

B1 (Official Form 1)(1/08)

**United States Bankruptcy Court
Eastern District of North Carolina**

Voluntary Petition

Name of Debtor (if individual, enter Last, First, Middle): Benson, Donald Edward	Name of Joint Debtor (Spouse) (Last, First, Middle): Benson, Judith Gainey
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): DBA SMB CAROLINAS, INC.; FDBA STONE MILL BUILDERS, INC.	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): DBA SMB CAROLINAS, INC.; FDBA STONE MILL BUILDERS, INC.
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) xxx-xx-7701	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) xxx-xx-0183
Street Address of Debtor (No. and Street, City, and State): 1491 LANVALE ROAD, NE Leland, NC <div style="text-align: right; font-size: small;">ZIP Code 28451</div>	Street Address of Joint Debtor (No. and Street, City, and State): 1491 LANVALE ROAD, NE Leland, NC <div style="text-align: right; font-size: small;">ZIP Code 28451</div>
County of Residence or of the Principal Place of Business: Brunswick	County of Residence or of the Principal Place of Business: Brunswick
Mailing Address of Debtor (if different from street address): <div style="text-align: right; font-size: small;">ZIP Code</div>	Mailing Address of Joint Debtor (if different from street address): <div style="text-align: right; font-size: small;">ZIP Code</div>
Location of Principal Assets of Business Debtor (if different from street address above): <p style="text-align: center;">SEE SPREAD SHEET ATTACHED TO LIST OF 20 LARGEST UNSECURED CLAIMS</p>	

Type of Debtor (Form of Organization) (Check one box) <input checked="" type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)	Nature of Business (Check one box) <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other <hr/> Tax-Exempt Entity (Check box, if applicable) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).	Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box) <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding Nature of Debts (Check one box) <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input checked="" type="checkbox"/> Debts are primarily business debts.
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Filing Fee (Check one box) <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> 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. <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.	Chapter 11 Debtors Check one box: <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000. Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
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Statistical/Administrative Information <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> 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 <input type="checkbox"/> 1-49 <input checked="" type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5,001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> OVER 100,000	THIS SPACE IS FOR COURT USE ONLY
Estimated Assets <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input checked="" type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion	
Estimated Liabilities <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input checked="" type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion	

<p>Voluntary Petition</p> <p><i>(This page must be completed and filed in every case)</i></p>	<p>Name of Debtor(s):</p> <p>Benson, Donald Edward</p> <p>Benson, Judith Gainey</p>
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All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet)

Location Where Filed: - None -	Case Number:	Date Filed:
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 additional sheet)

Name of Debtor: - None -	Case Number:	Date Filed:
District:	Relationship:	Judge:

<p style="text-align: center;">Exhibit A</p> <p>(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.)</p> <p><input type="checkbox"/> Exhibit A is attached and made a part of this petition.</p>	<p style="text-align: center;">Exhibit B</p> <p>(To be completed if debtor is an individual whose debts are primarily consumer debts.)</p> <p>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 delivered to the debtor the notice required by 11 U.S.C. §342(b).</p> <p>X _____</p> <p style="text-align: center;">Signature of Attorney for Debtor(s) (Date)</p>
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Exhibit C

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

Yes, and Exhibit C is attached and made a part of this petition.

No.

Exhibit D

(To be completed by every individual debtor. If a joint petition is filed, each spouse must 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 petition:

Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.

Information Regarding the Debtor - Venue

(Check any applicable box)

Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.

There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.

Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.

Certification by a Debtor Who Resides as a Tenant of Residential Property

(Check all applicable 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 circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and

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)).

Voluntary Petition
 (This page must be completed and filed in every case)

Name of Debtor(s):
Benson, Donald Edward
Benson, Judith Gainey

Signature(s) of Debtor(s) (Individual/Joint)

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 request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

/s/ Donald Edward Benson
 Signature of Debtor **Donald Edward Benson**

/s/ Judith Gainey Benson
 Signature of Joint Debtor **Judith Gainey Benson**

 Telephone Number (If not represented by attorney)

December 3, 2009
 Date

Signatures

Signature of a Foreign Representative

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 chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

 Signature of Foreign Representative

 Printed Name of Foreign Representative

 Date

Signature of Attorney*

/s/ Dean R. Davis
 Signature of Attorney for Debtor(s)

Dean R. Davis 9191
 Printed Name of Attorney for Debtor(s)

Allen, MacDonald & Davis, PLLC
 Firm Name

1508 Military Cutoff Road, Suite 102
Wilmington, NC 28403

 Address

(910) 256-6558 Fax: (910) 256-6538
 Telephone Number

December 3, 2009
 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.

Signature of Non-Attorney Bankruptcy Petition Preparer

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.

 Printed Name and title, if any, of Bankruptcy Petition Preparer

 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

 Date

Signature of Debtor (Corporation/Partnership)

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.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

 Signature of Authorized Individual

 Printed Name of Authorized Individual

 Title of Authorized Individual

 Date

 Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or 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 individual:

 If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

B 1D (Official Form 1, Exhibit D) (12/09)

**United States Bankruptcy Court
Eastern District of North Carolina**

In re Donald Edward Benson
Judith Gainey Benson

Debtor(s)

Case No. _____

Chapter 11

**EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH
CREDIT COUNSELING REQUIREMENT**

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.*

2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 14 days after your bankruptcy case is filed.*

3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the seven days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. *[Summarize exigent circumstances here.]* _____

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

4. I am not required to receive a credit counseling briefing because of: *[Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]*

Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);

Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);

Active military duty in a military combat zone.

