# Case 12-00169-8-JRL Doc 1 Filed 01/09/12 Entered 01/09/12 09:29:11 Page 1 of 37

**B1** (Official Form 1)(12/11)

United States Bankruptcy Court Eastern District of North Carolina				Volun	ntary Petition			
Name of Debtor (if individual, enter Last, First, Ennis Enterprises, Inc.	Middle):		Name	of Joint De	ebtor (Spouse	e) (Last, First,	Middle):	
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):					used by the J maiden, and		in the last 8 yea	ars
Last four digits of Soc. Sec. or Individual-Taxpa (if more than one, state all) 56-1865252	yer I.D. (ITIN) No./Co	omplete EIN	Last fo	our digits of than one, state	f Soc. Sec. or all)	r Individual-T	Taxpayer I.D. (1	ITIN) No./Complete EIN
Street Address of Debtor (No. and Street, City, a P.O. Box 922 Youngsville, NC		ZIP Code 7596	Street	Address of	Joint Debtor	· (No. and Str	eet, City, and S	State): ZIP Code
County of Residence or of the Principal Place of Franklin	Business:			-		-	ce of Business	
Mailing Address of Debtor (if different from stree Location of Principal Assets of Business Debtor (if different from street address above):	et address): 6111 NC Hw Youngsville			ng Address	of Joint Debt	or (if differer	nt from street a	ddress): ZIP Code
Type of Debtor	Nature of	Business			Chapter	• of Bankrup	tcy Code Und	ler Which
<ul> <li>(Form of Organization) (Check one box)</li> <li>Individual (includes Joint Debtors) See Exhibit D on page 2 of this form.</li> <li>Corporation (includes LLC and LLP)</li> <li>Partnership</li> <li>Other (If debtor is not one of the above entities, check this box and state type of entity below.)</li> </ul>	(Check one box) Health Care Business Single Asset Real Estate as de in 11 U.S.C. § 101 (51B) Railroad Stockbroker Commodity Broker Clearing Bank		efined	<ul> <li>Chapt</li> <li>Chapt</li> <li>Chapt</li> <li>Chapt</li> <li>Chapt</li> <li>Chapt</li> </ul>	er 7 er 9 er 11 er 12	Ch of	a Foreign Mai apter 15 Petiti	on for Recognition
Chapter 15 Debtors Country of debtor's center of main interests: Each country in which a foreign proceeding by, regarding, or against debtor is pending:	<ul> <li>Other</li> <li>Tax-Exempt Entity (Check box, if applicable)</li> <li>Debtor is a tax-exempt organizatio under Title 26 of the United States Code (the Internal Revenue Code).</li> </ul>		s	defined "incurr	are primarily co l in 11 U.S.C. § ed by an indivi nal, family, or	(Check onsumer debts, § 101(8) as idual primarily		Debts are primarily business debts.
<b>Filing Fee</b> (Check one box Full Filing Fee attached Filing Fee to be paid in installments (applicable to		Deb	tor is a sr		debtor as defin			).
<ul> <li>Tring receive to be paid in instantions (appreade to attach signed application for the court's consideratidebtor is unable to pay fee except in installments.) Form 3A.</li> <li>Filing Fee waiver requested (applicable to chapter attach signed application for the court's consideration)</li> </ul>	on certifying that the Rule 1006(b). See Official 7 individuals only). Must	$\begin{array}{c c} & are \\ \hline \\ Check all \\ \hline \\ A p \\ \hline \\ A cc \end{array}$	less than applicable lan is bein eptances	\$2,343,300 ( boxes: ng filed with of the plan w	amount subject	t to adjustment	on 4/01/13 and 6	ed to insiders or affiliates) every three years thereafter). sses of creditors,
<ul> <li>Statistical/Administrative Information</li> <li>Debtor estimates that funds will be available</li> <li>□ Debtor estimates that, after any exempt prop there will be no funds available for distribution</li> </ul>	erty is excluded and ad	lministrative		es paid,		THIS	SPACE IS FOR	COURT USE ONLY
1- 50- 100- 200-	1,000- 5,001- 1		5,001- ),000	50,001- 100,000	OVER 100,000			
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\$0 to \$50,001 to \$100,001 to \$500,001 \$50,000 \$100,000 \$500,000 to \$1	\$1,000,001 \$10,000,001 \$ to \$10 to \$50 t	to \$100 to	00,000,001 \$500 illion	\$500,000,001 to \$1 billion	More than \$1 billion			

