

**Fill in this information to identify your case:**

United States Bankruptcy Court for the:

EASTERN DISTRICT OF NORTH CAROLINA

Case number (if known) \_\_\_\_\_ Chapter 11

Check if this an amended filing

Official Form 201

**Voluntary Petition for Non-Individuals Filing for Bankruptcy**

4/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name Millennia Cardiovascular, P.A.

2. All other names debtor used in the last 8 years  
Include any assumed names, trade names and *doing business as* names

3. Debtor's federal Employer Identification Number (EIN) 26-2021204

4. Debtor's address **Principal place of business** **Mailing address, if different from principal place of business**

101 E. Market Street  
Suite 1H  
Smithfield, NC 27577  
Number, Street, City, State & ZIP Code

\_\_\_\_\_  
P.O. Box, Number, Street, City, State & ZIP Code

Johnston  
County

**Location of principal assets, if different from principal place of business**

\_\_\_\_\_  
Number, Street, City, State & ZIP Code

5. Debtor's website (URL) \_\_\_\_\_

6. Type of debtor  
 Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))  
 Partnership (excluding LLP)  
 Other. Specify: \_\_\_\_\_

Debtor Millennia Cardiovascular, P.A.  
Name

Case number (if known) \_\_\_\_\_

**7. Describe debtor's business**

A. Check one:

- Health Care Business (as defined in 11 U.S.C. § 101(27A))
- Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- Railroad (as defined in 11 U.S.C. § 101(44))
- Stockbroker (as defined in 11 U.S.C. § 101(53A))
- Commodity Broker (as defined in 11 U.S.C. § 101(6))
- Clearing Bank (as defined in 11 U.S.C. § 781(3))
- None of the above

B. Check all that apply

- Tax-exempt entity (as described in 26 U.S.C. §501)
- Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
- Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.  
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

**8. Under which chapter of the Bankruptcy Code is the debtor filing?**

Check one:

- Chapter 7
- Chapter 9

Chapter 11. Check all that apply:

- Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
- The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- A plan is being filed with this petition.
- Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

Chapter 12

**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**

- No.
- Yes.

If more than 2 cases, attach a separate list.

District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_

District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_

**10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?**

- No
- Yes.

List all cases. If more than 1, attach a separate list

Debtor	Relationship	Related Party
<u>Franklin Charles Wefald</u>		
District <u>Eastern Distcict of North Carolina</u>	When <u>10/03/10</u>	Case number, if known <u>10-08068-8-SW H</u>

Debtor Millennia Cardiovascular, P.A.  
Name

Case number (if known) \_\_\_\_\_

11. Why is the case filed in this district? *Check all that apply:*

Debtor has had its domicile, 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.

A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

No

Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

**Why does the property need immediate attention?** *(Check all that apply.)*

It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.  
What is the hazard? \_\_\_\_\_

It needs to be physically secured or protected from the weather.

It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

Other \_\_\_\_\_

**Where is the property?** \_\_\_\_\_  
Number, Street, City, State & ZIP Code

**Is the property insured?**

No

Yes. Insurance agency \_\_\_\_\_  
Contact name \_\_\_\_\_  
Phone \_\_\_\_\_

**Statistical and administrative information**

13. Debtor's estimation of available funds *Check one:*

Funds will be available for distribution to unsecured creditors.

After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors

<input checked="" type="checkbox"/> 1-49	<input type="checkbox"/> 1,000-5,000	<input type="checkbox"/> 25,001-50,000
<input type="checkbox"/> 50-99	<input type="checkbox"/> 5001-10,000	<input type="checkbox"/> 50,001-100,000
<input type="checkbox"/> 100-199	<input type="checkbox"/> 10,001-25,000	<input type="checkbox"/> More than 100,000
<input type="checkbox"/> 200-999		

