B1 (Official			United Easter		Bankı ict of No						Voluntary	Petition
Name of Debtor (if individual, enter Last, First, Middle):  Aloha II, Inc					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):  DBA Vertical Urge					All O (inclu	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):						
Last four dig (if more than on	e, state all)	Sec. or Indi	vidual-Taxpa	nyer I.D. (	(ITIN)/Com	plete EIN	Last f	Our digits of than one, state	f Soc. Sec. or	r Individual-7	Гахрауег I.D. (ITIN) N	o./Complete EIN
	x Forks F		Street, City,	and State)	):			Address of	Joint Debtor	(No. and St	reet, City, and State):	
					Г	ZIP Code <b>27615</b>	;					ZIP Code
-	Residence or	of the Princ	cipal Place o	f Business		27013	Coun	ty of Reside	ence or of the	Principal Pla	ace of Business:	
Wake												
Mailing Add	dress of Del	btor (if diffe	rent from str	eet addres	ss):		Maili	ng Address	of Joint Debt	or (if differe	nt from street address):	
						ZIP Code	,					ZIP Code
T C	D: : 1.4		. D.I.									
(if different			siness Debtor ve):									
		f Debtor				of Business	5				otcy Code Under Whi	ch
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.)			(Check one box)  ☐ Health Care Business ☐ Single Asset Real Estate as defining 11 U.S.C. § 101 (51B) ☐ Railroad ☐ Stockbroker ☐ Commodity Broker ☐ Clearing Bank ☐ Other		s defined	☐ Chapter 7 ☐ Chapter 9 ☐ Chapter 11 ☐ Chapter 12 ☐ Chapter 13		☐ Cl of ☐ Cl of	ition 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  Nature of Debts			
Country of d	_	15 Debtors of main inter	rests:			mpt Entity	7	┧		(Checl	k one box)	
Each country	in which a f	oreign proceed lebtor is pend	eding	unde	(Check box tor is a tax-ex er Title 26 of e (the Interna	the United S	zation tates	"incurred by an individual primarily for				
Filing Fee	g Fee attache e to be paid in ned application	d n installments on for the cou	heck one box (applicable to art's considerate in installments.	individual	ing that the	Check	Debtor is not if: Debtor's agg	t a small busi	debtor as definess debtor as on the nest debtor as of the nest deb	defined in 11 U		
	e waiver requ		able to chapter art's considerat			Check BB.	all applicabl A plan is bei Acceptances	e boxes: ng filed with of the plan w	this petition.	repetition from	on one or more classes of cr	
☐ Debtor e	estimates that estimates that	at funds will at, after any	ation * be available exempt prop	for distri erty is ex	cluded and	nsecured cr administrat	editors.	es paid,		THIS	S SPACE IS FOR COURT	USE ONLY
Estimated N										-		
1- 49	50- 99	100- 199		1,000- 5,000	5,001- 10,000	10,001- 25,000	25,001- 50,000	50,001- 100,000	OVER 100,000			
Estimated A	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,000 to \$500 million	\$500,000,001 to \$1 billion				
Estimated L  \$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,000 to \$500 million	\$500,000,001 to \$1 billion	More than \$1 billion			

