B1 (Official Form 1)(04/13)

United States Bankruptcy Court Eastern District of North Carolina					Voluntar	y Petition		
Name of Debtor (if individual, enter Last, First, EL Johns and Co., LLC	Middle):		Name	of Joint De	btor (Spouse	e) (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-Taxpa (if more than one, state all) 20-5613806	yer I.D. (ITIN)/Comp	lete EIN	Last fo	our digits of than one, state	f Soc. Sec. or all)	r Individual-T	Taxpayer I.D. (ITIN)	No./Complete EIN
Street Address of Debtor (No. and Street, City, a 804 East Ash Street Goldsboro, NC	nd State):		Street	Address of	Joint Debtor	(No. and Str	reet, City, and State)	
		ZIP Code	_					ZIP Code
County of Residence or of the Principal Place of		7530	Count	v of Reside	nce or of the	Principal Pla	ace of Business:	
Wayne				-		-		
Mailing Address of Debtor (if different from stre	et address):		Mailin	g Address	of Joint Debt	or (if differen	nt from street addres	s):
		ZIP Code	_					ZIP Code
Location of Principal Assets of Business Debtor (if different from street address above):								
Type of Debtor (Form of Organization) (Check one box)	Nature of (Check of			Chapter of Bankruptcy Code Under Which				
 Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. Corporation (includes LLC and LLP) Partnership Other (If debtor is not one of the above entities, check this box and state type of entity below.) 	 ☐ Health Care Busi ☐ Single Asset Rea in 11 U.S.C. § 10 ☐ Railroad ☐ Stockbroker ☐ Commodity Brol ☐ Clearing Bank 	efined	 Chapt Chapt Chapt Chapt Chapt Chapt 	er 7 er 9 er 11 er 12	 the Petition is Filed (Check one box) Chapter 15 Petition for Recognition of a Foreign Main Proceeding Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding 			
Chapter 15 Debtors	Other						e of Debts	
Country of debtor's center of main interests: Each country in which a foreign proceeding by, regarding, or against debtor is pending:	Tax-Exempt Entity (Check box, if applicable) □ Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).			defined "incurr	(Check one box) are primarily consumer debts, d in 11 U.S.C. § 101(8) as business debts. red by an individual primarily for onal, family, or household purpose."			
Filing Fee (Check one box)	Check or	e box: Chapter 11 Debtors					
 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. Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B. 			btor is a small business debtor as defined in 11 U.S.C. § 101(51D). btor is not a small business debtor as defined in 11 U.S.C. § 101(51D). btor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) less than \$2,490,925 (amount subject to adjustment on 4/01/16 and every three years thereafter). applicable boxes: blan is being filed with this petition. reptances of the plan were solicited prepetition from one or more classes of creditors, accordance with 11 U.S.C. § 1126(b).					
Statistical/Administrative Information THIS SPACE IS FOR COURT USE ONLY Debtor estimates that funds will be available for distribution to unsecured creditors. THIS SPACE IS FOR COURT USE ONLY 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					RT USE ONLY			
1- 50- 100- 200- 49 99 199 999 5	,000- 5,001-	10,001- 2] 25,001- 50,000	50,001- 100,000	OVER 100,000			
\$50,000 \$100,000 \$500,000 to \$1 t	\$1,000,001 \$10,000,001 o \$10 to \$50	\$50,000,001 \$ to \$100 t] 5100,000,001 5500 nillion	\$500,000,001 to \$1 billion	More than \$1 billion			
\$50,000 \$100,000 \$500,000 to \$1 t	61,000,001 \$10,000,001 o \$10 to \$50	\$50,000,001 \$ to \$100 t] 5100,000,001 5 \$500 nillion	\$500,000,001 to \$1 billion				

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B1 (Official Form 1)(04/13)		Page 2	
Voluntary Petition	Name of Debtor(s): EL Johns and Co., LLC		
(This page must be completed and filed in every case)			
All Prior Bankruptcy Cases Filed Within Last	8 Years (If more than two,	attach additional sheet)	
Location Where Filed: - None -	Case Number:	Date Filed:	
Location Where Filed:	Case Number:	Date Filed:	
Pending Bankruptcy Case Filed by any Spouse, Partner, or	Affiliate of this Debtor (If a	more than one, attach additional sheet)	
Name of Debtor: - None -	Case Number:	Date Filed:	
District:	Relationship:	Judge:	
Exhibit A (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.) □ Exhibit A is attached and made a part of this petition. □ Exhibit A is attached and made a part of this petition. Exh Does the debtor own or have possession of any property that poses or is alleged to □ Yes, and Exhibit C is attached and made a part of this petition. ■ No.	Exhibit B (To be completed if debtor is an individual whose debts are primarily consumer debts.) I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b). X		
Exh (To be completed by every individual debtor. If a joint petition is filed, ea Exhibit D completed and signed by the debtor is attached and made If this is a joint petition: Exhibit D also completed and signed by the joint debtor is attached a	a part of this petition.		
Information Regardin (Check any ap	-		

- Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.
- There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.