5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

I certify under penalty of perjury that the information provided above is true and correct.

Signature of Debtor: /s/ Donald Edward Benson
Donald Edward Benson

Date: December 3, 2009

B 1D (Official Form 1, Exhibit D) (12/09)

**United States Bankruptcy Court
Eastern District of North Carolina**

In re Donald Edward Benson
Judith Gainey Benson

Debtor(s)

Case No. _____

Chapter 11

**EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH
CREDIT COUNSELING REQUIREMENT**

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.*

2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 14 days after your bankruptcy case is filed.*

3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the seven days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. *[Summarize exigent circumstances here.]* _____

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

4. I am not required to receive a credit counseling briefing because of: *[Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]*

Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);

Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);

Active military duty in a military combat zone.

5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

I certify under penalty of perjury that the information provided above is true and correct.

Signature of Debtor: /s/ Judith Gainey Benson
Judith Gainey Benson

Date: December 3, 2009

B4 (Official Form 4) (12/07)

United States Bankruptcy Court
Eastern District of North Carolina

In re **Donald Edward Benson**
Judith Gainey Benson

Debtor(s)

Case No. _____

Chapter 11

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

(1)	(2)	(3)	(4)	(5)
<i>Name of creditor and complete mailing address including zip code</i>	<i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	<i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	<i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	<i>Amount of claim [if secured, also state value of security]</i>
ADVANTA BANK CORP MANAGING AGENT PO BOX 8088 Philadelphia, PA 19101-8088	ADVANTA BANK CORP MANAGING AGENT PO BOX 8088 Philadelphia, PA 19101-8088			31,377.00
AFFORDABLE CONSTRUCTION MANAGING AGENT PO BOX 1112 Little River, SC 29566	AFFORDABLE CONSTRUCTION MANAGING AGENT PO BOX 1112 Little River, SC 29566		Disputed	8,356.00
AVERY COUNTY TAX COLLECTOR PO BOX 305 Newland, NC 28657	AVERY COUNTY TAX COLLECTOR PO BOX 305 Newland, NC 28657	PROPERTY TAXES		10,706.00
BANK OF AMERICA MANAGING AGENT PO BOX 15026 Wilmington, DE 19850	BANK OF AMERICA MANAGING AGENT PO BOX 15026 Wilmington, DE 19850			29,838.00
BB&T MANAGING AGENT PO BOX 2306 Wilson, NC 27894	BB&T MANAGING AGENT PO BOX 2306 Wilson, NC 27894	PLEASE SEE ATTACHED SPREAD SHEET DEBTORS PERSONALLY GUARANTEED THESE LOANS.		3,091,382.00
BB&T MANAGING AGENT 115 N. 3RD STREET Wilmington, NC 28401	BB&T MANAGING AGENT 115 N. 3RD STREET Wilmington, NC 28401	PRIMARY RESIDENCE: 1491 LANVALE ROAD LELAND NC 28451 1.83 ACRES DETACHED GUEST HOUSE (1503 LANVALE RD)		201,960.00 (500,000.00 secured) (421,087.00 senior lien)

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

In re **Donald Edward Benson**
Judith Gainey Benson

Case No. _____

Debtor(s) _____

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS
(Continuation Sheet)

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
BB&T MANAGING AGENT PO BOX 2306 Wilson, NC 27894	BB&T MANAGING AGENT PO BOX 2306 Wilson, NC 27894	PERSONAL GUARANTEE ON LOANS FOR 2000 FORD F150 & 2000 STERLING TRUCK		11,775.00
BB&T BANKCARD CENTER MANAGING AGENT PO BOX 580364 Charlotte, NC 28258	BB&T BANKCARD CENTER MANAGING AGENT PO BOX 580364 Charlotte, NC 28258			31,350.00
BB&T OF NC MANAGING AGENT PO BOX 580003 Charlotte, NC 28258	BB&T OF NC MANAGING AGENT PO BOX 580003 Charlotte, NC 28258			11,508.00
BROCK CABINETS MANAGING AGENT 1560 AMERICAN WAY Myrtle Beach, SC 29577	BROCK CABINETS MANAGING AGENT 1560 AMERICAN WAY Myrtle Beach, SC 29577		Disputed	12,139.00
CAPITAL ONE MANAGING AGENT PO BOX 30285 Salt Lake City, UT 84130	CAPITAL ONE MANAGING AGENT PO BOX 30285 Salt Lake City, UT 84130			27,702.00
CHASE MANAGING AGENT PO BOX 15298 Wilmington, DE 19850	CHASE MANAGING AGENT PO BOX 15298 Wilmington, DE 19850			32,640.00
CITIBANK MANAGING AGENT PO BOX 6062 Sioux Falls, SD 57117	CITIBANK MANAGING AGENT PO BOX 6062 Sioux Falls, SD 57117			44,395.00
DISCOVER MANAGING AGENT PO BOX 30943 Salt Lake City, UT 84130	DISCOVER MANAGING AGENT PO BOX 30943 Salt Lake City, UT 84130			16,553.00
G.U.M. BUILDING MANAGING AGENT PO BOX 512 Rocky Point, NC 28457	G.U.M. BUILDING MANAGING AGENT PO BOX 512 Rocky Point, NC 28457			6,628.00