Case 15-06049-5-SWH Doc 1 Filed 11/05/15 Entered 11/05/15 15:18:51 Page 2 of 10

B1 (Omciai Fori	n 1)(04/13)		Page 2			
Voluntary	Petition	Name of Debtor(s): Aloha II, Inc				
(This page mus	st be completed and filed in every case)					
	All Prior Bankruptcy Cases Filed Within Last	t 8 Years (If more than two, attach ad	ditional sheet)			
Location Where Filed:	- None -	Case Number:	Date Filed:			
Location Where Filed:		Case Number:	Date Filed:			
Per	nding Bankruptcy Case Filed by any Spouse, Partner, or	Affiliate of this Debtor (If more than	one, attach additional sheet)			
Name of Debto - None -	or:	Case Number:	Date Filed:			
District:		Relationship:	Judge:			
forms 10K ar pursuant to S and is reques	Exhibit A  leted 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 ting relief under chapter 11.)  A is attached and made a part of this petition.	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  Signature of Attorney for Debtor(s) (Date)				
l	Exh r own or have possession of any property that poses or is alleged to Exhibit C is attached and made a part of this petition.	<b>libit C</b> pose a threat of imminent and identifiable	harm to public health or safety?			
☐ Exhibit I  If this is a joir	eted by every individual debtor. If a joint petition is filed, ear D completed and signed by the debtor is attached and made	a part of this petition.	a separate Exhibit D.)			
	Information Regardin	ng the Debtor - Venue				
•	(Check any ap Debtor has been domiciled or has had a residence, principal days immediately preceding the date of this petition or for	oplicable box) al place of business, or principal asset a longer part of such 180 days than in	n any other District.			
	There is a bankruptcy case concerning debtor's affiliate, ge	eneral partner, or partnership pending	in this District.			
	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 the sought in this District.	s in the United States but is a defendance interests of the parties will be serve	nt in an action or ed in regard to the relief			
	Certification by a Debtor Who Reside (Check all app		·ty			
	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, the entire monetary default that gave rise to the judgment f					
	Debtor has included with this petition the deposit with the after the filing of the petition.	• •	-			
	Debtor certifies that he/she has served the Landlord with the	his certification. (11 U.S.C. § 362(l)).				

B1 (Official Form 1)(04/13) Page 3

## **Voluntary Petition**

(This page must be completed and filed in every case)

## 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.

X

Signature of Debtor

X

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

#### Signature of Attorney\*

#### X \_/s/ Robert Lewis, Jr.

Signature of Attorney for Debtor(s)

#### Robert Lewis, Jr. 35806

Printed Name of Attorney for Debtor(s)

#### The Lewis Law Firm, P.A.

Firm Name

Two Hannover Square 434 Fayetteville Street, Suite 2330 Raleigh, NC 27601

Address

### Email: rlewis@thelewislawfirm.com

919-792-1920 Fax: 866-628-2621

Telephone Number

#### November 5, 2015

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.

#### **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/ Christopher Todd Canipe

Signature of Authorized Individual

#### **Christopher Todd Canipe**

Printed Name of Authorized Individual

#### President

Title of Authorized Individual

#### November 5, 2015

Date

Name of Debtor(s):

Aloha II, Inc

#### **Signatures**

#### Signature of a Foreign Representative

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

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

#### Signature of Non-Attorney Bankruptcy Petition Preparer

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.

Printed Name and title, if any, of Bankruptcy Petition Preparer

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 preparer.)(Required by 11 U.S.C. § 110.)

v

Date

Address

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 assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

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.

**B4** (Official Form 4) (12/07)

## United States Bankruptcy Court Eastern District of North Carolina

In re	Aloha II, Inc	Case No.		
		Debtor(s)	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]
Adidas Sales, INC 227 E. Compton B Cmpton, CA 90248	Adidas Sales, INC 227 E. Compton B Cmpton, CA 90248			8,500.00
Bank of America PO Box 15710 Wilmington, DE 19886	Bank of America PO Box 15710 Wilmington, DE 19886			20,000.00
Burton Snowboards 80 Industrial Parkway Burlington, VT 05401	Burton Snowboards 80 Industrial Parkway Burlington, VT 05401			80,000.00
Can Capital/ Webbank 414 W. 14th Street New York, NY 10014	Can Capital/ Webbank 414 W. 14th Street New York, NY 10014			140,000.00 (0.00 secured)
Capital One, F.S.B. PO Box 70885 Charlotte, NC 28272-0885	Capital One, F.S.B. PO Box 70885 Charlotte, NC 28272-0885			21,000.00
Dwindle Distribution/ Globe Shoes 225 S. Aviation Blvd El Segundo, CA 90245	Dwindle Distribution/ Globe Shoes 225 S. Aviation Blvd El Segundo, CA 90245			8,500.00
Electric 1001 Calle Amanecer San Clemente, CA 92673-6260	Electric 1001 Calle Amanecer San Clemente, CA 92673-6260			12,000.00
Hollingsworth, Avent & Averre, PA 300 W. Millbrook	Hollingsworth, Avent & Averre, PA 300 W. Millbrook			8,500.00
IRS POB 7346 Philadelphia, PA 19101-7346	IRS POB 7346 Philadelphia, PA 19101-7346	Withholding		50,000.00
Matix Clothing CO. 227 East Compton Blvd Cardena, CA 90248	Matix Clothing CO. 227 East Compton Blvd Cardena, CA 90248			14,000.00
North Carolina Dept of Revenue PO Box 25000 Raleigh, NC 27640-0002	North Carolina Dept of Revenue PO Box 25000 Raleigh, NC 27640-0002	Sales & Use tax		51,391.08

