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B1 (Official Form 1)(4/10)

United States Bankruptcy Court Eastern District of North Carolina						Volunt	ary Petition		
Name of Debtor (if individual, enter Last, First, Middle): Gordon, James B.			Name	Name of Joint Debtor (Spouse) (Last, First, Middle):					
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):				All O (inclu	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):				
Last four digits of Soc. Sec. or Individual-Tax	power I.D. (ITIN	N) No /Con	anlete EIN	I act f	our digits o	f Soc Sec or	Individual-	Taxpayer I.D. (ITI	N) No /Complete FIN
(if more than one, state all) xxx-xx-2382	payer I.D. (IIII	N) NO./COII		(if more	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)				
Street Address of Debtor (No. and Street, City 4731 NC 50 North	, and State):			Street	Street Address of Joint Debtor (No. and Street, City, and State):				
Benson, NC									
		275	ZIP Code	-					ZIP Code
County of Residence or of the Principal Place	of Business:	213	004	Count	y of Reside	ence or of the	Principal Pl	ace of Business:	
Johnston									
Mailing Address of Debtor (if different from s 106 W. Main St.	treet address):			Mailir	ng Address	of Joint Debt	or (if differe	nt from street add	ress):
Benson, NC									
		275	ZIP Code 504	-					ZIP Code
Location of Principal Assets of Business Debt	or								
(if different from street address above):									
Type of Debtor	N	Nature of B		Chapter of Bankruptcy Code Under Which					
(Form of Organization) (Check one box)	Health C	(Check one Care Busine	· ·		the Petition is Filed (Check one box) Chapter 7				
Individual (includes Joint Debtors)	Single A	Asset Real I .S.C. § 101		efined	ed Chapter 9 Chapter 15 Petition for Recognition				
See Exhibit D on page 2 of this form.	🗖 Railroad	d	(31B)		 Chapter 11 of a Foreign Main Proceeding □ Chapter 12 □ Chapter 15 Petition for Recognition 				e
Corporation (includes LLC and LLP)		 Stockbroker Commodity Broker 			Chapter 12 of a Foreign Nonmain Proceeding				
 Partnership Other (If debtor is not one of the above entities) 	Clearing						NT 4	(D.14	
check this box and state type of entity below.)	_	Tax-Exempt Entity			Nature of Debts (Check one box)				
	(Cł	(Check box, if applicable) Debtor is a tax-exempt organiz			□ Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as ■ Debts are primarily business debts.				
	under Ti	under Title 26 of the United St Code (the Internal Revenue Co			tates "incurred by an individual primarily for				
Filing Fee (Check one b	,	ne Internal		· · ·	a perso		ter 11 Debt	•	
Full Filing Fee attached	JA)		Check on Del		tor is a small business debtor as defined in 11 U.S.C. § 101(51D).				
☐ Filing Fee to be paid in installments (applicable	to individuals onl	ly). Must	Del Check if:	otor is not	tor is not a small business debtor as defined in 11 U.S.C. § 101(51D).				
attach signed application for the court's consider debtor is unable to pay fee except in installment			Del Del						o insiders or affiliates)
Form 3A.					ess than \$2,343,300 (amount subject to adjustment on 4/01/13 and every three years thereafter). applicable boxes:				
Filing Fee waiver requested (applicable to chapter 7 individuals only). Must				lan is bei	ng filed with	this petition.	anatitian from	one or more classes	of analitan
						S.C. § 1126(b).	epennon from	Tone of more classes	s of creditors,
Statistical/Administrative Information THIS SPACE IS FOR COURT USE ONLY Debtor estimates that funds will be available for distribution to unsecured creditors. THIS SPACE IS FOR COURT USE ONLY					OURT USE ONLY				
 Debtor estimates that runds will be available for distribution to disecured 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				_	_	_	1		
$ \begin{array}{c ccccccccccccccccccccccccccccccccccc$,001- 10	,001- 2] 5,001- 0,000	□ 50,001- 100,000	OVER 100,000			
Estimated Assets			-	1	_	-	1		
S0 to \$50,001 to \$100,001 to \$500,001 so \$50,000 \$100,000 \$500,000 to \$1 million \$100,000 \$100,000 \$100,000	to \$10 to \$	0,000,001 \$5 \$50 to	0,000,001 \$ \$100 to		\$500,000,001 to \$1 billion	More than \$1 billion			
Estimated Liabilities			C]					
\$0 to \$50,001 to \$100,001 to \$500,001 \$50,000 \$100,000 \$500,000 to \$1	\$1,000,001 \$10 to \$10 to \$	0,000,001 \$5 \$50 to	0,000,001 \$ \$100 to	100,000,001 \$500	\$500,000,001 to \$1 billion	More than			
million	million mil	llion mi	llion n	illion			1		

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B1	(Official	Form	1)(4/10)	