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

Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes)

Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)

(Name of landlord that obtained judgment)

(Address of landlord)

Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and

Debtor has included 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.

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

B1 (Official Form 1)(04/13)	Page 3		
Voluntary Petition	Name of Debtor(s): EL Johns and Co., LLC		
(This page must be completed and filed in every case)			
	natures		
Signature(s) of Debtor(s) (Individual/Joint)	Signature of a Foreign Representative		
I declare under penalty of perjury that the information provided in this petition is true and correct. [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b). I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.	 I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition. (Check only one box.) □ I request relief in accordance with chapter 15 of title 11. United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached. □ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached. 		
X	X		
Signature of Debtor	Signature of Foreign Representative		
	Printed Name of Foreign Representative		
X			
	Date		
Telephone Number (If not represented by attorney)	Signature of Non-Attorney Bankruptcy Petition Preparer		
Date	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		
Signature of Attorney*	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),		
X /s/ J.M. Cook Signature of Attorney for Debtor(s) J.M. Cook 25352 Printed Name of Attorney for Debtor(s)	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 noti 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.		
J.M. Cook, P.A.	Printed Name and title, if any, of Bankruptcy Petition Preparer		
Firm Name 5886 Faringdon Place			
Suite 100 Raleigh, NC 27609	Social-Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition		
Address	preparer.)(Required by 11 U.S.C. § 110.)		
Email: J.M.Cook@jmcookesq.com (919) 675-2411 Fax: (919) 882-1719 Telephone Number June 26, 2013 Date *In a case in which § 707(b)(4)(D) applies, this signature also constitutes a	Address		
certification that the attorney has no knowledge after an inquiry that the	X		
information in the schedules is incorrect.			
Signature of Debtor (Corporation/Partnership)	Date		
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.	Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social Security number is provided above. Names and Social-Security numbers of all other individuals who prepared or		
The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.	assisted in preparing this document unless the bankruptcy petition preparer is not an individual:		
X /s/ Elbert L. Johnson			
Signature of Authorized Individual			
Elbert L. Johnson	If more than one person prepared this document, attach additional sheets		
Printed Name of Authorized Individual	conforming to the appropriate official form for each person.		
Member-Manager	A bankruptcy petition preparer's failure to comply with the provisions of		
Title of Authorized Individual June 26, 2013	title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. §110; 18 U.S.C. §156.		
Date			

B4 (Official Form 4) (12/07)

United States Bankruptcy Court Eastern District of North Carolina

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]
C & E Construction Enterprises Corp Attn: William K Cotton, Agent 3570 Salem Church Road Goldsboro, NC 27530	C & E Construction Enterprises Corp Attn: William K Cotton, Agent 3570 Salem Church Road Goldsboro, NC 27530	Real property of EL Johns		12,090.82 (Unknown secured)
Godwin Door & Hardware, Inc. Attn: David Godwin, Agent 105 West Holly Street Goldsboro, NC 27530	Godwin Door & Hardware, Inc. Attn: David Godwin, Agent 105 West Holly Street Goldsboro, NC 27530	Real property of EL Johns		25,793.75 (Unknown secured)
Keen Plumbing Company Attn: Roger P. Casey, Agent P.O. Box 1796 Goldsboro, NC 27533	Keen Plumbing Company Attn: Roger P. Casey, Agent P.O. Box 1796 Goldsboro, NC 27533	Real property of EL Johns		10,747.40 (Unknown secured)
New Century Bank 818 McKinney Pkwy Lillington, NC 27546	New Century Bank 818 McKinney Pkwy Lillington, NC 27546	Commercial Office Building, 2803 Cashwell Drive, Commercial Office Bldg, 804 Ash Street.		1,464,791.09 (1,288,860.00 secured)
New Century Bank 818 McKinney Pkwy Lillington, NC 27546	New Century Bank 818 McKinney Pkwy Lillington, NC 27546	Commercial Property; Tax value shown. Location: 804 East Ash Street, Goldsboro NC 27530		348,127.93 (179,520.00 secured)
Richie Ballance Flooring, Inc. Attn: Richie Ballance, Agent 6235 Little Rock Church Road Lucama, NC 27851	Richie Ballance Flooring, Inc. Attn: Richie Ballance, Agent 6235 Little Rock Church Road Lucama, NC 27851	Real Property of EL Johns		21,845.48 (Unknown secured)
Wayne County Tax Collector P.O. Box 1495 Goldsboro, NC 27533	Wayne County Tax Collector P.O. Box 1495 Goldsboro, NC 27533	Property Taxes - 800 E Ash St		1,143.72

