chapter 15 Debtors** (Check box, if applicable) (Check one box) Country of debtor's center of main interests: Debts are primarily Debts are primarily consumer ■ Debtor is a tax-exempt organization debts, defined in 11 U.S.C. business debts. under Title 26 of the United States § 101(8) as "incurred by an Each country in which a foreign proceeding by, regarding, Code (the Internal Revenue Code.) individual primarily for a 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 ☐ Filing Fee waiver requested (applicable to chapter 7 individuals only). Must 4/01/13 and every three years thereafter). 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). 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 V 200-50-100-1,000-5,001-10,001-25,001-50,001-Over 49 199 999 100,000 5 000 10 000 25,000 50,000 100 000 Estimated Assets \Box \$100,001 to \$500,001 to \$1,000,001 \$10,000,001 \$50,000,001 \$100,000,001 \$0 to \$50,001 to \$500,000,001 More than \$1 \$50,000 \$100,000 to \$100 to \$500 \$500,000 to \$10 to \$50 to \$1 billion billion \$1 million million million million million Estimated Liabilities V \$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 \$1 to \$10 \$1 to \$50 to \$100 to \$500 \$50,000 \$100,000 \$500,000 to \$1 billion billion million million million million million

Voluntary Peti	ition be completed and filed in every case)	Name ge 3,0(s)13	39 Dese With 1, Page
(Ims page		Kansas City Wholesale Mottors LLC	
	All Prior Bankruptcy Cases Filed Within La	ast 8 Years (If more than two, attach additional sheet.)	1
	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	
Name of Debtor: NONE		Case Number:	Date Filed:
District:		Relationship:	Judge:
10Q) with the Secur of the Securities Exc	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) through the 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 foregoin have informed the petitioner that [he or she] may prospect 12, or 13 of title 11, United States Code, and have eavailable under each such chapter. I further certify the debtor the notice required by 11 U.S.C. § 342(b).	usumer debts) Ing petition, declare that I Inseed under chapter 7, 11, Inseed 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	hibit C	
	n or have possession of any property that poses or is alleged to pose a libit C is attached and made a part of this petition.		th or safety?
	Ext	nibit D	
(To be completed by	by every individual debtor. If a joint petition is filed, each spouse must	t complete and attach a separate Exhibit D.)	
	completed and signed by the debtor is attached and made a part of the		
_		ms petition.	
If this is a joint petit			
Exhibit D	D also completed and signed by the joint debtor is attached and made	* *	
		ding the Debtor - Venue y 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 or		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 opplicable 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 period	l after the
	Debtor certifies that he/she has served the Landlord with this certifies	fication. (11 U.S.C. § 362(1)).	

B1 (Officia) Figure 13 (4411157-can11 Doc 1 Filed 04/0 Voluntary Petition Document	1/13 Entered 04/01/13 17:20:39 Des & Marif 1, Page 1 Nanage 64:0fs 13
(This page must be completed and filed in every case)	
(Kansas City Wholesale Mottors 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	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.
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.	(Check only one box.)
[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 11 U.S.C. § 1515 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/Michael J. Gunter	I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined
Signature of Attorney for Debtor(s) Michael J. Gunter Bar No. 40868	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
Printed Name of Attorney for Debtor(s) / Bar No.	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
Michael J. Gunter Firm Name	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.
417 E. 6th Street	
Address	Not Applicable
Kansas City, MO 64106	Printed Name and title, if any, of Bankruptcy Petition Preparer
<u>816-471-4529</u> <u>816-221-6863</u>	Social-Security number (If the bankruptcy petition preparer is not an individual, state
Telephone Number 4/1/2013	the Social-Security number of the officer, principal, responsible person or partner of 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 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	Date
debtor. The debtor requests the relief in accordance with the chapter of title 11, United States	Signature of bankruptcy petition preparer or officer, principal, responsible person, or 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 in preparing this document unless the bankruptcy petition preparer is not an
X s/ Signature of Authorized Individual	individual.
	If more than one person prepared this document, attach to the appropriate official form for each person.
Printed Name of Authorized Individual	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.
Title of Authorized Individual	55 12 5 5 110, 10 5 5 150.
4/1/2013	
Date	