#### 60 12-00160-8- IRI ntorod 01/00/12 00.20.11 Eilod 01/00/12 Page 2 of 37

v oiuiltal	y Petition	Name of Debtor(s):	Page 2	
		Ennis Enterprises, Inc.		
This page mi	ust be completed and filed in every case)			
ocation	All Prior Bankruptcy Cases Filed Within Las	<b>t 8 Years</b> (If more than two, atta Case Number:	Date Filed:	
Where Filed:	- None -	Case Number.	Date Filed.	
ocation Vhere Filed:		Case Number:	Date Filed:	
Pe	ending Bankruptcy Case Filed by any Spouse, Partner, or	Affiliate of this Debtor (If more	e than one, attach additional sheet)	
ame of Deb	tor: • Lance Ennis	Case Number: 11-09674-8-SWH	Date Filed: 12/22/11	
District: Eastern Dis	strict of North Carolina	Relationship: President and 49% share	Judge: nolder Honorable Stephani W. Humri	
	Exhibit A		Exhibit B	
forms 10K a pursuant to and is reque	pleted if debtor is required to file periodic reports (e.g., and 10Q) with the Securities and Exchange Commission Section 13 or 15(d) of the Securities Exchange Act of 1934 esting relief under chapter 11.) A is attached and made a part of this petition.	I, the attorney for the petitioner in have informed the petitioner that 12, or 13 of title 11, United State	vidual whose debts are primarily consumer debts.) named in the foregoing petition, declare that I t [he or she] may proceed under chapter 7, 11, ss Code, and have explained the relief available er certify that I delivered to the debtor the notice	
Exhibit	Extr bleted by every individual debtor. If a joint petition is filed, ea D completed and signed by the debtor is attached and made		ach a separate Exhibit D.)	
if this is a jo	int petition:			
-		and made a part of this petition.		
-	int petition: D also completed and signed by the joint debtor is attached a Information Regardin	ng the Debtor - Venue		
Exhibit	int petition: D also completed and signed by the joint debtor is attached a Information Regardin (Check any ap	ng the Debtor - Venue	agoats in this District for 180	
-	int petition: D also completed and signed by the joint debtor is attached a Information Regardin	<b>ng the Debtor - Venue</b> oplicable box) al place of business, or principal		
Exhibit	int petition: D also completed and signed by the joint debtor is attached a <b>Information Regardir</b> (Check any ap Debtor has been domiciled or has had a residence, princip	ng the Debtor - Venue oplicable box) al place of business, or principal a longer part of such 180 days t	han in any other District.	
Exhibit	int petition: D also completed and signed by the joint debtor is attached a <b>Information Regardir</b> (Check any ap Debtor has been domiciled or has had a residence, princip days immediately preceding the date of this petition or for	ng the Debtor - Venue oplicable box) al place of business, or principal a longer part of such 180 days the eneral partner, or partnership per cipal place of business or princip s in the United States but is a def	han in any other District. Iding in this District. Pal assets in the United States in Tendant in an action or	
Exhibit	int petition: D also completed and signed by the joint debtor is attached a <b>Information Regardir</b> (Check any ap Debtor has been domiciled or has had a residence, princip days immediately preceding the date of this petition or for There is a bankruptcy case concerning debtor's affiliate, ge Debtor is a debtor in a foreign proceeding and has its prime this District, or has no principal place of business or assets proceeding [in a federal or state court] in this District, or the sought in this District. <b>Certification by a Debtor Who Reside</b>	ng the Debtor - Venue oplicable box) al place of business, or principal a longer part of such 180 days the eneral partner, or partnership per cipal place of business or princip s in the United States but is a def he interests of the parties will be es as a Tenant of Residential Pri	han in any other District. Iding in this District. Pal assets in the United States in Fendant in an action or served in regard to the relief	
Exhibit	int petition: D also completed and signed by the joint debtor is attached a <b>Information Regardir</b> (Check any ap Debtor has been domiciled or has had a residence, princip days immediately preceding the date of this petition or for There is a bankruptcy case concerning debtor's affiliate, ge Debtor is a debtor in a foreign proceeding and has its princ this District, or has no principal place of business or assets proceeding [in a federal or state court] in this District, or th sought in this District.	ng the Debtor - Venue oplicable box) al place of business, or principal a longer part of such 180 days the eneral partner, or partnership per cipal place of business or princip s in the United States but is a def he interests of the parties will be es as a Tenant of Residential Pu- licable boxes)	han in any other District. Iding in this District. In all assets in the United States in Tendant in an action or served in regard to the relief	
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Exhibit	int petition: D also completed and signed by the joint debtor is attached a <b>Information Regardin</b> (Check any ap Debtor has been domiciled or has had a residence, princip days immediately preceding the date of this petition or for There is a bankruptcy case concerning debtor's affiliate, ge Debtor is a debtor in a foreign proceeding and has its princ this District, or has no principal place of business or assets proceeding [in a federal or state court] in this District, or th sought in this District. <b>Certification by a Debtor Who Reside</b> (Check all app Landlord has a judgment against the debtor for possession	ng the Debtor - Venue oplicable box) al place of business, or principal a longer part of such 180 days the eneral partner, or partnership per cipal place of business or princip s in the United States but is a def he interests of the parties will be es as a Tenant of Residential Pu- licable boxes)	han in any other District. Iding in this District. Pal assets in the United States in Tendant in an action or served in regard to the relief	
Exhibit	int petition: D also completed and signed by the joint debtor is attached a <b>Information Regardin</b> (Check any ap Debtor has been domiciled or has had a residence, princip days immediately preceding the date of this petition or for There is a bankruptcy case concerning debtor's affiliate, ge Debtor is a debtor in a foreign proceeding and has its princ this District, or has no principal place of business or assets proceeding [in a federal or state court] in this District, or th sought in this District. <b>Certification by a Debtor Who Reside</b> (Check all app Landlord has a judgment against the debtor for possession	ng the Debtor - Venue oplicable box) al place of business, or principal a longer part of such 180 days the eneral partner, or partnership per cipal place of business or princip s in the United States but is a def he interests of the parties will be es as a Tenant of Residential Pu- licable boxes)	han in any other District. Iding in this District. In all assets in the United States in Tendant in an action or served in regard to the relief	

Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition. 

Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

### B1 (Official Form 1)(12/11)

B1 (	Official Form 1)(12/11)		Page 3
	oluntary Petition	Name of Debtor(s): Ennis Enterprises, Inc.	
(Th	is page must be completed and filed in every case)		
X	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. Signature of Debtor	ures         Signature of a Foreign Representative         I declare under penalty of perjury that the information provided in thi is true and correct, that I am the foreign representative of a debtor in a 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 St Certified copies of the documents required by 11 U.S.C. §1515 are         Pursuant to 11 U.S.C. §1511, I request relief in accordance with th of title 11 specified in this petition. A certified copy of the order g recognition of the foreign main proceeding is attached.         X       Signature of Foreign Representative         Printed Name of Foreign Representative	a foreign tates Code. e attached. ne chapter
	-	Date	—
	Telephone Number (If not represented by attorney)	Signature of Non-Attorney Bankruptcy Petition Prepa	
		Signature of Non-Attorney Bankrupicy Petition Prepa	arer
X	Signature of Attorney*         /s/ J.M. Cook         Signature of Attorney for Debtor(s)	I declare under penalty of perjury that: (1) I am a bankruptcy petitio preparer as defined in 11 U.S.C. § 110; (2) I prepared this documen compensation and have provided the debtor with a copy of this docu 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 promul pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor of the maximum amount before preparing any document for filing f	t for ument ), lgated r notice
	J.M. Cook 25352 Printed Name of Attorney for Debtor(s) J.M. Cook, P.A. Firm Name 5886 Faringdon Place Suite 100 Raleigh, NC 27609 Address	<ul> <li>debtor or accepting any fee from the debtor, as required in that section Official Form 19 is attached.</li> <li>Printed Name and title, if any, of Bankruptcy Petition Preparation Social-Security number (If the bankruptcy petition preparer in an individual, state the Social Security number of the officer principal, responsible person or partner of the bankruptcy perparer.)(Required by 11 U.S.C. § 110.)</li> </ul>	rer is not
	Email: J.M.Cook@jmcookesq.com (919) 675-2411 Fax: (919) 882-1719 Telephone Number January 9, 2012 Date *In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.	Address X Date	
X	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.         /s/ Victor L. Ennis         Signature of Authorized Individual	Signature of bankruptcy petition preparer or officer, principal, respo person,or partner whose Social Security number is provided above. Names and Social-Security numbers of all other individuals who pr assisted in preparing this document unless the bankruptcy petition p not an individual:	repared or
	Victor L. Ennis Printed Name of Authorized Individual President Title of Authorized Individual January 9, 2012 Date	If more than one person prepared this document, attach additional s conforming to the appropriate official form for each person. A bankruptcy petition preparer's failure to comply with the provisio title 11 and the Federal Rules of Bankruptcy Procedure may result fines or imprisonment or both. 11 U.S.C. §110; 18 U.S.C. §156.	ons of

B4 (Official Form 4) (12/07)

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

In re Ennis Enterprises, 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)
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]
Caterpillar Financial Svcs Corp. P.O. Box 340001 Nashville, TN 37203-0001	Caterpillar Financial Svcs Corp. P.O. Box 340001 Nashville, TN 37203-0001	2007 Chev. 3500 pickup and TKT Trail King Equip Trailer Location: 902 Cooke Road Louisburg, NC 27549		35,787.31 (34,000.00 secured)
Cawthorne, Moss & Panciera, P.C. P O Box 1253 Wake Forest, NC 27588	Cawthorne, Moss & Panciera, P.C. P O Box 1253 Wake Forest, NC 27588	Surveryor		1,100.00
Franklin Co. Tax Collector P O Box 903 Louisburg, NC 27596	Franklin Co. Tax Collector P O Box 903 Louisburg, NC 27596	Personal Property Tax		660.55
Gregory Poole Equip. Co. P.O. Box 469 Raleigh, NC 27602	Gregory Poole Equip. Co. P.O. Box 469 Raleigh, NC 27602	Equipment repair		5,000.00
Internal Revenue Service Centralized Insolvency Operations P.O. Box 7346 Philadelphia, PA 19101-7346	Internal Revenue Service Centralized Insolvency Operations P.O. Box 7346 Philadelphia, PA 19101-7346	Income Tax		Unknown
Lehigh Hanson Aggregates 15620 Collection Center Drive Chicago, IL 60693	Lehigh Hanson Aggregates 15620 Collection Center Drive Chicago, IL 60693	Stone Supplier		963.66
Martin Marietta Aggregates P O Box 75328 Charlotte, NC 28275	Martin Marietta Aggregates P O Box 75328 Charlotte, NC 28275	Stone Supplier		6,258.57
NC Dept of Revenue Office Serv. Div, Bankruptcy Unit P.O. Box 1168 Raleigh, NC 27602-1168	NC Dept of Revenue Office Serv. Div, Bankruptcy Unit P.O. Box 1168 Raleigh, NC 27602-1168	2011 Income Tax		Unknown

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B4 (Official Form 4) (12/07) - Cont. In re Ennis Enterprises, Inc.