B1 (Official For	m 1)(4/10)		Page 2		
Voluntar	y Petition	Name of Debtor(s): Gordon, James B.			
(This page mu	st be completed and filed in every case)	Gordon, James B.			
(This page hit	All Prior Bankruptcy Cases Filed Within Last	1 t 8 Years (If more than two, attach ad	lditional sheet)		
Location Where Filed:		Case Number:	Date Filed:		
Location Where Filed:		Case Number:	Date Filed:		
Pe	nding Bankruptcy Case Filed by any Spouse, Partner, or	Affiliate of this Debtor (If more that	n one, attach additional sheet)		
Name of Debt Country Co	or: onstruction Corporation	Case Number: 10-08350-8-RDD	Date Filed: 10/12/10		
District: Eastern Dis	strict of North Carolina	Relationship: Co-debtor	Judge: Honorable Randy D. Doub		
	Exhibit A		chibit B		
forms 10K a pursuant to S and is reques	oleted if debtor is required to file periodic reports (e.g., nd 10Q) with the Securities and Exchange Commission Section 13 or 15(d) of the Securities Exchange Act of 1934 sting relief under chapter 11.) A is attached and made a part of this petition.	I, the attorney for the petitioner named have informed the petitioner that [he of 12, or 13 of title 11, United States Coo	l whose debts are primarily consumer debts.) d in the foregoing petition, declare that I or she] may proceed under chapter 7, 11, de, and have explained the relief available tify that I delivered to the debtor the notice November 24, 2010) (Date)		
		J.M. Cook 25352			
No.(To be compExhibitIf this is a join	leted by every individual debtor. If a joint petition is filed, each D completed and signed by the debtor is attached and made a	a part of this petition.	a separate Exhibit D.)		
	Information Regardin	g the Debtor - Venue			
•	(Check any ap Debtor has been domiciled or has had a residence, principa days immediately preceding the date of this petition or for	plicable box) al place of business, or principal asse			
	There is a bankruptcy case concerning debtor's affiliate, ge				
	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 Reside (Check all app		rty		
	Landlord has a judgment against the debtor for possession		complete the following.)		
	(Name of landlord that obtained judgment)				
	(Address of landlord)				
	Debtor claims that under applicable nonbankruptcy law, th the entire monetary default that gave rise to the judgment f				
	Debtor has included in this petition the deposit with the co 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 (Official Form 1)(4/10)	Page 3
Voluntary Petition	Name of Debtor(s): Gordon, James B.
(This page must be completed and filed in every case)	
Sig	natures
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 chapter of title 11 specified in this petition. A certified copy of the order granting
I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.	recognition of the foreign main proceeding is attached.
X /s/ James B. Gordon	X
X /s/ James B. Gordon Signature of Debtor James B. Gordon	Signature of Foreign Representative
X Signature of Joint Debtor	Printed Name of Foreign Representative
Signature of Joint Debtor	
	Date
Telephone Number (If not represented by attorney)	Signature of Non-Attorney Bankruptcy Petition Preparer
November 24, 2010	I declare under penalty of perjury that: (1) I am a bankruptcy petition
Date	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
Signature of Attorney*	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
X /s/ J.M. Cook	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
Signature of Attorney for Debtor(s)	of the maximum amount before preparing any document for filing for a
J.M. Cook 25352	debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.
Printed Name of Attorney for Debtor(s)	Official Form 17 is attached.
J.M. Cook, P.A.	Printed Name and title, if any, of Bankruptcy Petition Preparer
Firm Name P.O. Box 2241 Raleigh, NC 27602-2241	Social-Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition
Address	preparer.)(Required by 11 U.S.C. § 110.)
Email: J.M.Cook@jmcookesq.com (919) 675-2411 Fax: (919) 882-1719 Telephone Number	
November 24, 2010	
Date	Address
*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.	X
Signature of Debtor (Corporation/Partnership)	Date
I declare under penalty of perjury that the information provided in this	Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.
petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.	Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is
The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.	not an individual:
X Signature of Authorized Individual	
Signature of Authorized Individual	If more than one person prepared this document, attach additional sheets
Printed Name of Authorized Individual	conforming to the appropriate official form for each person. A bankruptcy petition preparer's failure to comply with the provisions of
Title of Authorized Individual	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.

Date

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

United States Bankruptcy Court Eastern District of North Carolina

In re James B. Gordon

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*.

 \Box 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.*

 \Box 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.] Software Copyright (c) 1996-2010 Best Case Solutions - Evanston, IL - bestcase.com

Best Case Bankruptcy

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

Page 2

 \Box 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.);

 \Box 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/ James B. Gordon James B. Gordon Date: November 24, 2010 Case 10-09707-8-RDD Doc 1 Filed 11/24/10 Entered 11/24/10 11:45:28 Page 6 of 10

Hummingbird Credit Counseling and Education, Inc. CREDIT COUNSELING CERTIFICATION

Certificate Number: 261699-L288368J-43

James Gordon

I CERTIFY that on November 16, 2010, at 9:05 AM EST, James Gordon received from Hummingbird Credit Counseling and Education, Inc., an agency approved pursuant to 11 U.S.C. § 111 to provide credit counseling in North Carolina, Eastern District, an individual briefing (including a briefing conducted by telephone or on the Internet) that complied with the provisions of 11 U.S.C. §§ 109(h) and 111. A debt repayment plan was not prepared.