B4 (Offic	cial Form 4) (12/07) - Cont.			
In re	Aloha II, Inc		Case No.	
		Debtor(s)		

## 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]
Select Bank & Trust PO Box 2670 Goldsboro, NC 28235-2670	Select Bank & Trust PO Box 2670 Goldsboro, NC 28235-2670			240,000.00 (0.00 secured)
Sole Technology, INC 20161 Window Drive 92630	Sole Technology, INC 20161 Window Drive 92630			14,000.00
Stance 193 Avineda La Pata 92673	Stance 193 Avineda La Pata 92673			8,000.00
Toms Shoes, INC. 5404 Jnady Place Los Angeles, CA 90066	Toms Shoes, INC. 5404 Jnady Place Los Angeles, CA 90066			11,670.00
VF Outdoor, INC. N850 County Road Appleton, WI 54914	VF Outdoor, INC. N850 County Road Appleton, WI 54914			16,000.00
Volcom 1740 Monrovia Ave Costa Mesa, CA 92627	Volcom 1740 Monrovia Ave Costa Mesa, CA 92627			50,000.00
Wells Fargo Bank PO Box Carol, IL 64260	Wells Fargo Bank PO Box Carol, IL 64260			25,000.00
Wells Fargo Bank PO Box Carol, IL 64260	Wells Fargo Bank PO Box Carol, IL 64260	Line Of credit		105,000.00
Westlife Distribution USA, LLC 227 E Compton Blvd Gardena, CA 90248	Westlife Distribution USA, LLC 227 E Compton Blvd Gardena, CA 90248			21,000.00

# 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 November 5, 2015	Signature	/s/ Christopher Todd Canipe
		Christopher Todd Canipe
		President

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

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

In re	Aloha II, Inc	Debtor(s)	Case No. Chapter	11
	VERIFICAT	ION OF CREDITOR MA	TRIX	
	esident of the corporation named as the debto of my knowledge.	r in this case, hereby verify that the att	ached list of	creditors is true and correct to
Date:	November 5, 2015	/s/ Christopher Todd Canipe Christopher Todd Canipe/Presider Signer/Title	t	

Adidas Sales, INC Carolina Retail Packaging, INC HUF 138 Zenker Road 227 E. Compton B 2301 E. 7th Street Cmpton, CA 90248 PO Box Suite B200 Lexington, SC 29072 Los Angeles, CA 90023 Converse, INC. American Express Hunter & Associates PO Box 100384 13328 Collections Center Drive 127 W. Hargett Street Atlanta, GA 30384-0384 Chicago, IL 60693-0133 Suite 100 Raleigh 27609-4399 American Express Dwindle Distribution/ Globe Shoes Hunter & Associates PO Box 650448 225 S. Aviation Blvd 127 W. Hargett Street Dallas, TX 75265 El Segundo, CA 90245 Suite 100 Raleigh, NC 27609-4399 Bank of America DYE Precision, INC IRS PO Box 15710 10637 POB 7346 Wilmington, DE 19886 Scripps Summit CT Philadelphia, PA 19101-7346 San Diego, CA 92131 Line of Credit 0153 Bern Electric PO Box 1284 1001 Calle Amanecer Duxbury, MA 02331 San Clemente, CA 92673-6260 **Employment Security Commission** Billabong USA Loaded Carving Systems 10575 Virginia Ave PO Box 25903 121 Waterworks Culver, CA 90232 Raleigh, NC 27611 Irvine, CA 92618 Girl & Chocolate Matix Clothing CO. Burton Snowboards 80 Industrial Parkway 22500 S Vermomt Ave 227 East Compton Blvd Burlington, VT 05401 Torrance, CA 90502 Cardena, CA 90248 Can Capital/ Webbank Greenway Celebrations, LLC Mervin Mfg. 414 W. 14th Street 701 N. 34 St. New York, NY 10014 Suite 100 Seattle, WA 98103 Capital One, F.S.B. Hollingsworth, Avent & Averre, PA Neff, INC