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]
Red Star Oil Company 802 Purser Drive Raleigh, NC 27603-4151	Red Star Oil Company 802 Purser Drive Raleigh, NC 27603-4151	Fuel		2,236.00
Suntrust Mail Code GA-ATL-1986 303 Peachtree Lane, 9th Floor Atlanta, GA 30303	Suntrust Mail Code GA-ATL-1986 303 Peachtree Lane, 9th Floor Atlanta, GA 30303	Blanket lien on assets		42,303.00 (Unknown secured)
Terrtech Engineers, Inc. 4905 Professional Court Raleigh, NC 27609	Terrtech Engineers, Inc. 4905 Professional Court Raleigh, NC 27609	Jobsite testing		1,500.00
Wake Stone Corporation P O Box 190 Knightdale, NC 27545	Wake Stone Corporation P O Box 190 Knightdale, NC 27545	Stone Supplier		3,457.30
	DECLADATION LINDED DEN			<u> </u>

# 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 January 9, 2012

Signature /s/ Victor L. Ennis Victor L. Ennis

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. B6 Summary (Official Form 6 - Summary) (12/07)

## United States Bankruptcy Court Eastern District of North Carolina

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Ennis Enterprises, Inc.

Debtor

Chapter 11

# SUMMARY OF SCHEDULES

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors must also complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	0.00		
B - Personal Property	Yes	4	146,239.59		
C - Property Claimed as Exempt	Yes	3			
D - Creditors Holding Secured Claims	Yes	2		144,411.13	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	Yes	2		660.55	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	2		20,515.53	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	No	0			N/A
J - Current Expenditures of Individual Debtor(s)	No	0			N/A
Total Number of Sheets of ALL Schedu	iles	16			
	T	otal Assets	146,239.59		
			Total Liabilities	165,587.21	

Form 6 - Statistical Summary (12/07)

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

In re

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Ennis Enterprises, Inc.

Debtor

Case No.

Chapter 11

### STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C.§ 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below.

□ Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

#### This information is for statistical purposes only under 28 U.S.C. § 159.

### Summarize the following types of liabilities, as reported in the Schedules, and total them.

Type of Liability	Amount
Domestic Support Obligations (from Schedule E)	
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)	
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)	
Student Loan Obligations (from Schedule F)	
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E	
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)	
TOTAL	

#### State the following:

Average Income (from Schedule I, Line 16)	
Average Expenses (from Schedule J, Line 18)	
Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20 )	

#### State the following:

1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column	
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column	
4. Total from Schedule F	
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)	

B6A (Official Form 6A) (12/07)

In re Enn

Ennis Enterprises, Inc.

Case No.

#### Debtor

# **SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim." If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption	Amount of Secured Claim
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None

Sub-Total >	0.00	(Total of this page)
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Total >

B6B (Official Form 6B) (12/07)

In re

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Ennis	Ente	rprises,	Inc.
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Case No.

Debtor

# **SCHEDULE B - PERSONAL PROPERTY**

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply 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 and Fed. R. Bankr. P. 1007(m).

	Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
1.	Cash on hand	Х			
2.	Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		Checking Account: Ennis Enterprises, Inc. checkin acct. Location: Union Bank & Trust P O Box 335 Youngsville, NC 27596	g -	239.59
3.	Security deposits with public utilities, telephone companies, landlords, and others.	Х			
4.	Household goods and furnishings, including audio, video, and computer equipment.	X			
5.	Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	X			
6.	Wearing apparel.	Х			
7.	Furs and jewelry.	Х			
8.	Firearms and sports, photographic, and other hobby equipment.	Х			
9.	Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.		Insurance: life insurance on president, beneficiary: Diana Ennis, death benefit \$500,000. No cash surrender value.	-	0.00
10.	Annuities. Itemize and name each issuer.	Х			

239.59

**3** continuation sheets attached to the Schedule of Personal Property

B6B (Official Form 6B) (12/07) - Cont.

In re

Ennis Enterprises, Inc.

Case No.

# SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

Debtor

	Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
11.	Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	x			
12.	Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.	x			
13.	Stock and interests in incorporated and unincorporated businesses. Itemize.	x			
14.	Interests in partnerships or joint ventures. Itemize.	x			
15.	Government and corporate bonds and other negotiable and nonnegotiable instruments.	X			
16.	Accounts receivable.	х			
17.	Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	X			
18.	Other liquidated debts owed to debtor including tax refunds. Give particulars.	X			
19.	Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	x			
20.	Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			
21.	Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	x			

Sheet  $\underline{1}$  of  $\underline{3}$  continuation sheets attached to the Schedule of Personal Property

Sub-Total > (Total of this page)

0.00

B6B (Official Form 6B) (12/07) - Cont.

In re Ennis Enterprises, Inc. Case No. Debtor SCHEDULE B - PERSONAL PROPERTY (Continuation Sheet) Husband, Current Value of N O N E Debtor's Interest in Property, Wife, Type of Property Description and Location of Property Joint, or without Deducting any Secured Claim or Exemption Community 22. Patents, copyrights, and other Х intellectual property. Give particulars. 23. Licenses, franchises, and other Х general intangibles. Give particulars. 24. Customer lists or other compilations Х containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes. Auto: 2007 Chev. 3500 pickup 19,000.00 25. Automobiles, trucks, trailers, and Location: 902 Cooke Road Louisburg, NC 27549 other vehicles and accessories. Auto: 2006 International Tandem dump truck 40,000.00 Location: 902 Cooke Road Louisburg, NC 27549 26. Boats, motors, and accessories. Х Х 27. Aircraft and accessories. Office: desktop computer & estimating software 2,500.00 28. Office equipment, furnishings, and Location: 6111 NC Hwy 96 W Youngsville, NC supplies. 27596 Trade Tools: chainsaws, laser transit, misc. hand 1,500.00 29. Machinery, fixtures, equipment, and supplies used in business. tools Location: 6111 NC Hwy 96 W Youngsville, NC 27596 Equipment: TKT50 Trail King equip. trailer 15,000.00 Location: 6111 NC Hw. 96 W Youngsville, NC 2756 Equipment: 2008 Takeuchi Skidsteer loader 18,000.00 Location: 6111 NC Hwy. 96 W Youngsville, NC 27596 Equipment: 2005 953C Caterpillar Loader 50,000.00 Location: 611 NC Hwy 96 W Youngsville, NC 27596 Х 30. Inventory. Х 31. Animals.

Sheet <u>2</u> of <u>3</u> continuation sheets attached to the Schedule of Personal Property

Sub-Total > 14 (Total of this page)

146,000.00

B6B (Official Form 6B) (12/07) - Cont.