By: Victoria S. Wright, Esq.

Date: _____ November 16, 2010

Title: Executive Director of Education

*Individuals who wish to file a bankruptcy case under title 11 of the United States Bankruptcy Code are required to file with the United States Bankruptcy Court a completed certificate of counseling from the nonprofit budget and credit counseling agency that provided the individual the counseling services and a copy of the debt repayment plan, if any, developed through the credit counseling agency. See 11 U.S.C. §§ 109(h) and 521(b).

B4 (Official Form 4) (12/07)

United States Bankruptcy Court Eastern District of North Carolina

In re James B. Gordon

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)
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, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
BB&T	BB&T	Personal		148,162.39
c/o James S. Livermon	c/o James S. Livermon	Guarantee		
P.O. Box 353	P.O. Box 353			
Rocky Mount, NC 27802	Rocky Mount, NC 27802	-		
BB&T	BB&T	Personal		76,017.35
c/o James S. Livermon	c/o James S. Livermon	Guarantee		
P.O. Box 353	P.O. Box 353			
Rocky Mount, NC 27802	Rocky Mount, NC 27802			
BB&T	BB&T	Personal		60,949.09
c/o James S. Livermon	c/o James S. Livermon	Guarantee		
P.O. Box 353	P.O. Box 353			
Rocky Mount, NC 27802	Rocky Mount, NC 27802			
BB&T	BB&T			85,044.43
c/o James S. Livermon	c/o James S. Livermon			
P.O. Box 353	P.O. Box 353			(0.00 secured)
Rocky Mount, NC 27802	Rocky Mount, NC 27802			
BB&T	BB&T			597,265.15
c/o James S. Livermon	c/o James S. Livermon			
P.O. Box 353	P.O. Box 353			(0.00 secured)
Rocky Mount, NC 27802	Rocky Mount, NC 27802			
Harnett Cty Tax Collector	Harnett Cty Tax Collector			1,297.71
305 W. Cornelius Harnett	305 W. Cornelius Harnett Blvd.			
Blvd.	Suite 101			
Suite 101	Lillington, NC 27546			
Lillington, NC 27546				
Johnston Cty Dept of Utilities	Johnston Cty Dept of Utilities			240.00
P.O. Box 2234	P.O. Box 2234			
Smithfield, NC 27577	Smithfield, NC 27577			
Johnston Cty Tax Collector	Johnston Cty Tax Collector			5,648.00
P.O. Box 451	P.O. Box 451			
Smithfield, NC 27577	Smithfield, NC 27577			
Progress Energy	Progress Energy			216.00
P.O. Box 2041	P.O. Box 2041			
Raleigh, NC 27602-2041	Raleigh, NC 27602-2041			

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B4 (Official Form 4) (12/07) - Cont. In re James B. Gordon

Debtor(s)

Case No.

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(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, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
Wells Fargo Equipment Finance, Inc. NW 5934 P.O. Box 1450 Minneapolis, MN 55485-5934	Wells Fargo Equipment Finance, Inc. NW 5934 P.O. Box 1450 Minneapolis, MN 55485-5934			Unknown (0.00 secured)

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

I, **James B. Gordon**, the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date November 24, 2010

Signature /s/ James B. Gordon

James B. Gordon 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.

United States Bankruptcy Court Eastern District of North Carolina

In re James B. Gordon

Debtor(s)

Case No. Chapter

11

VERIFICATION OF CREDITOR MATRIX

The above-named Debtor hereby verifies that the attached list of creditors is true and correct to the best of his/her knowledge.

Date: November 24, 2010

/s/ James B. Gordon James B. Gordon Signature of Debtor Bankruptcy Administrator Raleigh Division 434 Fayetteville St, Suite 620 Raleigh, NC 27601

BB&T c/o James S. Livermon P.O. Box 353 Rocky Mount, NC 27802

Harnett Cty Tax Collector 305 W. Cornelius Harnett Blvd. Suite 101 Lillington, NC 27546

Internal Revenue Service Centralized Insolvency Operations P.O. Box 21126 Philadelphia, PA 19114-0326

Johnston Cty Dept of Utilities P.O. Box 2234 Smithfield, NC 27577

Johnston Cty Tax Collector P.O. Box 451 Smithfield, NC 27577

Luther D. Starling, Jr. Daughtry, Woodard, et al. P.O. Drawer 1960 Smithfield, NC 27577

NC Dept of Revenue Office Serv. Div, Bankruptcy Unit P.O. Box 1168 Raleigh, NC 27602-1168

Progress Energy P.O. Box 2041 Raleigh, NC 27602-2041 Secretary of the Treasury 1500 Pennsylvania Ave, N.W. Washington, DC 20220

Securities and Exchange Commission Branch of Reorganization, Ste 1000 3475 Lennox Road, N.E. Atlanta, GA 30326-1232

Wells Fargo Equipment Finance, Inc. NW 5934 P.O. Box 1450 Minneapolis, MN 55485-5934