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

In re **Donald Edward Benson**
Judith Gainey Benson

Case No. _____

Debtor(s) _____

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS
(Continuation Sheet)

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
RELIASTAR LIFE INSURANCE COMPANY MANAGING AGENT POB OX 5011 Almond, NC 28702	RELIASTAR LIFE INSURANCE COMPANY MANAGING AGENT POB OX 5011 Almond, NC 28702	RELIASTAR LIFE INSURANCE COMPANY ING SERVICE CENTER PO BOX 5011 MINOT ND 28702 WHOLE LIFE POLICY POL NO 5413 BENEFICIARY: FEMALE DEBTOR		26,778.00 (357.00 secured)
SAM'S CLUB DISCOVER MANAGING AGENT PO BOX 960016 Orlando, FL 32896	SAM'S CLUB DISCOVER MANAGING AGENT PO BOX 960016 Orlando, FL 32896			8,320.00
WACHOVIA MANAGING AGENT 300 NORTH FRONT STREET, 2ND FLOOR Wilmington, NC 28401	WACHOVIA MANAGING AGENT 300 NORTH FRONT STREET, 2ND FLOOR Wilmington, NC 28401	SEE ATTACHED SPREAD SHEET FOR DETAIL LOANS PERSONALLY GUARANTEED BY DEBTORS		1,323,911.00
WACHOVIA BANK MANAGING AGENT 1400A CROSSWAYS BLVD Chesapeake, VA 23320	WACHOVIA BANK MANAGING AGENT 1400A CROSSWAYS BLVD Chesapeake, VA 23320			12,612.00
WACHOVIA VISA MANAGING AGENT PO BOX 563966 Charlotte, NC 28256	WACHOVIA VISA MANAGING AGENT PO BOX 563966 Charlotte, NC 28256			11,906.00

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

In re Donald Edward Benson
Judith Gainey Benson
Debtor(s)

Case No. _____

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS
(Continuation Sheet)

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

We, **Donald Edward Benson** and **Judith Gainey Benson**, the debtors in this case, declare under penalty of perjury that we have read the foregoing list and that it is true and correct to the best of our information and belief.

Date December 3, 2009

Signature /s/ Donald Edward Benson
Donald Edward Benson
Debtor

Date December 3, 2009

Signature /s/ Judith Gainey Benson
Judith Gainey Benson
Joint Debtor

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

Debt Unsecured - SMB loans

Type of Debt	Creditor Name & address Date/Range of dates when debt was incurred	Loan NO	Amount owed	What is the debt for? Describe the collateral for this loan Estimated value of collateral	Co-debtor Name	Disput debt?	Notes:			Contact for notes
							Sche	D	E	
Vehicle / Equipmen Loans	BB&T	0668	11,775.37	#1 2000 Ford F150 Vin # 1FTRX17W3YKB13931	Bensons	No				
				#2 2000 Sterling Truck 2FZNDJBB2YAB13761		No				
<i>Mortgages</i>						No				
Construction Loan	Wachovia 300 North Front Street, 2nd Floor Wilmington, NC 28401	[REDACTED] 103-1	204,121.02	Brick Landing, Oakbrook, Lot 27 1703 Linkside Way Ocean Isle Beach, NC 28469	Bensons Pinkletons (limited to 33%0	No				
Lot Loan	Wachovia	[REDACTED] 440-7	39,000.00	Brick Landing, Oakbrook, Lot 5 1716 Forest Oak Blvd Ocean Isle Beach, NC 28469	Bensons Pinkletons (limited to 33%0	No				
Lot Loan	Wachovia	[REDACTED] 853-2	38,275.00	Brick Landing, Oakbrook, Lot 7 1736 Forest Oak Blvd Ocean Isle Beach, NC 28469	Bensons Pinkletons (limited to 33%0	No				
Lot Loan	Wachovia	[REDACTED] 854-0	38,000.00	Brick Landing, Oakbrook, Lot 8 1740 Forest Oak Blvd Ocean Isle Beach, NC 28469	Bensons Pinkletons (limited to 33%0	No				
Lot Loan	Wachovia	[REDACTED] 855-7	38,000.00	Brick Landing, Oakbrook, Lot 43 Ocean Isle Beach, NC 28469	Bensons Pinkletons (limited to 33%1	No				
Lot Loan	Wachovia	[REDACTED] 443-1	39,000.00	Brick Landing, Oakbrook, Lot 58 1804 Forest Oak Blvd Ocean Isle Beach, NC 28469	Bensons Pinkletons (limited to 33%2	No				
Lot Loan	Wachovia	[REDACTED] 856-5	38,000.00	Brick Landing, Oakbrook, Lot 59 Ocean Isle Beach, NC 28469	Bensons Pinkletons (limited to 33%3	No				
Lot Loan	Wachovia	[REDACTED] 858-1	38,000.00	Brick Landing, Oakbrook, Lot 67 1799 Forest Oak Blvd Ocean Isle Beach, NC 28469	Bensons Pinkletons (limited to 33%4	No				