In	re Ennis Enterprises, Inc.		C	ase No	
			Debtor,		
		SCHEDU	<b>LE B - PERSONAL PROPERT</b> (Continuation Sheet)	Ϋ́Υ	
	Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
	Crops - growing or harvested. Give particulars.	Х			
	Farming equipment and implements.	x			
34.	Farm supplies, chemicals, and feed.	x			
35.	Other personal property of any kind not already listed. Itemize.	X			

0.00

146,239.59

(Report also on Summary of Schedules)

Sheet <u>3</u> of <u>3</u> continuation sheets attached to the Schedule of Personal Property

Rev. 12/2009

UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF NORTH CAROLINA

IN THE MATTER OF: Ennis Enterprises, Inc. Debtor(s).

CASE NUMBER:

#### SCHEDULE C-1 - PROPERTY CLAIMED AS EXEMPT

I, Victor L. Ennis , claim the following property as exempt pursuant to 11 U.S.C. § 522 and the laws of the State of North Carolina, and nonbankruptcy Federal law: (Attach additional sheets if necessary).

1. NCGS 1C-1601(a)(1) (NC Const., Article X, Section 2) REAL OR PERSONAL PROPERTY USED AS A RESIDENCE OR BURIAL PLOT (The exemption is not to exceed \$35,000; however, an unmarried debtor who is 65 years of age or older is entitled to retain an aggregate interest in the property not to exceed \$60,000 in value so long as the property was previously owned by the debtor as a tenant by the entireties or as a joint tenant with rights of survivorship and the former co-owner of the property is deceased, in which case the debtor must specify his/her age and the name of the former co-owner, if a child use initials only, of the property below).

Description of Property and Address		Mortgage Holder <u>or Lien Holder</u>	Amount of Mortgage or Lien	Net Value	
-NONE-					

Debtor's Age:

Name of former co-owner:

#### VALUE OF REAL ESTATE CLAIMED AS EXEMPT PURSUANT TO NCGS 1C-1601(a)(1): \$ 0.00

2. NCGS 1C-1601(a)(3) MOTOR VEHICLE (The exemption in one vehicle is not to exceed \$3,500).

Model, Year Style of Auto	Market <u>Value</u>	Owner (H)Husband (W)Wife (J)Joint	Lien Holder	Amount of Lien	Net <u>Value</u>	Value Claimed as Exempt Pursuant to NCGS 1C-1601(a)(3)
-NONE-						

#### VALUE OF MOTOR VEHICLE CLAIMED AS EXEMPT PURSUANT TO NCGS 1C-1601(a)(3): \$

3. NCGS 1C-1601(a)(4) (NC Const., Article X, Section 1) PERSONAL OR HOUSEHOLD GOODS (The debtor's aggregate interest is not to exceed \$5,000 plus \$1,000 for each dependent of the debtor, not to exceed \$4,000 total for dependents). The number of dependents for exemption purposes is **1**.

Description of Property	Market <u>Value</u>	Owner (H)Husband (W)Wife (J)Joint	Lien <u>Holder</u>	Amount <u>of Lien</u>	Net <u>Value</u>	Claimed as Exempt Pursuant to NCGS <u>1C-1601(a)(4)</u>
-NONE-						

#### VALUE CLAIMED AS EXEMPT PURSUANT TO NCGS 1C-1601(a)(4): \$ 0.00

4. NCGS 1C-1601(a)(5) TOOLS OF TRADE (The debtor's aggregate interest is not to exceed \$2,000 in value).

Description	Owner (H)Husband (W)Wife (J)Joint	Lien <u>Holder</u>	Amount of Lien	Net <u>Value</u>	Value Claimed as Exempt Pursuant to NCGS 1C-1601(a)(5)
-NONE-					

#### VALUE CLAIMED AS EXEMPT PURSUANT TO NCGS 1C-1601(a)(5): \$

5. NCGS 1C-1601(a)(6) LIFE INSURANCE (NC Const., Article X, Section 5).

Description\Insured\Last Four Digits of Policy Number\Beneficiary(if child, initials only)	Cash Value
-NONE-	

0.00

0.00

6. NCGS 1C-1601(a)(7) PROFESSIONALLY PRESCRIBED HEALTH AIDS (For Debtor or Debtor's Dependents, no limit on value).

Description	
-NONE-	

7. NCGS 1C-1601(a)(8) COMPENSATION FOR PERSONAL INJURY, INCLUDING COMPENSATION FROM PRIVATE DISABILITY POLICIES OR ANNUITIES, OR COMPENSATION FOR DEATH OF A PERSON UPON WHOM THE DEBTOR WAS DEPENDENT FOR SUPPORT. COMPENSATION NOT EXEMPT FROM RELATED LEGAL, HEALTH OR FUNERAL EXPENSE.

Description AND Source of Compensation, Including Name (If child, initials only) & Last Four Digits of Account Number of any Disability Policy/Annuity -NONE-

8. NCGS 1C-1601(a)(2) ANY PROPERTY (Debtor's aggregate interest in any property is not to exceed \$5,000 in value of any unused exemption amount to which the debtor is entitled under NCGS 1C-1601(a)(1)).

Description of Property and Address	Owner (H)Husband (W)Wife (J)Joint	Lien <u>Holder</u>	Amount of Lien	Net <u>Value</u>	Value Claimed as Exempt Pursuant to NCGS 1C-1601(a)(2)
-NONE-					

#### VALUE CLAIMED AS EXEMPT PURSUANT TO NCGS 1C-1601(a)(2): \$

9. NCGS 1C-1601(a)(9) and 11 U.S.C. § 522 INDIVIDUAL RETIREMENT PLANS & RETIREMENT FUNDS, as defined in the Internal Revenue Code, and any plan treated in the same manner as an individual retirement plan, including individual retirement accounts and Roth retirement accounts as described in §§ 408(a) and 408A of the Internal Revenue Code, individual retirement annuities as described in § 408(b) of the Internal Revenue Code, accounts established as part of a trust described in § 408(c) of the Internal Revenue Code, and funds in an account exempt from taxation under § 401, 403, 408, 408A, 414, 457, or 510(a) of the Internal Revenue Code. For purposes of this subdivision, "Internal Revenue Code" means Code as defined in G.S. 105-228.90.

Type of Account\Location of Account\Last Four Digits of Account Number
-NONE-

10. NCGS 1C-1601(a)(10) FUNDS IN A COLLEGE SAVINGS PLAN, as qualified under § 529 of the Internal Revenue Code, and that are not otherwise excluded from the estate pursuant to 11 U.S.C. §§ 541(b)(5)-(6), (e), not to exceed a cumulative limit of \$25,000. If funds were placed in a college savings plan within the 12 months prior to filing, the contributions must have been made in the ordinary course of the debtor's financial affairs and must have been consistent with the debtor's past pattern of contributions. The exemption applies to funds for a child of the debtor that will actually be used for the child's college or university expenses.

College Savings Plan\Last Four Digits of Account Number\Value\Initials of Child Beneficiary
-NONE-

11. NCGS 1C-1601(a)(11) RETIREMENT BENEFITS UNDER THE RETIREMENT PLANS OF OTHER STATES AND GOVERNMENTAL UNITS OF OTHER STATES (The debtor's interest is exempt only to the extent that these benefits are exempt under the laws of the state or governmental unit under which the benefit plan is established).

Name of Retirement Plan\State Governmental Unit\Last Four Digits of Identifying Number
-NONE-

12. NCGS 1C-1601(a)(12) ALIMONY, SUPPORT, SEPARATE MAINTENANCE, AND CHILD SUPPORT PAYMENTS OR FUNDS THAT HAVE BEEN RECEIVED OR TO WHICH THE DEBTOR IS ENTITLED (The debtor's interest is exempt to the extent the payments or funds are reasonably necessary for the support of the debtor or any dependent of the debtor).

