

B1 (Official Form 1)(04/13)

<b>United States Bankruptcy Court Eastern District of North Carolina</b>		<b>Voluntary Petition</b>
Name of Debtor (if individual, enter Last, First, Middle): <b>Shotwell Transfer Station II, Inc.</b>		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)/Complete EIN (if more than one, state all) <b>26-2790368</b>		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): <b>1506 N. Salem Street Apex, NC</b> <div style="text-align: right; font-size: small;">ZIP Code <b>27502</b></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: <b>Wake</b>		County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address): <b>3209-120 Gresham Lake Road Raleigh, NC</b> <div style="text-align: right; font-size: small;">ZIP Code <b>27615</b></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):		
<b>Type of Debtor</b> (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.)	<b>Nature of Business</b> (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	<b>Chapter of Bankruptcy Code Under Which the Petition is Filed</b> (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
<b>Chapter 15 Debtors</b> Country of debtor's center of main interests:  Each country in which a foreign proceeding by, regarding, or against debtor is pending:	<b>Tax-Exempt Entity</b> (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).	<b>Nature of Debts</b> (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.
<b>Filing Fee</b> (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.		<b>Chapter 11 Debtors</b> Check one box: <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,490,925 (amount subject to adjustment on 4/01/16 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).
<b>Statistical/Administrative Information</b> <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.		THIS SPACE IS FOR COURT USE ONLY
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		

<b>Voluntary Petition</b> <i>(This page must be completed and filed in every case)</i>		Name of Debtor(s): <b>Shotwell Transfer Station II, Inc.</b>	
<b>All Prior Bankruptcy Cases Filed Within Last 8 Years</b> (If more than two, attach additional sheet)			
Location Where Filed: <b>- None -</b>	Case Number:	Date Filed:	
Location Where Filed:	Case Number:	Date Filed:	
<b>Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor</b> (If more than one, attach additional sheet)			
Name of Debtor: <b>Shotwell Landfill, Inc.</b>	Case Number: <b>13-02590-8-SWH</b>	Date Filed: <b>4/19/13</b>	
District: <b>EDNC</b>	Relationship:	Judge: <b>Judge Humrickhouse</b>	
<b>Exhibit A</b>  (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.	<b>Exhibit B</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).  <b>X</b> _____ Signature of Attorney for Debtor(s) (Date)		
<b>Exhibit C</b>			
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.			
<b>Exhibit D</b>			
(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.			
<b>Information Regarding the Debtor - Venue</b> (Check any applicable box)			
<input 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.			
<b>Certification by a Debtor Who Resides as a Tenant of Residential Property</b> (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 with 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><b>Voluntary Petition</b></p> <p><i>(This page must be completed and filed in every case)</i></p>	<p>Name of Debtor(s): <b>Shotwell Transfer Station II, Inc.</b></p>
<b>Signatures</b>	
<p style="text-align: center;"><b>Signature(s) of Debtor(s) (Individual/Joint)</b></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><b>X</b> _____ Signature of Debtor</p> <p><b>X</b> _____ Signature of Joint Debtor</p> <p>_____ Telephone Number (If not represented by attorney)</p> <p>_____ Date</p>	<p style="text-align: center;"><b>Signature of a Foreign Representative</b></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><b>X</b> _____ Signature of Foreign Representative</p> <p>_____ Printed Name of Foreign Representative</p> <p>_____ Date</p>
<p style="text-align: center;"><b>Signature of Attorney*</b></p> <p><b>X</b> <u>/s/ William Janvier</u> Signature of Attorney for Debtor(s)</p> <p><u>William Janvier 21136</u> Printed Name of Attorney for Debtor(s)</p> <p><u>Janvier Law Firm, PLLC</u> Firm Name</p> <p><u>1101 Haynes Street, Suite 102</u> <u>Raleigh, NC 27604</u> Address</p> <p><u>(919) 582-2323 Fax: (866) 809-2379</u> Telephone Number</p> <p><u>December 6, 2013</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;"><b>Signature of Non-Attorney Bankruptcy Petition Preparer</b></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><b>X</b> _____ 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;"><b>Signature of Debtor (Corporation/Partnership)</b></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><b>X</b> <u>/s/ David W. King, Jr.</u> Signature of Authorized Individual</p> <p><u>David W. King, Jr.</u> Printed Name of Authorized Individual</p> <p><u>President</u> Title of Authorized Individual</p> <p><u>December 6, 2013</u> Date</p>	

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

In re Shotwell Transfer Station II, 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: December 6, 2013

/s/ David W. King, Jr.

**David W. King, Jr./President**

Signer/Title

Allied Installation LLC  
Attn: Managing Agent  
3209-120 Gresham Lake Rd  
Raleigh, NC 27615

Capitol Waste Transfer, LLC  
Attn: Managing Agent  
3209-120 Gresham Lake Road  
Raleigh, NC 27615

Gregory Poole  
Attn: Managing Agent  
PO Box 60457  
Charlotte, NC 28260

Ball & Minor, CPA, PA  
Attn: Managing Agent  
320 N. Judd Parkway NE, Suite 220  
Fuquay Varina, NC 27526

CAT Access Credit Account  
Attn: Managing Agent  
PO Box 905229  
Charlotte, NC 28290

Holding Oil Company  
Attn: Managing Agent  
PO Box 648  
Wake Forest, NC 27588

Baseline Consulting Services  
Attn: Managing Agent  
PO Box 457  
Holly Springs, NC 27540