Debt Unsecured - SMB loans

Type of Debt	Creditor Name & address Date/Range of dates when debt was incurred Account Number Contact Person Name/Addr if different	Loan NO	Amount owed	What is the debt for? Describe the collateral for this loan Estimated value of collateral	Co-debtor Name	Disput Sche			Notes: Lawsuit pending, Collection	Contact for notes
						debt?	D	E		
Lot Loan	Wachovia	[REDACTED] 444-9	39,275.00	Brick Landing, Oakbrook, Lot 79 1780 Forest Oak Blvd Ocean Isle Beach, NC 28469	Bensons Pinkletons (limited to 33%5	No				
Lot Loan	Wachovia	[REDACTED] 445-6	39,000.00	Brick Landing, Oakbrook, Lot 80 1782 Forest Oak Blvd Ocean Isle Beach, NC 28469	Bensons Pinkletons (limited to 33%6	No				
Lot Loan	Wachovia	[REDACTED] 859-9	38,000.00	Brick Landing, Oakbrook, Lot 85 1792 Waterwing Dr Ocean Isle Beach, NC 28469	Bensons Pinkletons (limited to 33%7	No				
Lot Loan	Wachovia	[REDACTED] 860-7	38,000.00	Brick Landing, Oakbrook, Lot 87 1796 Waterwing Dr Ocean Isle Beach, NC 28469	Bensons Pinkletons (limited to 33%8	No				
Lot Loan	Wachovia	[REDACTED] 825-9	39,000.00	Brick Landing, Windsong, Lot 31 1598 Windsong Dr Ocean Isle Beach, NC 28469	Bensons Pinkletons (limited to 33%9	No				
Construction Loan	Wachovia	[REDACTED] 431-6	193,039.97	Pageland Heights spec 03 203 Floyd Page Rd Galivants Ferry, SC 29544	Bensons Pinkletons (limited to 33%10	No				
Construction Loan	Wachovia	[REDACTED] 433-2	185,200.00	Pageland Heights spec 05 227 Floyd Page Rd Galivants Ferry, SC 29544	Bensons Pinkletons (limited to 33%11	No				
Lot Loan	Wachovia	[REDACTED] 487-3	28,000.00	Pageland Heights lot only 01 183 Floyd Page Rd Galivants Ferry, SC 29544	Bensons Pinkletons (limited to 33%12	No				
Lot Loan	Wachovia	[REDACTED] 488-1	28,000.00	Pageland Heights lot only 02 195 Floyd Page Rd Galivants Ferry, SC 29544	Bensons Pinkletons (limited to 33%13	No				

Debt Unsecured - SMB loans

Type of Debt	Creditor Name & address Date/Range of dates when debt was incurred Account Number Contact Person Name/Addr if different	Loan NC	Amount owed	What is the debt for? Describe the collateral for this loan Estimated value of collateral	Co-debtor Name	Disputes?			Notes: Lawsuit pending, Collection	Contact for notes
						debt?				
						D	E	F		
Lot Loan	Wachovia	[REDACTED] 434-0	28,000.00	Pageland Heights lot only 06 235 Floyd Page Rd Galivants Ferry, SC 29544	Bensons Pinkletons (limited to 33%14	No				
Lot Loan	Wachovia	[REDACTED] 435-7	28,000.00	Pageland Heights lot only 07 243 Floyd Page Rd Galivants Ferry, SC 29544	Bensons Pinkletons (limited to 33%15	No				
Lot Loan	Wachovia	[REDACTED] 436-5	28,000.00	Pageland Heights lot only 08 251 Floyd Page Rd Galivants Ferry, SC 29544	Bensons Pinkletons (limited to 33%16	No				
Lot Loan	Wachovia	[REDACTED] 437-3	28,000.00	Pageland Heights lot only 09 259 Floyd Page Rd Galivants Ferry, SC 29544	Bensons Pinkletons (limited to 33%17	No				
Lot Loan	Wachovia	[REDACTED] 439-9	28,000.00	Pageland Heights lot only 10 267 Floyd Page Rd Galivants Ferry, SC 29544	Bensons Pinkletons (limited to 33%18	No				
Lot Loan	Wachovia	[REDACTED] 489-9	28,000.00	Pageland Heights lot only 11 275 Floyd Page Rd Galivants Ferry, SC 29544	Bensons Pinkletons (limited to 33%19	No				
Lot Loan	Wachovia	[REDACTED] 490-7	28,000.00	Pageland Heights lot only 12 283 Floyd Page Rd Galivants Ferry, SC 29544	Bensons Pinkletons (limited to 33%20	No				
Lot Loan	Wachovia	[REDACTED] 496-4	28,000.00	Pageland Heights lot only 13 291 Floyd Page Rd Galivants Ferry, SC 29544	Bensons Pinkletons (limited to 33%21	No				
Construction Loan	BB & T 115 N. 3rd Street Wilmington, NC 28401-4304	0763	204,000.00	Bricklanding, Windsong specs 025 1603 Fawn Court Ocean Isle Beach, NC 28469	Bensons	No				
Lot Loan	BB & T account prefix 4250068722-	0666	38,000.00	Bricklanding, Windsong lot only 016 1592 Laurel Court Ocean Isle Beach, NC 28469	Bensons	No				