B4 (Official Form 4) (12/07)

United States Bankruptcy Court Western District of Missouri

In re Kansas City Whole	sale Mottors LLC	, Cas	se No.	
	Debtor	Cha	apter <u>11</u>	
LIST OF CF	REDITORS HOLDING	Debtor	D CLAIMS	
(1)	(2)	(3)	(4)	(5)
ame of creditor nd complete nailing address ncluding zip ode	complete mailing address, including zip code, of employee, agent, or department of creditor familiar with	(trade debt, bank loan, gov- ernment contract,	is contingent, unliquidated, disputed or	Amount of claim [if secured also state value of security]
anthony James /o Fred Slough 627 Main Street suite 900 ansas City, MO 64108		Judgment		\$185,000.
Lef the Corneration name	ON BEHALF OF A CORP	ORATION OR PAR	TNERSHIP	in true and governot to the
best of my information and b		ity or perjury that i nave read	the foregoing list and that it	is true and correct to the
Date: 4/1/2013	Signature	e:		
Penalty for making a false	statement or concealing property. Fine of up to	,	or up to 5 years or both 181	LS C 88 152 and 3571

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Document Anthony James
c/o Fred Slough
1627 Main Street
Suite 900
Kansas City, MO 64108

Central Bank of Kansas City 2301 Independence Blvd. Kansas City, MO 64124

RLI P.O. Box 3967 Peoria, IL 61612-3967 Case 13-41157-can11 Doc 1 Filed 04/01/13 Entered 04/01/13 17:20:39 Desc Main Document Page 7 of 13

B6D (Official Form 6D) (12/07)
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In re	Kansas City Wholesale Mottors LLC	, C	ase No.	
	Dobtor	·		(If known)

SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

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

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND AN ACCOUNT NUMBER (See Instructions, Above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
ACCOUNT NO. 5903201 Central Bank of Kansas City 2301 Independence Blvd. Kansas City, MO 64124			Security Agreement VALUE \$168,000.00		x		168,000.00	0.00
ACCOUNT NO. RSB7005933 RLI P.O. Box 3967 Peoria, IL 61612-3967			Security Agreement VALUE \$25,000.00	X			25,000.00	0.00

continuation sheets attached

0

Subtotal → (Total of this page)

Total → (Use only on last page)

\$ 193,000.00	\$ 0.00
\$ 193,000.00	\$ 0.00

(Report also on Summary of (If applicable, report also on Statistical Summary of Certain Liabilities and Related Data.)

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B6E (Official Form 6E) (4/10)

In re Kansas City Wholesale Mottors LLC Case No. (If known)

SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

¥	Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.
TYI	PES 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 onsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in J.S.C. § 507(a)(1).
	Extensions of credit in an involuntary case
appo	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 pointment 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 pendent sales representatives up to \$11,725* per person earned within 180 days immediately preceding the filing of the original petition, or the sation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).
	Contributions to employee benefit plans
cess	Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the sation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).
	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
that	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, were not delivered or provided. 11 U.S.C. § 507(a)(7).
	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 ernors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. 17 (a)(9).
	Claims for Death or Personal Injury While Debtor Was Intoxicated
anot	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 her substance. 11 U.S.C. § 507(a)(10).

1 continuation sheets attached

* 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.

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B6E (Official Form 6E) (4/10) - Cont.

In re	Kansas City Wholesale Mottors LLC	Case No.	
	Debtor	- ,	(If known)

SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM	AMOUNT ENTITLED TO PRIORITY	AMOUNT NOT ENTITLED TO PRIORITY, IF ANY
ACCOUNT NO.									\$0.00

Sheet no. $\underline{1}$ of $\underline{1}$ continuation sheets attached to Schedule of Creditors Holding Priority Claims

Subtotals≯ (Totals of this page)

Total >
(Use only on last page of the completed
Schedule E. Report also on the Summary of
Schedules.)

(Use only on last page of the completed Schedule E. If applicable, report also on the Statistical Summary of Certain Liabilities and Related Data.)

