

B1 (Official Form 1)(4/10)

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

Voluntary Petition

Name of Debtor (if individual, enter Last, First, Middle): Batten Ceramic Tile, Inc.	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 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-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) 56-1965590	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, and State): 111 W. Nashville Drive Nashville, NC <div style="text-align: right; font-size: small;">ZIP Code 27856</div>	Street Address of Joint Debtor (No. and Street, City, and State): <div style="text-align: right; font-size: small;">ZIP Code</div>
County of Residence or of the Principal Place of Business: Nash	County of Residence or of the Principal Place of Business:
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): 111 W. Nashville Drive Nashville, NC 27856	

Type of Debtor (Form of Organization) (Check one box) <input type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input checked="" 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 checked="" type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input checked="" type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,343,300 (amount subject to adjustment on 4/01/13 and every three years thereafter). 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 checked="" type="checkbox"/> 1-49 <input 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 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 checked="" type="checkbox"/> \$500,001 to \$1 million <input 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 checked="" type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input 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	THIS SPACE IS FOR COURT USE ONLY
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Voluntary Petition <i>(This page must be completed and filed in every case)</i>		Name of Debtor(s): Batten Ceramic Tile, Inc.	
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:	
Exhibit A (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.) <input type="checkbox"/> Exhibit A is attached and made a part of this petition.	Exhibit B <small>(To be completed if debtor is an individual whose debts are primarily consumer debts.)</small> 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). X _____ Signature of Attorney for Debtor(s) (Date)		
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? <input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition. <input checked="" type="checkbox"/> 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.) <input type="checkbox"/> Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: <input type="checkbox"/> 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)			
<input checked="" type="checkbox"/> 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. <input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. <input type="checkbox"/> 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)			
<input type="checkbox"/> 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)			
<input type="checkbox"/> 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 <input type="checkbox"/> 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. <input type="checkbox"/> Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).			

<p>Voluntary Petition</p> <p><i>(This page must be completed and filed in every case)</i></p>	<p>Name of Debtor(s): Batten Ceramic Tile, Inc.</p>
Signatures	
<p style="text-align: center;">Signature(s) of Debtor(s) (Individual/Joint)</p> <p>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).</p> <p>I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p>X _____ Signature of Debtor</p> <p>X _____ Signature of Joint Debtor</p> <p>_____ Telephone Number (If not represented by attorney)</p> <p>_____ Date</p>	<p style="text-align: center;">Signature of a Foreign Representative</p> <p>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.</p> <p>(Check only one box.)</p> <p><input type="checkbox"/> 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.</p> <p><input type="checkbox"/> 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.</p> <p>X _____ Signature of Foreign Representative</p> <p>_____ Printed Name of Foreign Representative</p> <p>_____ Date</p>
<p style="text-align: center;">Signature of Attorney*</p> <p>X <u>/s/ Michael P. Peavey</u> Signature of Attorney for Debtor(s)</p> <p><u>Michael P. Peavey 6330</u> Printed Name of Attorney for Debtor(s)</p> <p><u>Michael P. Peavey, Attorney at Law</u> Firm Name</p> <p>404 Broad St PO Box 1115 Wilson, NC 27894-1115</p> <p>_____ Address</p> <p style="text-align: right;">Email: mpeavey@peaveylaw.com</p> <p><u>252-291-8020 Fax: 252-291-8309</u> Telephone Number</p> <p><u>July 21, 2011</u> Date</p> <p><small>*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.</small></p>	<p style="text-align: center;">Signature of Non-Attorney Bankruptcy Petition Preparer</p> <p>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.</p> <p>_____ Printed Name and title, if any, of Bankruptcy Petition Preparer</p> <p>_____ 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.)</p> <p>_____ Address</p> <p>X _____ Date</p> <p>Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.</p> <p>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:</p> <p>_____ If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.</p> <p><i>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.</i></p>
<p style="text-align: center;">Signature of Debtor (Corporation/Partnership)</p> <p>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.</p> <p>The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p>X <u>/s/ Bobby Glenn Batten</u> Signature of Authorized Individual</p> <p><u>Bobby Glenn Batten</u> Printed Name of Authorized Individual</p> <p><u>President</u> Title of Authorized Individual</p> <p><u>July 21, 2011</u> Date</p>	

B4 (Official Form 4) (12/07)

United States Bankruptcy Court
Eastern District of North Carolina

In re **Batten Ceramic Tile, Inc.**

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>
Ally Financial P. O. Box 380902 Minneapolis, MN 55438-0902	Ally Financial P. O. Box 380902 Minneapolis, MN 55438-0902	2008 Cadillac CTS		21,000.00 (0.00 secured)
American Express P. O. Box 530001 Atlanta, GA 30353-0001	American Express P. O. Box 530001 Atlanta, GA 30353-0001			2,374.26
Best Tile P. O. Box 809 Ludlow, MA 01056-0909	Best Tile P. O. Box 809 Ludlow, MA 01056-0909			4,454.55
Builders Mutual Insurance Company P. O. Box 150005 Raleigh, NC 27624	Builders Mutual Insurance Company P. O. Box 150005 Raleigh, NC 27624			5,287.42
Carolina Marble Products P. O. Box 302 Farmville, NC 27828	Carolina Marble Products P. O. Box 302 Farmville, NC 27828			1,589.00
Dex One P. O. Box 9001401 Louisville, KY 40290-1401	Dex One P. O. Box 9001401 Louisville, KY 40290-1401			4,713.00
Florida Tile 998 Governor's Lane Lexington, KY 40513-1184	Florida Tile 998 Governor's Lane Lexington, KY 40513-1184			2,138.63
Forbo Flooring, Inc. P. O. Box 60559 Charlotte, NC 28260-0559	Forbo Flooring, Inc. P. O. Box 60559 Charlotte, NC 28260-0559			1,463.40
Horizon Forest Products 2801 Hermitage Place Richmond, VA 23220	Horizon Forest Products 2801 Hermitage Place Richmond, VA 23220			2,047.97
Jacobs Creek Stone Company, Inc. P. O. Box 608 Denton, NC 27239	Jacobs Creek Stone Company, Inc. P. O. Box 608 Denton, NC 27239			6,284.62
Keith C. Beck CPA P. O. Box 7794 Rocky Mount, NC 27804	Keith C. Beck CPA P. O. Box 7794 Rocky Mount, NC 27804			2,275.00