Debt Unsecured - SMB loans

Type of Debt	Creditor Name & address		Loan NO	Amount owed	What is the debt for? Describe the collateral for this loan Estimated value of collateral	Co-debtor Name	Disput			Notes: Lawsuit pending, Collection	Contact for notes
	Date/Range of dates when debt was incurred	Account Number					Disput debt?	Sche	D		
	Contact Person Name/Addr if different										
Lot Loan	BB & T		0666	38,000.00	Brickland, Windsong lot only 020 Ocean Isle Beach, NC 28469	Bensons	No				
Lot Loan	BB & T		0666	38,000.00	Brickland, Windsong lot only 021 Ocean Isle Beach, NC 28469	Bensons	No				
Lot Loan	BB & T		0666	38,000.00	Brickland, Windsong lot only 026 1608 SW Windsong Dr Ocean Isle Beach, NC 28469	Bensons	No				
Lot Loan	BB & T		0666	38,000.00	Brickland, Windsong lot only 028 1600 SW Windsong Dr Ocean Isle Beach, NC 28469	Bensons	No				
Lot Loan	BB & T		0666	39,000.00	Brickland, Windsong lot only 030 1592 Windsong Dr Ocean Isle Beach, NC 28469	Bensons	No				
Lot Loan	BB & T		0667	38,000.00	Brickland, Windsong lot only 037 1560 Windsong Dr Ocean Isle Beach, NC 28469	Bensons	No				
Lot Loan	BB & T		0667	38,000.00	Brickland, Lake Forest lot only 108 1551 Colonist Sq Ocean Isle Beach, NC 28469	Bensons	No				
Lot Loan	BB & T		0667	38,000.00	Brickland, Lake Forest lot only 113 1564 Colonist Sq Ocean Isle Beach, NC 28469	Bensons	No				
Lot Loan	BB & T		0667	38,000.00	Brickland, Lake Forest lot only 119 1596 Colonist Sq Ocean Isle Beach, NC 28469	Bensons	No				
Construction Loan	BB & T		0765	194,000.00	Spec House 9372 Lyn Marie Drive Leland, NC 28451	Bensons	No				
Rental Line / Mortgage	BB & T		0170	128,000.00	Spec House 1490 Bluff Road Leland, NC 28451	Bensons	No				
Rental Line / Mortgage	BB & T		0170	120,000.01	Spec House 1656 Leland School Rd Leland, NC 28451	Bensons	No				

Debt Unsecured - SMB loans

Type of Debt	Creditor Name & address Date/Range of dates when debt was incurred Account Number Contact Person Name/Addr if different	Loan NC	Amount owed	What is the debt for? Describe the collateral for this loan Estimated value of collateral	Co-debtor Name	Disput			Notes: Lawsuit pending, Collection	Contact for notes
						debt?	D	E		
Construction Loan	BB & T	0789	228,000.00	Southbend Spec House 04 386 Southbend Ct NE Leland, NC 28451	Bensons	No				
Lot Loan	BB & T	0779	38,250.00	Southbend Lot 01 398 Southbend Ct NE Leland, NC 28451	Bensons	No				
Lot Loan	BB & T	0779	38,250.00	Southbend Lot 02 394 Southbend Ct NE Leland, NC 28451	Bensons	No				
Lot Loan	BB & T	0779	38,250.00	Southbend Lot 03 390 Southbend Ct NE Leland, NC 28451	Bensons	No				
Lot Loan	BB & T	0779	38,250.00	Southbend Lot 05 380 Southbend Ct NE Leland, NC 28451	Bensons	No				
Lot Loan	BB & T	0779	38,250.00	Southbend Lot 06 376 Southbend Ct NE Leland, NC 28451	Bensons	No				
Lot Loan	BB & T	0781	38,250.00	Southbend Lot 07 372 Southbend Ct NE Leland, NC 28451	Bensons	No				
Lot Loan	BB & T	0781	38,250.00	Southbend Lot 08 368 Southbend Ct NE Leland, NC 28451	Bensons	No				
Lot Loan	BB & T	0781	38,250.00	Southbend Lot 09 364 Southbend Ct NE Leland, NC 28451	Bensons	No				
Lot Loan	BB & T	0781	38,250.00	Southbend Lot 10 360 Southbend Ct NE Leland, NC 28451	Bensons	No				
Lot Loan	BB & T	0781	38,250.00	Southbend Lot 11 356 Southbend Ct NE Leland, NC 28451	Bensons	No				
Lot Loan	BB & T	0709	135,000.00	Waterford Lot 24 1312 Hydrangea Ct Leland, NC 28451	Bensons	No				