Type of Support\Amount\Location of Funds
-NONE-

13. TENANCY BY THE ENTIRETY. The following property is claimed as exempt pursuant to 11 U.S.C. § 522 and the law of the State of North Carolina pertaining to property held as tenants by the entirety.

Description of	Market	Lien	Amount	Net
Property and Address	Value	Holder	of Lien	Value
-NONE-				

VALUE CLAIMED AS EXEMPT: \$

0.00

Page 2

0.00

14. NORTH CAROLINA PENSION FUND EXEMPTIONS

#### -NONE-

15. OTHER EXEMPTIONS CLAIMED UNDER LAWS OF THE STATE OF NORTH CAROLINA

-NONE-

#### 16. FEDERAL PENSION FUND EXEMPTIONS

-NONE-

#### 17. OTHER EXEMPTIONS CLAIMED UNDER NONBANKRUPTCY FEDERAL LAW

-NONE-

#### 18. RECENT PURCHASES

(a). List tangible personal property purchased by the debtor within ninety (90) days of the filing of the bankruptcy petition.

Description	Market	Lien	Amount	Net
	Value	Holder	of Lien	Value
-NONE-				

(b). List any tangible personal property from 18(a) that is directly traceable to the liquidation or conversion of property that may be exempt and that was not acquired by transferring or using additional property.

Description of Replacement Property	Description of Property Liquidated or Converted that May Be Exempt

19. The debtor's property is subject to the following claims:

a. Of the United States or its agencies as provided by federal law.

- b. Of the State of North Carolina or its subdivisions for taxes, appearance bonds or fiduciary bonds;
- c. Of a lien by a laborer for work done and performed for the person claiming the exemption, but only as to the specific property affected.
- d. Of a lien by a mechanic for work done on the premises, but only as to the specific property affected.
- e. For payment of obligations contracted for the purchase of specific real property affected.
- f. For contractual security interests in specific property affected; provided, that the exemptions shall apply to the debtor's household goods notwithstanding any contract for a nonpossessory, nonpurchase money security interest in any such goods.
- g. For statutory liens, on the specific property affected, other than judicial liens.
- h. For child support, alimony or distributive award order pursuant to Chapter 50 of the General Statutes of North Carolina.
- i. For criminal restitution orders docketed as civil judgments pursuant to G.S. 15A-1340.38.
- j. Debts of a kind specified in 11 U.S.C. § 523(a)(1) (certain taxes), (5) (domestic support obligations).
- k. Debts of a kind specified in 11 U.S.C. § 522(c).

Claimant	Nature of Claim		Description of Property	Value of Property	Net Value
Navistar Financial	Equipment Loan	17,698.12	Auto: 2006 International Tandem dump truck Location: 902 Cooke Road Louisburg, NC 27549	40,000.00	22,301.88
Wells Fargo Equipment Finance	Equipment Loan	32,609.52	Equipment: 2005 953C Caterpillar Loader Location: 611 NC Hwy 96 W Youngsville, NC 27596	50,000.00	17,390.48

Claimant	Nature of Claim		Description of Property	Value of Property	Net Value
Takeuchi Financial Services	Other	16,013.18	Equipment: 2008 Takeuchi Skidsteer Ioader Location: 6111 NC Hwy. 96 W Youngsville, NC 27596	18,000.00	1,986.82

None of the property listed in paragraph 18(a), except qualified replacement property under 18(b), has been included in this claim of exemptions.

None of the claims listed in paragraph 19 is subject to this claim of exemptions.

I declare that to the extent any exemptions I have claimed appear on its face to exceed the amount allowed by the applicable statute, I claim only the maximum amount allowed by statute.

UNSWORN DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF INDIVIDUAL TO SCHEDULE C-1 - PROPERTY CLAIMED AS EXEMPT

I, Victor L. Ennis , declare under penalty of perjury that I have read the foregoing Schedule C-1 - Property Claimed as Exempt, consisting of 4 sheets, and that they are true and correct to the best of my knowledge, information and belief.

Executed on: January 9, 2012

/s/ Victor L. Ennis Victor L. Ennis

Debtor

B6D (Official Form 6D) (12/07)

In re

Ennis Enterprises, Inc.

Case No.\_\_\_\_\_

# SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

Debtor

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, gamishments, statutory liens, mortgages, deeds of trust, and other security interests.

other security interests. List creditors in alphabetical order to the extent practicable. If a minor child is a creditor, 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 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided. If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community". If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Disputed". (You may need to place an "X" in more than one of these three columns.) Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion" on the Statistical Summary of Certain Liabilities and Related Data. Check this box if debtor has no creditors holding secured claims to report on this Schedule D. Check this box if debtor has no creditors holding secured claims to report on this Schedule D. П

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)			DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	UOZ⊢-ZGuZ			AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No. <b>xx5829</b>		╈	06/01/2008	Ť	A T E D			
Caterpillar Financial Svcs Corp. P.O. Box 340001 Nashville, TN 37203-0001	2	<b>(</b> -	Equipment Loan 2007 Chev. 3500 pickup and TKT Trail King Equip Trailer Location: 902 Cooke Road Louisburg, NC 27549		D			
			Value \$ 34,000.00				35,787.31	1,787.31
Account No. xxxxxx0B27 Navistar Financial P O Box 96070 Chicago, IL 60693		<b>(</b> -	06/01/2007 Equipment Loan Auto: 2006 International Tandem dump truck Location: 902 Cooke Road Louisburg, NC 27549					
			Value \$ 40,000.00				17,698.12	0.00
Account No. xxxxxxx xxte 75 Suntrust Mail Code GA-ATL-1986 303 Peachtree Lane, 9th Floor Atlanta, GA 30303		< -	09/20/2011 Non-Purchase Money Security Blanket lien on assets					
			Value \$ Unknown				42,303.00	Unknown
Account No. xxxxx2829 Takeuchi Financial Services P O Box 7167 Pasadena, CA 91109-7167		< -	06/01/2008 Other Equipment: 2008 Takeuchi Skidsteer Ioader Location: 6111 NC Hwy. 96 W Youngsville, NC 27596					
			Value \$ 18,000.00	C. 1		_	16,013.18	0.00
<b>1</b> continuation sheets attached			(Total of	Sub			111,801.61	1,787.31

(Total of this page)

B6D (Official Form 6D) (12/07) - Cont.

Ennis Enterprises, Inc. In re

Case No.\_\_\_\_\_

Debtor

# SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS (Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B F O R	Hu H V J C	band, Wife, Joint, or Community DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	C O N T I N G E N	L Q U I	S P U T E	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No. xxxxx1119			06/01/2005	Ť	D A T E D			
Wells Fargo Equipment Finance NW-5934 P O Box 1450 Minneapolis, MN 55485-5934	x	-	Equipment Loan Equipment: 2005 953C Caterpillar Loader Location: 611 NC Hwy 96 W Youngsville, NC 27596 Value \$ 50,000.00	-			32,609.52	0.00
Account No.								
			Value \$					
Account No.		$\vdash$	<b>γ</b> αίας φ	+	┢	$\left  \right $		
Account No.	_		Value \$		-			
			Value \$					
Account No.								
			Value \$					
Sheet $\underline{1}$ of $\underline{1}$ continuation sheets attac		d to	(Total of	Sub this			32,609.52	0.00
Schedule of Creditors Holding Secured Claims			(Report on Summary of S	1	Fota	ıl	144,411.13	1,787.31

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

In re

Ennis Enterprises, Inc.

Case No.

# SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

Debtor

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, 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 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

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

TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)

#### □ Domestic support obligations

Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).

#### **Extensions of credit in an involuntary case**

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).

#### □ Wages, salaries, and commissions

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$11,725\* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

#### **Contributions to employee benefit plans**

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).

#### □ Certain farmers and fishermen

Claims of certain farmers and fishermen, up to \$5,775\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).

#### Deposits by individuals

Claims of individuals up to \$2,600\* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).

#### Taxes and certain other debts owed to governmental units

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

#### Commitments to maintain the capital of an insured depository institution

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).

#### □ Claims for death or personal injury while debtor was intoxicated

Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. 507(a)(10).

\* Amount subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

1 continuation sheets attached

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

In re

Ennis Enterprises, Inc.

# **SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS**

Debtor

(Continuation Sheet)

**Taxes and Certain Other Debts Owed to Governmental Units** 

Case No.

						,	TYPE OF PRIORITY	7
CREDITOR'S NAME, AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B T O R	Hu H W J C	sband, Wife, Joint, or Community DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM	C O Z ⊢ _ Z G Ш Z	UNLIQUIDAT	D I S P U T E D	AMOUNT OF CLAIM	AMOUNT NOT ENTITLED TO PRIORITY, IF ANY AMOUNT ENTITLED TO PRIORITY
Account No. x6699			Personal Property Tax	Т	T E D			
Franklin Co. Tax Collector P O Box 903 Louisburg, NC 27596		-					660.55	0.00
Account No.		-	2011				000.00	000.55
Internal Revenue Service Centralized Insolvency Operations P.O. Box 7346 Philadelphia, PA 19101-7346		-	Income Tax					Unknown
							Unknown	Unknown
Account No. NC Dept of Revenue Office Serv. Div, Bankruptcy Unit P.O. Box 1168 Raleigh, NC 27602-1168	_	-	2011 Income Tax					Unknown
Account No.	_						Unknown	Unknown
Account No.								
Sheet <u>1</u> of <u>1</u> continuation sheets at				Subt				0.00
Schedule of Creditors Holding Unsecured Pr	riority	v Cl	aims (Total of t		oag ota	ł	660.55	660.55 0.00
			(Report on Summary of Se				660.55	660.55

B6F (Official Form 6F) (12/07)

In re

Ennis Enterprises, Inc.

Case No.\_\_\_\_\_

# **SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

Debtor

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, 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 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

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

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Hu H V J C			L I Q U	I S P U T F	AMOUNT OF CLAIM
Account No.			Surveryor	T	T E D		
Cawthorne, Moss & Panciera, P.C. P O Box 1253 Wake Forest, NC 27588		-					
Account No.			Equipment repair				1,100.00
Gregory Poole Equip. Co. P.O. Box 469 Raleigh, NC 27602		-					
							5,000.00
Account No. xxx3020 Lehigh Hanson Aggregates 15620 Collection Center Drive Chicago, IL 60693		-	01/01/2011 Stone Supplier				
Account No. <b>xx1996</b>			01/1/2011				963.66
Martin Marietta Aggregates P O Box 75328 Charlotte, NC 28275		-	Stone Supplier				
							6,258.57
<b>1</b> continuation sheets attached			(Total of	Sut			13,322.23

(Total of this page)

In re Ennis

Ennis Enterprises, Inc.

\_\_\_\_\_Case No.\_\_\_\_\_

### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS (Continuation Sheet)

Debtor

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Hu H W J C	sband, Wife, Joint, or Community DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				AMOUNT OF CLAIM
Account No. <b>x4467</b>			01/01/2011 Fuel	T	E		
Red Star Oil Company 802 Purser Drive Raleigh, NC 27603-4151		-					
Account No.			01/01/2011	+	+	╀	2,236.00
Terrtech Engineers, Inc. 4905 Professional Court Raleigh, NC 27609		-	Jobsite testing				
							1,500.00
Account No. Wake Stone Corporation P O Box 190 Knightdale, NC 27545		-	01/1/2011 Stone Supplier				
							3,457.30
Account No.							
Account No.				+		T	
Sheet no. <u>1</u> of <u>1</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims		<u> </u>	(Total of	Sut this			7,193.30
			(Report on Summary of S		Tot	al	00.515.50

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B6G (Official Form 6G) (12/07)

In re

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Ennis Enterprises, Inc.

Case No.

# Debtor

# SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser", "Agent", etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, 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 and Fed. R. Bankr. P. 1007(m).

Check this box if debtor has no executory contracts or unexpired leases.

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract Description of Contract or Lease and Nature of Debtor's Interest. State whether lease is for nonresidential real property. State contract number of any government contract. B6H (Official Form 6H) (12/07)

In re

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Ennis Enterprises, Inc.

Case No.

Debtor

# **SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, 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 and Fed. R. Bankr. P. 1007(m).

□ Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR NAME AND ADDRESS OF CREDITOR Victor L. Ennis Caterpillar Financial Svcs Corp. P.O. Box 922 P.O. Box 340001 Youngsville, NC 27596 Nashville, TN 37203-0001 Victor L. Ennis **Navistar Financial** P.O. Box 922 P O Box 96070 Youngsville, NC 27596 Chicago, IL 60693 Victor L. Ennis Suntrust P.O. Box 922 Mail Code GA-ATL-1986 Youngsville, NC 27596 303 Peachtree Lane, 9th Floor Atlanta, GA 30303 Victor L. Ennis **Takeuchi Financial Services** P.O. Box 922 P O Box 7167 Youngsville, NC 27596 Pasadena, CA 91109-7167 Victor L. Ennis Wells Fargo Equipment Finance P.O. Box 922 NW-5934 Youngsville, NC 27596 P O Box 1450 Minneapolis, MN 55485-5934

Case 12-00169-8-JRL Doc 1 Filed 01/09/12 Entered 01/09/12 09:29:11 Page 25 of 37

B6 Declaration (Official Form 6 - Declaration). (12/07)

United States Bankruptcy Court Eastern District of North Carolina

In re Ennis Enterprises, Inc.

Debtor(s)

Case No. Chapter

11

# DECLARATION CONCERNING DEBTOR'S SCHEDULES

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the President of the corporation named as debtor in this case, declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 18 sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date January 9, 2012

Signature /s/ Victor L. Ennis Victor L. Ennis 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. B7 (Official Form 7) (04/10)

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

In re Ennis Enterprises, Inc.

Debtor(s)

Case No. Chapter

11

# STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, 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).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. **If the answer to an applicable question is "None," mark the box labeled "None."** If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

#### DEFINITIONS

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

#### 1. Income from employment or operation of business

None State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE
\$200,000.00	2011 YTD: Debtor Business Income
\$141,704.00	2010: Debtor Business Income
\$355,836.00	2009: Debtor Business Income

#### 2. Income other than from employment or operation of business

None State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT

SOURCE

#### **3.** Payments to creditors

None Complete a. or b., as appropriate, and c.

a. *Individual or joint debtor(s) with primarily consumer debts.* List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within **90 days** immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS	DATES OF		AMOUNT STILL
OF CREDITOR	PAYMENTS	AMOUNT PAID	OWING

None b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within **90 days** immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,850<sup>\*</sup>. If the debtor is an individual, indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATES OF PAYMENTS/ TRANSFERS	AMOUNT PAID OR VALUE OF TRANSFERS	AMOUNT STILL OWING
NAME AND ADDRESS OF CREDITOR	TRANSFERS	TRANSFERS	Owind