\$ 0.00	\$ 0.00	\$ 0.00
\$ 0.00		
	\$ 0.00	\$ 0.00

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B6F (Official Form 6F) (12/07)		Document I	Page	e 10 of 13	

In re	Kansas City Wholesale Mottors LLC	Case No.
	Cansas Oity Wildiesale Mottors LLO	(If known)

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

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

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 1116-CV02912 Anthony James c/o Fred Slough 1627 Main Street Suite 900 Kansas City, MO 64108		Judgment				185,000.00	

0 Continuation sheets attached

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STATEMENT OF SOCIAL-SECURITY NUMBER OR INDIVIDUAL TAXPAYER-IDENTIFICATION NUMBER (ITIN)

UNITED STATES BANKRUPTCY COURT Western District of Missouri

In re Kan	sas City Wholes	sale Mottors LLC, Debtor)	Case No.	
				Chapter	11
Address:	4204 Truman F)		
	Kansas City, N	MO 64127	}		
)		
		curity or Individual Taxpayer-	}		
		fany):			
Employer Ta 43-1928541	,	(EIN) No(s).(if any):)		
43-1320341)		
		STATEMENT OF SOCIAL-S		` '	
	(or o	other Individual Taxpayer-Iden	tification Numb	er(s) (ITIN	√(s)))
1.Name of	Debtor (Last,	First, Middle): Kansas City Wholes	ale Mottors LLC		
Check the	e appropriate b	oox and, if applicable, provide the red	quired information.)		
	Debtor has	a Social-Security Number and it is:			
		(If more than one, state all.)			
4		s not have a Social-Security Numbe er (ITIN), and it is: <u>43-1928541</u>	er but has an Individ		
	Debtor does	(if more than one, state all.) s not have either a Social-Security Nan.	Number or an Indiv	idual Taxpa	yer-Identification
2.Name of	Joint Debtor (Last, First, Middle):			
		ropriate box and, if applicable, provid			_
_	Joint Debtor	has a Social-Security Number and	it is:	<u></u>	
		(If more than one, state all.)			
	Joint Debto	or does not have a Social-Security N	umber but has an I	Individual T	axpayer-Identification
	Number (IT	TN), and it is:			
		(if more than one, state all.)			
	Joint Debto Number (IT	r does not have either a Social-Sect IN).	urity Number or an	Individual 7	Faxpayer-Identification
I de	eclare under p	enalty of perjury that the foregoing is	s true and correct.		
	×	.		4/	1/2013
		Signature of Debtor			Date

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United States Bankruptcy Court

Western District of Missouri

In re:		Case No. Chapter	11
Kansas City Wholesale Mottors LLC		оарто.	
STATEMENT REGARDING AUTH	ORITY TO SIGN AND I	FILE PI	ETITION
I, Henry Rizzo, declare under penalty of perjury that I am the Corporation and that on the following resolution was duly adopted		/ Wholesal	e Mottors LLC, a Missorui
"Whereas, it is in the best interest of this Corporation to file a Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United	• •	States	
Be It Therefore Resolved, that , of this Corporation, is author perfect the filing of a Chapter 11 voluntary bankruptcy case on be		d deliver a	Il documents necessary to
Be It Further Resolved, that , of this Corporation, is authorize the Corporation, and to otherwise do and perform all acts and de the Corporation in connection with such bankruptcy case; and			
Be It Further Resolved, that , of this Corporation, is authori firm of Michael J. Gunter to represent the Corporation in such bar		ael J. Gunt	er, attorney and the law
Executed on: 4/1/2013	Signed: Henry Rizzo		

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MOW 1009-1.2 (05/07)				
			RUPTCY COURT OF MISSOURI	
IN RE:)		
Kansas City Wholesale Mot	tors LLC)		
) c	Case No.	
Debtor(s))))		
	VERIFICAT	ION OF MA	ILING MATRIX	
The above-named D of my knowledge and include			attached list of creditors is true and correspouse (if any).	ect to the best
Date: 4/1/2013				
			Signature of Debtor	