Debt Unsecured - SMB loans

Type of Debt	Creditor Name & address		Loan NO	Amount owed	What is the debt for? Describe the collateral for this loan Estimated value of collateral	Co-debtor Name	Disput Sche			Notes: Lawsuit pending, Collection	Contact for notes
	Date/Range of dates when debt was incurred	Account Number					debt?				
	Contact Person Name/Addr if different						D	E	F		
Lot Loan	BB & T		0709	135,000.00	Waterford Lot 46 1106 Cornell Ct Leland, NC 28451	Bensons	No				
Construction Loan	BB & T		0810	162,300.00	Lewis Village Spec House 08 200 Suzie Ct Richlands, NC 28574	Bensons	No				
Lot Loan	BB & T		0786	38,250.00	Lewis Village Lot 01 201 Suzie Ct Richlands, NC 28574	Bensons	No				
Lot Loan	BB & T		0786	38,250.00	Lewis Village Lot 03 205 Suzie Ct Richlands, NC 28574	Bensons	No				
Lot Loan	BB & T		0787	38,250.00	Lewis Village Lot 06 204 Suzie Ct Richlands, NC 28574	Bensons	No				
Lot Loan	BB & T		0787	38,250.00	Lewis Village Lot 07 202 Suzie Ct Richlands, NC 28574	Bensons	No				
Construction Loan	BB & T		0811	110,217.00	Perry Place Spec House 228 541 West Perry Rd Myrtle Beach, SC 29579	Bensons	No				
Construction Loan	BB & T		0807	124,482.00	Perry Place Spec House 243 605 West Perry Rd Myrtle Beach, SC 29579	Bensons	No				
Construction Loan	BB & T		0801	123,900.00	Perry Place Spec House 248 625 West Perry Rd Myrtle Beach, SC 29579	Bensons	No				
Construction Loan	BB & T		0808	119,000.00	Perry Place Spec House 264 697 West Perry Rd Myrtle Beach, SC 29579	Bensons	No				
Lot Loan	BB & T		0767	21,980.11	Perry Place Lot 244 609 West Perry Rd Myrtle Beach, SC 29579	Bensons	No				
Lot Loan	BB & T		0767	21,980.11	Perry Place Lot 247 621 West Perry Rd Myrtle Beach, SC 29579	Bensons	No				

Debt Unsecured - SMB loans

Type of Debt	Creditor Name & address Date/Range of dates when debt was incurred Account Number	Loan NO	Amount owed	What is the debt for? Describe the collateral for this loan Estimated value of collateral	Co-debtor Name	Disput debt?	Sche			Notes: Lawsuit pending, Collection	Contact for notes
							D	E	F		
	Contact Person Name/Addr if different										
Lot Loan	BB & T	0767	21,980.11	Perry Place Lot 252 645 West Perry Rd Myrtle Beach, SC 29579	Bensons	No					
Lot Loan	BB & T	0776	23,625.00	Perry Place Lot 253 649 West Perry Rd Myrtle Beach, SC 29579	Bensons	No					
Lot Loan	BB & T	0776	23,625.00	Perry Place Lot 256 661 West Perry Rd Myrtle Beach, SC 29579	Bensons	No					
Lot Loan	BB & T	0794	24,300.00	Perry Place Lot 259 673 West Perry Rd Myrtle Beach, SC 29579	Bensons	No					
Lot Loan	BB & T	0776	23,625.00	Perry Place Lot 260 677 West Perry Rd Myrtle Beach, SC 29579	Bensons	No					
Lot Loan	BB & T	0776	23,625.00	Perry Place Lot 261 685 West Perry Rd Myrtle Beach, SC 29579	Bensons	No					
Lot Loan	BB & T	0776	23,625.00	Perry Place Lot 262 689 West Perry Rd Myrtle Beach, SC 29579	Bensons	No					
Lot Loan	BB & T	0776	23,625.00	Perry Place Lot 265 701 West Perry Rd Myrtle Beach, SC 29579	Bensons	No					
Rental Line - Mortgage OTHER BANK LOANS	BB & T	0170	160,992.73	Sun Colony Spec House 114 1315 Chelsea Lane Longs SC 29568	Bensons	No					
Interest Reserve Loan	BB & T	0816	191,732.85	Beech Mountain Land Parcel 185906298372 Banner Elk, NC 28604	Bensons	No					

WARNING: Effective december 1, 2009, the 15-day deadline to file schedules and certain other documents under Bankruptcy Rule 1007(c) is shortened to 14 days. For further information, see note at bottom of page 2

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA**

**NOTICE TO CONSUMER DEBTOR(S) UNDER § 342(b)
OF THE BANKRUPTCY CODE**

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order to ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a **joint case** (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a statement with the court requesting that each spouse receive a separate copy of all notices.

1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days **before** the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the course.

2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total Fee \$299)

Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, the United States trustee (or bankruptcy administrator), the trustee, or creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.

The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.

Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)

Form B 201A, Notice to Consumer Debtor(s)

Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

WARNING: Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court. The documents and the deadlines for filing them are listed on Form B200, which is posted at http://www.uscourts.gov/bkforms/bankruptcy_forms.html#procedure.

Many filing deadlines change on December 1, 2009. Of special note, 12 rules that set 15 days to act are amended to require action within 14 days, including Rule 1007(c), filing the initial case papers; Rule 3015(b), filing a chapter 13 plan; Rule 8009(a), filing appellate briefs; and Rules 1019, 1020, 2015, 2015.1, 2016, 4001, 4002, 6004, and 6007.