None c. *All debtors:* List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR AND RELATIONSHIP TO DEBTOR	DATE OF PAYMENT	AMOUNT PAID	AMOUNT STILL OWING
Victor L. Ennis	2011	\$5,000.00	\$0.00
P.O. Box 922 Youngsville, NC 27596 President and Shareholder			
Diana Ennis 6111 NC Hwy. 96 West Youngsville, NC 27596 Officer and Shareholder	2011	Unknown <b>\$0x00</b> x	\$0.00

4. Suits and administrative proceedings, executions, garnishments and attachments

None a. List all suits and administrative proceedings to which the debtor is or was a party within **one year** immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT	NATURE OF	COURT OR AGENCY	STATUS OR
AND CASE NUMBER	PROCEEDING	AND LOCATION	DISPOSITION
Martin Marietta v. Ennis Enterprises, 11CvD007597	Civil Suit for	Franklin County Civil District Court	Pre-trial
11040001391	money owed		

None b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON FOR WHOSE BENEFIT PROPERTY WAS SEIZED

DATE OF SEIZURE

DESCRIPTION AND VALUE OF PROPERTY

\* Amount subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

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None	returned to the seller, within one yes	sessed by a creditor, sold at a foreclosure ar immediately preceding the commence ion concerning property of either or both tition is not filed.)	ment of this case. (M	arried debtors filing under chapter 12
	ND ADDRESS OF FOR OR SELLER	DATE OF REPOSSESSION, FORECLOSURE SALE, TRANSFER OR RETURN	DESCRIPTION AN PROPE	
	6. Assignments and receiverships			
None	this case. (Married debtors filing un	erty for the benefit of creditors made with der chapter 12 or chapter 13 must include uses are separated and a joint petition is n	e any assignment by e	
NAME A	ND ADDRESS OF ASSIGNEE	DATE OF ASSIGNMENT	TERMS OF ASSIC	GNMENT OR SETTLEMENT
None	preceding the commencement of thi	n the hands of a custodian, receiver, or c s case. (Married debtors filing under cha hether or not a joint petition is filed, unle	pter 12 or chapter 13	must include information concerning
	ND ADDRESS USTODIAN	NAME AND LOCATION OF COURT CASE TITLE & NUMBER	DATE OF ORDER	DESCRIPTION AND VALUE OF PROPERTY
	7. Gifts			
None	and usual gifts to family members a aggregating less than \$100 per recip	ons made within <b>one year</b> immediately p ggregating less than \$200 in value per in ient. (Married debtors filing under chapt t a joint petition is filed, unless the spou	dividual family mem er 12 or chapter 13 m	ber and charitable contributions ust include gifts or contributions by
	AND ADDRESS OF OR ORGANIZATION	RELATIONSHIP TO DEBTOR, IF ANY	DATE OF GIFT	DESCRIPTION AND VALUE OF GIFT
	8. Losses			
None	since the commencement of this ca	casualty or gambling within <b>one year</b> im <b>ase.</b> (Married debtors filing under chapte on is filed, unless the spouses are separat	r 12 or chapter 13 mu	st include losses by either or both
	TION AND VALUE PROPERTY	DESCRIPTION OF C LOSS WAS COVERE BY INSURANCE		PART DATE OF LOSS
	9. Payments related to debt couns	seling or bankruptcy		
None		transferred by or on behalf of the debtor f under the bankruptcy law or preparation s case.		
	ND ADDRESS PAYEE	DATE OF PAYMENT NAME OF PAYOR IF OT THAN DEBTOR	·	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY
P.O. Box	se Solutions ‹ 32 n, IL 60204-0032	30 Dec 2011		Questionnaire Import: \$6.00
	cruptcy Court	Petition Date		Filing Fee: \$1,046.00

5. Repossessions, foreclosures and returns

OF I J.M. Cod 5886 Fai Suite 10	ringdon Place	DATE OF PAYMEN NAME OF PAYOR IF O THAN DEBTOR <b>Petition Date</b>	,	4 AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY Anticipation of Filing Atty's Fees: \$921.25
	<b>10.</b> Other transfers			
None	transferred either absolutely or as	an property transferred in the ordinary co security within <b>two years</b> immediately pr 13 must include transfers by either or bot petition is not filed.)	receding the commence	ement of this case. (Married debtors
	ND ADDRESS OF TRANSFEREE ELATIONSHIP TO DEBTOR <b>Buyers</b>	E, DATE	AND VA Large Excavator 2010. Dozer, Dump true Serv. trk also sol	),500. Proceeds remitted to
None	b. List all property transferred by trust or similar device of which the	the debtor within <b>ten years</b> immediately debtor is a beneficiary.	preceding the commen	cement of this case to a self-settled
NAME O DEVICE	OF TRUST OR OTHER	DATE(S) OF TRANSFER(S)		NEY OR DESCRIPTION AND ERTY OR DEBTOR'S INTEREST
	11. Closed financial accounts			
None	otherwise transferred within <b>one</b> y financial accounts, certificates of cooperatives, associations, broker	truments held in the name of the debtor or year immediately preceding the commence deposit, or other instruments; shares and s age houses and other financial institutions ccounts or instruments held by or for either and a joint petition is not filed.)	ement of this case. Inc. share accounts held in b s. (Married debtors filir	lude checking, savings, or other panks, credit unions, pension funds, 19 under chapter 12 or chapter 13 must
NAME A	ND ADDRESS OF INSTITUTION	TYPE OF ACCOUNT, DIGITS OF ACCOUN AND AMOUNT OF FIN	T NUMBER,	AMOUNT AND DATE OF SALE OR CLOSING
	12. Safe deposit boxes			
None	immediately preceding the comm	x or depository in which the debtor has or encement of this case. (Married debtors fi uses whether or not a joint petition is filed.	ling under chapter 12 o	r chapter 13 must include boxes or
	ND ADDRESS OF BANK THER DEPOSITORY	NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITORY	DESCRIPTION OF CONTENTS	DATE OF TRANSFER OR SURRENDER, IF ANY
	13. Setoffs			
None	commencement of this case. (Mar	tor, including a bank, against a debt or dependent of the second string under chapter 12 or chapter ition is filed, unless the spouses are separated as the spouse of the second	apter 13 must include in	nformation concerning either or both

NAME A	AND ADDRESS OF CREDITOR	DATE OF SETOFF	AMOUNT OF SETOFF
	14. Property held for anothe	r person	
None	List all property owned by ano	ther person that the debtor holds or controls.	
NAME A	AND ADDRESS OF OWNER	DESCRIPTION AND VALUE OF PROPERTY	LOCATION OF PROPERTY
	15. Prior address of debtor		
None		<b>three years</b> immediately preceding the commencement d vacated prior to the commencement of this case. If a	
	SS ghway 96 West wille NC 27596-0000	NAME USED	DATES OF OCCUPANCY <b>1990-2009</b>
	16. Spouses and Former Spo	ises	
None	Idaho, Louisiana, Nevada, Nev	in a community property state, commonwealth, or ter v Mexico, Puerto Rico, Texas, Washington, or Wiscor entify the name of the debtor's spouse and of any form	nsin) within <b>eight years</b> immediately preceding the
NAME			
	17. Environmental Informati	on.	
	For the purpose of this question	n, the following definitions apply:	
	or toxic substances, wastes or i	ny federal, state, or local statute or regulation regulati naterial into the air, land, soil, surface water, groundw ating the cleanup of these substances, wastes, or mate	vater, or other medium, including, but not limited
		, facility, or property as defined under any Environme debtor, including, but not limited to, disposal sites.	ental Law, whether or not presently or formerly
		ans anything defined as a hazardous waste, hazardous or similar term under an Environmental Law	substance, toxic substance, hazardous material,
None		every site for which the debtor has received notice ir or in violation of an Environmental Law. Indicate the vertice of the second seco	
SITE NA	ME AND ADDRESS	NAME AND ADDRESS OFDATGOVERNMENTAL UNITNOT	YE OF ENVIRONMENTAL YICE LAW
None		f every site for which the debtor provided notice to a g ental unit to which the notice was sent and the date of	
SITE NA	AME AND ADDRESS	NAME AND ADDRESS OF DAT GOVERNMENTAL UNIT NOT	YE OF ENVIRONMENTAL YICE LAW
None		ative proceedings, including settlements or orders, und dicate the name and address of the governmental unit	
	AND ADDRESS OF NMENTAL UNIT	DOCKET NUMBER	STATUS OR DISPOSITION