15. Estimated Assets

<input type="checkbox"/> \$0 - \$50,000	<input type="checkbox"/> \$1,000,001 - \$10 million	<input type="checkbox"/> \$500,000,001 - \$1 billion
<input type="checkbox"/> \$50,001 - \$100,000	<input type="checkbox"/> \$10,000,001 - \$50 million	<input type="checkbox"/> \$1,000,000,001 - \$10 billion
<input checked="" type="checkbox"/> \$100,001 - \$500,000	<input type="checkbox"/> \$50,000,001 - \$100 million	<input type="checkbox"/> \$10,000,000,001 - \$50 billion
<input type="checkbox"/> \$500,001 - \$1 million	<input type="checkbox"/> \$100,000,001 - \$500 million	<input type="checkbox"/> More than \$50 billion

16. Estimated liabilities

<input type="checkbox"/> \$0 - \$50,000	<input checked="" type="checkbox"/> \$1,000,001 - \$10 million	<input type="checkbox"/> \$500,000,001 - \$1 billion
<input type="checkbox"/> \$50,001 - \$100,000	<input type="checkbox"/> \$10,000,001 - \$50 million	<input type="checkbox"/> \$1,000,000,001 - \$10 billion
<input type="checkbox"/> \$100,001 - \$500,000	<input type="checkbox"/> \$50,000,001 - \$100 million	<input type="checkbox"/> \$10,000,000,001 - \$50 billion
<input type="checkbox"/> \$500,001 - \$1 million	<input type="checkbox"/> \$100,000,001 - \$500 million	<input type="checkbox"/> More than \$50 billion

Debtor Millennia Cardiovascular, P.A.  
Name

Case number (if known) \_\_\_\_\_

**Request for Relief, Declaration, and Signatures**

**WARNING** -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature of authorized representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 6, 2016  
MM / DD / YYYY

**/s/ Franklin Wefald**  
Signature of authorized representative of debtor  
  
Title President

Franklin Wefald  
Printed name

**18. Signature of attorney**

**/s/ Jason L. Hendren**  
Signature of attorney for debtor

Date April 6, 2016  
MM / DD / YYYY

Jason L. Hendren  
Printed name

Hendren, Redwine & Malone, PLLC  
Firm name

4600 Marriott Drive  
Suite 150  
Raleigh, NC 27612  
Number, Street, City, State & ZIP Code

Contact phone (919) 420-7867 Email address jhendren@hendrenmalone.com

NC State Bar 26869  
Bar number and State

**Fill in this information to identify the case:**

Debtor name Millennia Cardiovascular, P.A.  
 United States Bankruptcy Court for the: EASTERN DISTRICT OF NORTH CAROLINA  
 Case number (if known): \_\_\_\_\_

Check if this is an amended filing

**Official Form 204****Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders**

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A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
ADP Attn: Managing Agent 5800 Windward Way Alpharetta, GA 30005		business debt				\$19,000.00
Arch Capital Attn: Managing Agent 160 Pearl Street New York, NY 10005		business debt				\$16,000.00
Bales & Simpson, D.D.S., P.A. c/o Lamar Armstrong 602 S. Third Street Smithfield, NC 27577		judgment	Disputed			\$350,000.00
Cook Medical Attn: Managing Agent 22988 Network Place Chicago, IL 60673		business debt				\$47,446.00
Dal-Bridge Partners c/o Moon Wright & Houston, PLLC 227 West Trade Street, Suite 1800 Charlotte, NC 28202		Blanket Lien		\$565,000.00	\$150,000.00	\$415,000.00
Eric Janis c/o Janvier Law 1101 Hayes Street, Suite 102 Raleigh, NC 27604		FOR NOTICE PURPOSES ONLY				\$0.00

Debtor **Millennia Cardiovascular, P.A.**  
Name

Case number (if known)