B 201B (Form 201B) (12/09)

**United States Bankruptcy Court
Eastern District of North Carolina**

In re Donald Edward Benson
Judith Gainey Benson

Debtor(s)

Case No.

Chapter 11

**CERTIFICATION OF NOTICE TO CONSUMER DEBTOR(S)
UNDER § 342(b) OF THE BANKRUPTCY CODE**

Certification of [Non-Attorney] Bankruptcy Petition Preparer

I, the [non-attorney] bankruptcy petition preparer signing the debtor's petition, hereby certify that I delivered to the debtor this attached notice, as required by § 342(b) of the Bankruptcy Code.

Printed name and title, if any, of Bankruptcy Petition
Preparer
Address:

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.)

X _____
Signature of Bankruptcy Petition Preparer or officer,
principal, responsible person, or partner whose
Social Security number is provided above.

Certification of Debtor

I (We), the debtor(s), affirm that I (we) have received and read the attached notice, as required by § 342(b) of the Bankruptcy Code.

**Donald Edward Benson
Judith Gainey Benson**

Printed Name(s) of Debtor(s)

Case No. (if known) _____

X /s/ Donald Edward Benson December 3, 2009
Signature of Debtor Date

X /s/ Judith Gainey Benson December 3, 2009
Signature of Joint Debtor (if any) Date

Instructions: Attach a copy of Form B 201 A, Notice to Consumer Debtor(s) Under § 342(b) of the Bankruptcy Code.

Use this form to certify that the debtor has received the notice required by 11 U.S.C. § 342(b) **only** if the certification has **NOT** been made on the Voluntary Petition, Official Form B1. Exhibit B on page 2 of Form B1 contains a certification by the debtor's attorney that the attorney has given the notice to the debtor. The Declarations made by debtors and bankruptcy petition preparers on page 3 of Form B1 also include this certification.

**United States Bankruptcy Court
Eastern District of North Carolina**

In re **Donald Edward Benson
Judith Gainey Benson**

Debtor(s)

Case No.

Chapter

11

VERIFICATION OF CREDITOR MATRIX

The above-named Debtors hereby verify that the attached list of creditors is true and correct to the best of their knowledge.