5

#### 18. Nature, location and name of business

None a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within six years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within six years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

NAME

OTHER INDIVIDUAL TAXPAYER-I.D. NO. (ITIN)/ COMPLETE EIN ADDRESS

LAST FOUR DIGITS OF SOCIAL-SECURITY OR

NATURE OF BUSINESS

BEGINNING AND ENDING DATES

b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101. None

#### NAME

ADDRESS

The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within six years immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership, a sole proprietor, or self-employed in a trade, profession, or other activity, either full- or part-time.

(An individual or joint debtor should complete this portion of the statement **only** if the debtor is or has been in business, as defined above, within six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go *directly to the signature page.*)

#### 19. Books, records and financial statements

one	a. List all bookkeepers and accountants who within two years immediately preceding the filing of this bankruptcy case kept or
	supervised the keeping of books of account and records of the debtor.

NAME AND ADDRESS Debra Fowler Fowler & Associates 304C W.Millbrook Road Raleigh, NC 27609

DATES SERVICES RENDERED 2006 to Present

None b. List all firms or individuals who within the two years immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

NAME

N

#### ADDRESS

DATES SERVICES RENDERED

None c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

NAME **Debra Fowler**  ADDRESS **Fowler & Associates** 304C W.Millbrook Road Raleigh, NC 27609

7 None d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued by the debtor within two years immediately preceding the commencement of this case. NAME AND ADDRESS DATE ISSUED 20. Inventories None a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory. DOLLAR AMOUNT OF INVENTORY DATE OF INVENTORY INVENTORY SUPERVISOR (Specify cost, market or other basis) None b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above. NAME AND ADDRESSES OF CUSTODIAN OF INVENTORY DATE OF INVENTORY RECORDS 21 . Current Partners, Officers, Directors and Shareholders None a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership. NAME AND ADDRESS NATURE OF INTEREST PERCENTAGE OF INTEREST b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, None controls, or holds 5 percent or more of the voting or equity securities of the corporation. NATURE AND PERCENTAGE NAME AND ADDRESS TITLE OF STOCK OWNERSHIP Victor L. Ennis President Common Stock: 49% of Total Shares PO Box 922 Youngsville, NC 27596-0922 **Diana Ennis** Secretary - Treasurer Common Stock; 51% of Total Shares 6111 NC Hwy. 96 West Youngsville, NC 27596 22. Former partners, officers, directors and shareholders None a. If the debtor is a partnership, list each member who withdrew from the partnership within **one year** immediately preceding the commencement of this case. NAME ADDRESS DATE OF WITHDRAWAL None b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within one year immediately preceding the commencement of this case. NAME AND ADDRESS TITLE DATE OF TERMINATION

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#### 23. Withdrawals from a partnership or distributions by a corporation

None  $\square$  If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during **one year** immediately preceding the commencement of this case.

NAME & ADDRESS OF RECIPIENT, RELATIONSHIP TO DEBTOR Diana Ennis 6111 NC Hwy. 96 West Youngsville, NC 27596 Officer and Shareholder

Victor L. Ennis P.O. Box 922 Youngsville, NC 27596 President and Shareholder DATE AND PURPOSE OF WITHDRAWAL **Unknown** 

Compensation

AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY Unknown

Estimated at \$5,000.00

#### 24. Tax Consolidation Group.

None If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within **six years** immediately preceding the commencement of the case.

#### NAME OF PARENT CORPORATION

TAXPAYER IDENTIFICATION NUMBER (EIN)

### 25. Pension Funds.

None If the debtor is not an individual, list the name and federal taxpayer-identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within **six years** immediately preceding the commencement of the case.

NAME OF PENSION FUND

TAXPAYER IDENTIFICATION NUMBER (EIN)

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

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct to the best of my knowledge, information and belief.

Date January 9, 2012

Signature /s/ Victor L. Ennis Victor L. Ennis President

[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]

Penalty for making a false statement: 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

Ennis Enterprises, Inc.

Debtor

Case No		
Chapter	11	

# LIST OF EQUITY SECURITY HOLDERS

Following is the list of the Debtor's equity security holders which is prepared in accordance with Rule 1007(a)(3) for filing in this chapter 11 case.

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
Diana Ennis 6111 NC Hwy. 96 West Youngsville, NC 27596	Common Stock	51% of Total Shares	
Victor L. Ennis P.O. Box 922 Youngsville, NC 27596	Common Stock	49% of Total Shares	

### DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF 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 of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date January 9, 2012

Signature <u>/s/ Victor L. Ennis</u> Victor L. Ennis 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.

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# United States Bankruptcy Court Eastern District of North Carolina

Debtor(s)

In re Ennis Enterprises, Inc.

# **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: January 9, 2012

/s/ Victor L. Ennis Victor L. Ennis/President Signer/Title Red Star Oil Company

Raleigh, NC 27603-4151

Mail Code GA-ATL-1986

Atlanta, GA 30303

802 Purser Drive

Suntrust

Caterpillar Financial Svcs Corp. P.O. Box 340001 Nashville, TN 37203-0001

Cawthorne, Moss & Panciera, P.C. P O Box 1253 Wake Forest, NC 27588

Franklin Co. Tax Collector P O Box 903 Louisburg, NC 27596 Takeuchi Financial Services P O Box 7167

303 Peachtree Lane, 9th Floor

Gregory Poole Equip. Co. P.O. Box 469

Raleigh, NC 27602

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

Lehigh Hanson Aggregates 15620 Collection Center Drive Chicago, IL 60693

Martin Marietta Aggregates P O Box 75328 Charlotte, NC 28275

Navistar Financial P O Box 96070 Chicago, IL 60693

NC Dept of Revenue Office Serv. Div, Bankruptcy Unit P.O. Box 1168 Raleigh, NC 27602-1168 Terrtech Engineers, Inc. 4905 Professional Court Raleigh, NC 27609

Pasadena, CA 91109-7167

Wake Stone Corporation P O Box 190 Knightdale, NC 27545

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

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# United States Bankruptcy Court Eastern District of North Carolina

In re Ennis Enterprises, Inc.

Debtor(s)

Case No. Chapter

11

### CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for <u>Ennis Enterprises, Inc.</u> in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

■ None [*Check if applicable*]

January 9, 2012

Date

# /s/ J.M. Cook

J.M. Cook 25352 Signature of Attorney or Litigant Counsel for Ennis Enterprises, Inc. J.M. Cook, P.A. 5886 Faringdon Place Suite 100 Raleigh, NC 27609 (919) 675-2411 Fax:(919) 882-1719 J.M.Cook@jmcookesq.com