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Internal Revenue Service Centralized Insolvency Operations P.O. Box 7346 Philadelphia, PA 19114-0326		FOR NOTICE PURPOSES ONLY				Unknown
Johnston County Tax Collector 207 East Johnston Street Smithfield, NC 27577		FOR NOTICE PURPOSES ONLY				Unknown
Jonathan R. & Whitney B. Duea c/o Lamar Armstrong 602 S. Third Street Smithfield, NC 27577		judgment	Disputed			\$350,000.00
Last Chance Fund Attn: Managing Agent 36 Lincoln Avenue Hawthorne, NJ 07506		business debt				\$26,000.00
McKesson Medical Surgical, Inc. Attn: Managing Agent P.O. Box 634404 Cincinnati, OH 45263		business debt				\$10,955.00
NC Department of Revenue Attn: Bankruptcy Department P.O. Box 1168 Raleigh, NC 27602-1168		FOR NOTICE PURPOSES ONLY				Unknown
NC Dept. of Labor, DES Attn: Managing Agent P.O. Box 26504 Raleigh, NC 27611		FOR NOTICE PURPOSES ONLY				Unknown
Pearl Beta Attn: Managing Agent 1740 Broadway, 3rd Floor New York, NY 10019		business debt				\$8,977.00

Debtor **Millennia Cardiovascular, P.A.**  
Name \_\_\_\_\_

Case number (if known) \_\_\_\_\_

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
<b>Stericycle Attn: Managing Agent 4010 Commercial Avenue Northbrook, IL 60062</b>		<b>business debt</b>				<b>\$8,977.00</b>
<b>Two Guys Grille &amp; Capital Ventures c/o Lamar Armstrong 602 S. Third Street Smithfield, NC 27577</b>		<b>judgment</b>	<b>Disputed</b>			<b>\$350,000.00</b>

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

In re Millennia Cardiovascular, P.A.

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: April 6, 2016

/s/ Franklin Wefald

**Franklin Wefald/President**

Signer/Title



ADP  
Attn: Managing Agent  
5800 Windward Way  
Alpharetta, GA 30005

Johnston County Tax Collector  
207 East Johnston Street  
Smithfield, NC 27577

US Attorney  
950 Pennsylvania Avenue NW  
Washington, DC 20530-0001

Arch Capital  
Attn: Managing Agent  
160 Pearl Street  
New York, NY 10005

Jonathan R. & Whitney B. Duea  
c/o Lamar Armstrong  
602 S. Third Street  
Smithfield, NC 27577

Bales & Simpson, D.D.S, P.A.  
c/o Lamar Armstrong  
602 S. Third Street  
Smithfield, NC 27577

Last Chance Fund  
Attn: Managing Agent  
36 Lincoln Avenue  
Hawthorne, NJ 07506

Bankruptcy Administrator, EDNC  
434 Fayetteville Street  
Suite 640  
Raleigh, NC 27601

McKesson Medical Surgical, Inc.  
Attn: Managing Agent  
P.O. Box 634404  
Cincinnati, OH 45263

Cook Medical  
Attn: Managing Agent  
22988 Network Place  
Chicago, IL 60673

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

Dal-Bridge Partners  
c/o Moon Wright & Houston, PLLC  
227 West Trade Street, Suite 1800  
Charlotte, NC 28202

NC Dept. of Labor, DES  
Attn: Managing Agent  
P.O. Box 26504  
Raleigh, NC 27611

Department of Treasury  
Financial Management Service  
PO Box 1686  
Birmingham, AL 35201

Pearl Beta  
Attn: Managing Agent  
1740 Broadway, 3rd Floor  
New York, NY 10019

Eric Janis  
c/o Janvier Law  
1101 Hayes Street, Suite 102  
Raleigh, NC 27604

Stericycle  
Attn: Managing Agent  
4010 Commercial Avenue  
Northbrook, IL 60062

Internal Revenue Service  
Centralized Insolvency Operations  
P.O. Box 7346  
Philadelphia, PA 19114-0326

Two Guys Grille & Capital Ventures  
c/o Lamar Armstrong  
602 S. Third Street  
Smithfield, NC 27577