Cintas Corporation  
Attn: Managing Agent  
PO Box 630803  
Cincinnati, OH 45263-0803

Internal Revenue Service  
Attn: Managing Agent  
PO Box 7346  
Philadelphia, PA 19101-7346

Batteries of NC, LLC  
Attn: Managing Agent  
PO Box 1969  
Lillington, NC 27546

David Cook  
1812 Hunting Ridge Road  
Raleigh, NC 27615

L. G. Jordan Oil Co., Inc.  
Attn: Managing Agent  
PO Box 220  
Apex, NC 27502

Blanchard Miller Lewis & Isley, PA  
Attn: Managing Agent  
1117 Hillborough Street  
Raleigh, NC 27603

David King  
3209-120 Gresham Lake Road  
Raleigh, NC 27615

Lone Pine Logistics, LLC  
Attn: Michael P. Monroe  
1790 Darbytown Road  
Richmond, VA 23231

Booth Properties, LLC  
Attn: Managing Agent  
PO Box 156  
Apex, NC 27502

Dean's Inc.  
Attn: Managing Agent  
13609 Possum Track Road  
Raleigh, NC 27614

LSCG Fund 18, LLC  
Attn: Managing Agent  
4419 Van Nuys Blvd, #203  
Sherman Oaks, CA 91403

Branch Banking & Trust  
Attn: Managing Agent  
150 South Stratford Road, Ste. 320  
Winston Salem, NC 27104

FCC Equipment Financing, Inc.  
Attn: Managing Agent  
PO Box 56347  
Jacksonville, FL 32241-6347

Lucy T. Brewer  
Morris Russell Eagle & Worley PLL  
2235 Gateway Access Point, Ste 2  
Raleigh, NC 27607

Capital Properties of Raleigh VI  
c/o David Stallings  
3820 Bland Road  
Raleigh, NC 27609

Glenwood Partners, L.P.  
Attn: Managing Agent  
333 Sherwee Drive  
Raleigh, NC 27603

Machine & Welding Supply Co  
Attn: Managing Agent  
PO Box 1708  
Dunn, NC 28335-1708

Capitol Recycling, LLC  
Attn: Managing Agent  
3209-120 Gresham Lake Rd  
Raleigh, NC 27615

Golder & Associates  
Attn: Managing Agent  
5 Oak Branch Dr  
Greensboro, NC 27407

Metro Fire & Safety Inc.  
Attn: Managing Agent  
130 Wolfpack Lane  
Durham, NC 27704

North Carolina Dept. of Revenue  
Attn: Managing Agent  
P.O. Box 25000  
Raleigh, NC 27640

Road Machinery Services, Inc.  
Attn: Managing Agent  
PO Box 5392  
Statesville, NC 28687

North State Bank  
Attn: Officer/Managing Agent  
6204 Falls Of The Neuse Rd  
Raleigh, NC 27609

RW Moore Equipment Co., Inc.  
Attn: Managing Agent  
PO Box 25068  
Raleigh, NC 27611

NorthEast Lubricants, LTO  
Attn: Managing Agent  
4500 Renaissance Parkway  
Cleveland, OH 44128

Shell Fleet Card  
Attn: Managing Agent  
PO Box 6406  
Sioux Falls, SD 57117-6406

On-Site Hose  
Attn: Managing Agent  
PO Box 2216  
Apex, NC 27502

Shotwell Landfill, Inc  
Attn: Managing Agent  
3209-120 Gresham Lake Road  
Raleigh, NC 27615

Poyner Spruill LLP  
Attn: Managing Agent  
PO Box 1801  
Raleigh, NC 27602-1801

Smith Moore Leatherwood  
Attn: Managing Agent  
434 Fayetteville St., Suite 2800  
Raleigh, NC 27601

Ragsdale Liggett, LLC  
Attn: Managing Agent  
PO Box 31507  
Raleigh, NC 27622

Snider Tire, Inc.  
Attn: Managing Agent  
PO Box 751135  
Charlotte, NC 28275

Raleigh Transfer Station Inc.  
Attn: Managing Agent  
PO Box 842404  
Dallas, TX 75284-2404

Thomas W. Waldrep, Jr. ☐☐  
Womble Carlyle Sandridge & Rice,LLP  
One West Fourth Street  
Winston Salem, NC 27101

Regions Bank  
Attn: Officer/Managing Agent  
1900 Fifth Avenue North  
Birmingham, AL 35203

TT&E Iron and Metal  
Attn: Managing Agent  
1529 W. Garner Rd  
Garner, NC 27529

Richard Smith Gardner & Associates  
Attn: Managing Agent  
14 N. Boylan Avenue  
Raleigh, NC 27603

Wake County Revenue Dept.  
Attn: Managing Agent  
PO Box 2331  
Raleigh, NC 27602

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

In re Shotwell Transfer Station II, 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 Shotwell Transfer Station II, Inc. 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*]

**December 6, 2013**

Date

**/s/ William Janvier**

**William Janvier 21136**

Signature of Attorney or Litigant

Counsel for **Shotwell Transfer Station II, Inc.**

**Janvier Law Firm, PLLC**

**1101 Haynes Street, Suite 102**

**Raleigh, NC 27604**

**(919) 582-2323 Fax:(866) 809-2379**