300 W. Millbrook

1230 CALLE SUARTE

CAMARRILO, CA 93012

PO Box 70885

Charlotte, NC 28272-0885

New Balance Athletic Shoe 100 GUEST STREET BOSTON, MA 02113

Select Bank & Trust PO Box 2670 Goldsboro, NC 28235-2670 The North Face N.850 County road Appleton, WI 54914

North Carolina Dept of Revenue

PO Box 25000

Raleigh, NC 27640-0002

Sentry Watch PO Box 10362

Greensboro, NC 27204-0362

Toms Shoes, INC. 5404 Jnady Place Los Angeles, CA 90066

Oakley Sales Corp.

Foothill Ranch, CA

Shumate

5201 Olde Poole road

Suite 110

Raleigh, NC 27610

Triple 8 Distribution 20 WestVanderventer

Suite 101

Port Washington 10050

Oneball

23632 NE State Road Belfair, WA 98528

Skate One

30 S. La Paterna Lane Santa Barbara, CA 93117 Uline

PO Box 88741

Chicago, IL 60680-7041

Pye Barker PO Box 70008 30007-0008

Smith Sport Optucs, INC 280 Northwood Way Ketchum, ID 83340

Unishippers

4225 30th Ave South Morehead, MN 56560

Rainbow Sandals

326 Calle

San Clemente, CA 92672

Sole Technology, INC

20161

Window Drive

92630

United Parcel Service 55 Glen Lake Parkway NE

Atlanta, GA 30328

RVCA

117 Waterworks Way

Suite 101 Irvine, CA 92618 South Central Skateboard Mfg.

5710 Elmore Road Elmore, AL 36025

VF Outdoor, INC. N850 County Road Appleton, WI 54914

Sage Island

PO BOX 1170 28480-1170

Stance

193 Avineda La Pata

92673

Volcom

1740 Monrovia Ave Costa Mesa, CA 92627

Sector 9

4730 Jutland Drive San Diego, CA 92117 Sunset Skateboard CO. 3030 Red Hill Ave Costa Mesa, CA 92626

Wells Fargo Bank

PO Box Carol, IL 64260 Westlife Distribution USA, LLC 227 E Compton Blvd Gardena, CA 90248

Windstream PO Box 9001908 Louisvillee, KY 40290-1908

Yeah For it Distribution 1118 A St Suite B Auburn, WA 98002

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

In re	Aloha II, Inc		Case No.	
		Debtor(s)	Chapter	
	CORPOR	ATE OWNERSHIP STATEMENT	(RULE 7007.1)	
or reco	usal, the undersigned counsel for ration(s), other than the debtor or	Procedure 7007.1 and to enable the Ju Aloha II, Inc in the above captioned a governmental unit, that directly or in or states that there are no entities to re	action, certifies directly own(s)	that the following is a (are) 10% or more of any class
■ Nor	ne [Check if applicable]			
Nove	mber 5, 2015	/s/ Robert Lewis, Jr.		
Date		Robert Lewis, Jr.		
		Signature of Attorney or Litigation Counsel for Aloha II, Inc	ant	
		The Lewis Law Firm, P.A. Two Hannover Square		
		434 Fayetteville Street, Suite 23 Raleigh, NC 27601	330	

919-792-1920 Fax:866-628-2621 rlewis@thelewislawfirm.com