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

In re **Batten Ceramic Tile, Inc.**

Case No. _____

Debtor(s) _____

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(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>
Majestic Marble and Glass P. O. Box 729 Youngsville, NC 27596	Majestic Marble and Glass P. O. Box 729 Youngsville, NC 27596			7,873.59
Pawling Corp. Prespray Corp. P. O. Box 200 Wassaic, NY 12592	Pawling Corp. Prespray Corp. P. O. Box 200 Wassaic, NY 12592			2,990.00
Southern Bank P. O. Box 758 Nashville, NC 27856	Southern Bank P. O. Box 758 Nashville, NC 27856			35,624.38
Southern Bank 109 Front Street Hamilton, NC 27840	Southern Bank 109 Front Street Hamilton, NC 27840	2009 Chevrolet Malibu		12,695.00 (0.00 secured)
Unifirst Corporation P. O. Box 1528 Rocky Mount, NC 27802	Unifirst Corporation P. O. Box 1528 Rocky Mount, NC 27802			1,293.81
Waste Industries P. O. Box 580027 Charlotte, NC 28258-0495	Waste Industries P. O. Box 580027 Charlotte, NC 28258-0495			1,007.19
Web Paint P. O. Box 7009 Rocky Mount, NC 27804	Web Paint P. O. Box 7009 Rocky Mount, NC 27804			2,887.87
William M. Bird P. O. Box 740209 Atlanta, GA 30374-0209	William M. Bird P. O. Box 740209 Atlanta, GA 30374-0209			1,257.68
Wright Express Fleet Service P. O. Box 6293 Carol Stream, IL 60197-6293	Wright Express Fleet Service P. O. Box 6293 Carol Stream, IL 60197-6293			2,320.36

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

I, the President of the corporation named as 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 July 21, 2011Signature /s/ Bobby Glenn Batten

Bobby Glenn Batten
President

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 **Batten Ceramic Tile, Inc.** Debtor(s) Case No. _____
Chapter **11**

VERIFICATION OF CREDITOR MATRIX

I, the President of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: **July 21, 2011**

/s/ Bobby Glenn Batten
Bobby Glenn Batten/President
Signer/Title

ADT Security
P. O. Box 371967
Pittsburgh, PA 15250-7967

Florida Tile
998 Governor's Lane
Lexington, KY 40513-1184

Majestic Marble and Glass
P. O. Box 729
Youngsville, NC 27596

Ally Financial
P. O. Box 380902
Minneapolis, MN 55438-0902

Forbo Flooring, Inc.
P. O. Box 60559
Charlotte, NC 28260-0559

Nashville Building Supply Co., Inc.
723 S. Barnes Street
Nashville, NC 27856

American Express
P. O. Box 530001
Atlanta, GA 30353-0001

Horizon Forest Products
2801 Hermitage Place
Richmond, VA 23220

NC Department of Revenue
Bankruptcy Unit
P. O. Box 1168
Raleigh, NC 27602-1168

Best Tile
P. O. Box 809
Ludlow, MA 01056-0909

Independence Communications, Inc.
P. O. Box 7519
Philadelphia, PA 19101

Pawling Corp. Prespray Corp.
P. O. Box 200
Wassaic, NY 12592

Builders Mutual Insurance Company
P. O. Box 150005
Raleigh, NC 27624

Interface Flor, LLC
P. O. Box 1503
Lagrange, GA 30241-1503

Pitney Bowes Purchase Power
P. O. Box 371874
Pittsburgh, PA 15250-7874

Cancos Tile Corporation
1085 Portion Road
Farmingville, NY 11738

Internal Revenue Service
P. O. Box 7346
Philadelphia, PA 19101-7346

Providence Bank
Jeffrey Tobias, Vice President
P. O. Box 7727
Rocky Mount, NC 27804

Carolina Marble Products
P. O. Box 302
Farmville, NC 27828

Jacobs Creek Stone Company, Inc.
P. O. Box 608
Denton, NC 27239

Southern Bank
109 Front Street
Hamilton, NC 27840

Dex One
P. O. Box 9001401
Louisville, KY 40290-1401

Keith C. Beck CPA
P. O. Box 7794
Rocky Mount, NC 27804

Southern Bank
P. O. Box 758
Nashville, NC 27856

Executive Leasing
P. O. Box 2978
Greenville, NC 27836

Machine & Welding Supply Co.
P. O. Box 1708
Dunn, NC 28335

TAP
P. O. Box 4447
Chatsworth, CA 91313

Unifirst Corporation
P. O. Box 1528
Rocky Mount, NC 27802

University Sports Publications
1821 Hillandale Rd., Ste. 1B-135
Durham, NC 27705

Waste Industries
P. O. Box 580027
Charlotte, NC 28258-0495

Web Paint
P. O. Box 7009
Rocky Mount, NC 27804

William M. Bird
P. O. Box 740209
Atlanta, GA 30374-0209

Wright Express Fleet Service
P. O. Box 6293
Carol Stream, IL 60197-6293