Date: **December 3, 2009**

/s/ Donald Edward Benson

Donald Edward Benson

Signature of Debtor

Date: **December 3, 2009**

/s/ Judith Gainey Benson

Judith Gainey Benson

Signature of Debtor

ACE HARDWARE
MANAGING AGENT
117-B VILLAGE ROAD
Leland, NC 28451

BB&T
MANAGING AGENT
115 N. 3RD STREET
Wilmington, NC 28401

BUILDERS FIRST SOURCE
MANAGING AGENT
5415 MARKET STREET
Wilmington, NC 28405

ADVANTA BANK CORP
MANAGING AGENT
PO BOX 8088
Philadelphia, PA 19101-8088

BB&T
MANAGING AGENT
115 NO. 3RD STREET
Wilmington, NC 28401

BUILDERS FIRST SOURCE
MANAGING AGENT
851 CENTURY CIRCLE
Conway, SC 29526

AFFORDABLE CONSTRUCTION
MANAGING AGENT
PO BOX 1112
Little River, SC 29566

BB&T BANKCARD CENTER
MANAGING AGENT
PO BOX 580364
Charlotte, NC 28258

BUILDERS RISK PLAN
MANAGING AGENT
PO BOX 931795
Atlanta, GA 31193

AIRGAS NATIONAL WELDERS
MANAGING AGENT
2824 CAROLINA BEACH ROAD
Wilmington, NC 28412

BB&T OF NC
MANAGING AGENT
PO BOX 580003
Charlotte, NC 28258

CAPITAL ONE
MANAGING AGENT
PO BOX 30285
Salt Lake City, UT 84130

AMERICAN BUILDING PRODUCTS, LLC
MANAGING AGENT
4706 #F NORTHGATE BLVD
Myrtle Beach, SC 29577

BERNHARDT & STRAWSER, PA
5821 FAIRVIEW ROAD, STE 100
Charlotte, NC 28209

CAREFREE EXTERIORS, INC
MANAGING AGENT
1332 HIGHWAY 9 EAST
Longs, SC 29568

AMERICAN EXPRESS
MANAGING AGENT
PO BOX 981535
El Paso, TX 79998

BLUE RIDGE PROPANE
MANAGING AGENT
PO BOX 789
Newland, NC 28657

CHASE
MANAGING AGENT
PO BOX 15298
Wilmington, DE 19850

AVERY COUNTY TAX COLLECTOR
PO BOX 305
Newland, NC 28657

BROCK CABINETS
MANAGING AGENT
1560 AMERICAN WAY
Myrtle Beach, SC 29577

CITIBANK
MANAGING AGENT
PO BOX 6062
Sioux Falls, SD 57117

BANK OF AMERICA
MANAGING AGENT
PO BOX 15026
Wilmington, DE 19850

BRUNSWICK COUNTY TAX COLLECTOR
PO BOX 29
Bolivia, NC 28422

COASTAL COLORS PAINTING
MANAGING AGENT
212 TONI DRIVE
Jacksonville, NC 28546

BB&T
MANAGING AGENT
PO BOX 2306
Wilson, NC 27894

BRUNSWICK REGIONAL WATER & SEWER
MANAGING AGENT
PO BOX 2230
Leland, NC 28451

COASTAL FASTENERS & SUPPLIES
MANAGING AGENT
PO BOX 1190
Myrtle Beach, SC 29578

COASTAL GLASS & HARDWARE, INC
MANAGING AGENT
6412-B AMSTERDAM WAY
Wilmington, NC 28405

FENNELLS PLUBING, INC
MANAGING AGENT
331 LANDMARK ROAD
Conway, SC 29527

JENKINS GAS AND OIL
MANAGING AGENT
PO BOX 12328
Wilmington, NC 28405

COASTAL SANDBLASTING
MANAGING AGENT
143 PIERCE DR.
Richlands, NC 28574

G&G MINING CO LLC
MANAGING AGENT
PO BOX 275
Aynor, SC 29511

JOHN BLANTON
1188 RACCOON RD
Willard, NC 28478

CUSTOM PAINT AND DRYWALL, INC
MANAGING AGENT
3544 BRAMPTON DRIVE
Myrtle Beach, SC 29588

G.U.M. BUILDING
MANAGING AGENT
PO BOX 512
Rocky Point, NC 28457

JONES-ONSLow ELECTRIC
MANAGING AGENT
259 WESTERN BLVD
Jacksonville, NC 28546

DENNIS & MARILYN PINKLETON

GARY'S PUMPING SERVICE
MANAGING AGENT
361 CHEVY CHASE DR
Conway, SC 29526

KENDALL FLOOR TO CEILING, I
MANAGING AGENT
2926 CHURCH STRET
Conway, SC 29526

DENNIS & MARILYN PINKLETON
1655 LELAND SCHOOL ROAD
Leland, NC 28451

HONEST ENGINE EQUIPMENT COMPANY
MANAGING AGENT
939 SOURTH KERR AVE
Wilmington, NC 28403

KITCHEN & LIGHTING DESIGNS, I
MANAGING AGENT
141 WILLIAMSBURG PKWY
Jacksonville, NC 28546

DISCOVER
MANAGING AGENT
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HORRY ELECTRIC COOPERATIVE INC
MANAGING AGENT
PO BOX 119
Conway, SC 29528

KOHL'S
MANAGING AGENT
PO BOX 3043
Milwaukee, WI 53201

EAST CAROLINA INSULATION, INC
MANAGING AGENT
37 BAILEY DR
Jacksonville, NC 28540

HUMPPHREY HEATINGT AND AIR CONDITIO
MANAGING AGENT
181 PINEY GREEN ROAD
Jacksonville, NC 28546

LITTLE RIVER WATER & SEWER
MANAGING AGENT
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Little River, SC 29566

EASTERN BUILDING COMPONENTS
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INSOLVENCY SUPPORT SERVICES
320 FEDERAL PLACE, ROOM 335
Greensboro, NC 27401

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MANAGING AGENT
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Wilmington, NC 28405

FEDEX
MANAGING AGENT
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MANAGING AGENT
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MAY EXTERMINATING COMPANY
MANAGING AGENT
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MORRIS CLEANING
MANAGING AGENT
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Myrtle Beach, SC 29588

SAM'S CLUB DISCOVER
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TIME WARNER CABLE
MANAGING AGENT
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NC DEPARTMENT OF REVENUE
OFFICE SERVICES DIV/BANKRUPTCY UNIT
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Raleigh, NC 27602

SANTEE COOPER
MANAGING AGENT
PO BOX 188
Moncks Corner, SC 29461

TURF MASTERS
MANAGING AGENT
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NPS PLUMBING
MANAGING AGENT
2436 DAWSON CABIN RD
Jacksonville, NC 28540

SEARS
MANAGING AGENT
304 GARNERCREST ROAD
Wilmington, NC 28411

VENTURE ENGINEERING INC
MANAGING AGENT
209 HIGHWAY 544
Conway, SC 29526

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MANAGING AGENT/DEPT 56-4204365448
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SECRETARY OF THE TREASURY
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ONslow COUNTY WATER DEPT
MANAGING AGENT
825 GUM BRANCH RD, ST 13
Jacksonville, NC 28540

SECURITIES AND EXCHANGE COMMISSION
Washington, DC 20549

WACHOVIA
MANAGING AGENT
300 NORTH FRONT STREET, 2ND FL
Wilmington, NC 28401

PARKER & ASSOCIATES, INC
MANAGING AGENT
306 NEW BRIDGE RD, STE 13
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SMB CAROLINAS, INC.
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WACHOVIA BANK
MANAGING AGENT
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Chesapeake, VA 23320

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MANAGING AGENT
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SPRINGER EUBANK CO INC
MANAGING AGENT
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Wilmington, NC 28412

WACHOVIA VISA
MANAGING AGENT
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RELIASTAR LIFE INSURANCE COMPANY
MANAGING AGENT
POB OX 5011
Almond, NC 28702

TERRY HUDSON
292 ROCK SPRING ROAD
Mill Spring, NC 28756

WATERFORD RMA INC
MANAGING AGENT
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RIVER CITY ELECTRIC LLC
MANAGING AGENT
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768 GRANTS CREEK RD
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Greensboro, NC 27402