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B4 (Official Form 4) (12/07) - Cont. In re EL Johns and Co., LLC

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]
Wayne County Tax Collector P.O. Box 1495 Goldsboro, NC 27533	Wayne County Tax Collector P.O. Box 1495 Goldsboro, NC 27533	Property Tax - 800 E Ash St		1,054.25
Wayne County Tax Collector P.O. Box 1495 Goldsboro, NC 27533	Wayne County Tax Collector P.O. Box 1495 Goldsboro, NC 27533	Property Taxes - 804 E Ash St.		947.63
Wayne County Tax Collector P.O. Box 1495 Goldsboro, NC 27533	Wayne County Tax Collector P.O. Box 1495 Goldsboro, NC 27533	Property Taxes - Cashwell Drive		17,219.88
Wayne County Tax Collector P.O. Box 1495 Goldsboro, NC 27533	Wayne County Tax Collector P.O. Box 1495 Goldsboro, NC 27533	Property Taxes - Cashwell Drive		15,869.54
Wayne County Tax Collector P.O. Box 1495 Goldsboro, NC 27533	Wayne County Tax Collector P.O. Box 1495 Goldsboro, NC 27533	Property Taxes - 804 E Ash St.		2,789.14
Wayne County Tax Collector P.O. Box 1495 Goldsboro, NC 27533	Wayne County Tax Collector P.O. Box 1495 Goldsboro, NC 27533	Property Taxes - 804 E Ash St		2,570.62
Wayne County Tax Collector P.O. Box 1495 Goldsboro, NC 27533	Wayne County Tax Collector P.O. Box 1495 Goldsboro, NC 27533	Property Taxes - 800 E Ash St		1,286.12

B4 (Official Form 4) (12/07) - Cont. In re EL Johns and Co., LLC

Debtor(s)

Case No.

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

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

I, the Member-Manager 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 June 26, 2013

Signature /s/ Elbert L. Johnson Elbert L. Johnson Member-Manager

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

United States Bankruptcy Court Eastern District of North Carolina

In re **EL Johns and Co., LLC**

Debtor(s)

Case No. Chapter

VERIFICATION OF CREDITOR MATRIX

I, the Member-Manager 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: June 26, 2013

/s/ Elbert L. Johnson Elbert L. Johnson/Member-Manager Signer/Title lo. er **11** C & E Construction Enterprises Corp Attn: William K Cotton, Agent 3570 Salem Church Road Goldsboro, NC 27530 Securities & Exchange Commission Office of Reorganization 950 East Paces Rd, Ste 900 Atlanta, GA 30326-1382

Godwin Door & Hardware, Inc. Attn: David Godwin, Agent 105 West Holly Street Goldsboro, NC 27530 Wayne County Tax Collector P.O. Box 1495 Goldsboro, NC 27533

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

Keen Plumbing Company Attn: Roger P. Casey, Agent P.O. Box 1796 Goldsboro, NC 27533

Kimberly E. Lee Ward & Smith, PA P.O. Box 8088 Greenville, NC 27835-8088

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

New Century Bank 818 McKinney Pkwy Lillington, NC 27546

Richie Ballance Flooring, Inc. Attn: Richie Ballance, Agent 6235 Little Rock Church Road Lucama, NC 27851

Secretary of the Treasury 1500 Pennsylvania Ave, N.W. Washington, DC 20220

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United States Bankruptcy Court Eastern District of North Carolina

In re **EL Johns and Co., LLC**

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>**EL Johns and Co., LLC**</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*]

June 26, 2013

Date

/s/ J.M. Cook

J.M. Cook 25352 Signature of Attorney or Litigant Counsel for <u>EL Johns and Co., LLC</u> 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
