

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 Pendergrass Trucking, Inc.

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) 80-0631344

4. Debtor's address	Principal place of business	Mailing address, if different from principal place of business
	<u>138-B Uzzell Industrial Drive</u> <u>Clayton, NC 27520</u> Number, Street, City, State & ZIP Code	<u>5512 Yates Mill Pond Road</u> <u>Raleigh, NC 27606</u> P.O. Box, Number, Street, City, State & ZIP Code
	<u>Johnston</u> 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 **Pendergrass Trucking, Inc.**
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 _____
District _____	When _____ Case number, if known _____

Debtor **Pendergrass Trucking, Inc.**
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 checked="" 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

16. Estimated liabilities

<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

Debtor **Pendergrass Trucking, Inc.**
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 28, 2017**
MM / DD / YYYY

X /s/ Donald G. Pendergrass
Signature of authorized representative of debtor

Title **President**

Donald G. Pendergrass
Printed name

18. Signature of attorney

X /s/ Travis Sasser
Signature of attorney for debtor

Date **April 28, 2017**
MM / DD / YYYY

Travis Sasser
Printed name

Sasser Law Firm
Firm name

**2000 Regency Parkway
Suite 230
Cary, NC 27518**
Number, Street, City, State & ZIP Code

Contact phone **919.319.7400** Email address **tsasser@carybankruptcy.com**

26707
Bar number and State

Fill in this information to identify the case:

Debtor name **Pendergrass Trucking, Inc.**
 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**

12/15

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
Can Capital Asset Servicing, Inc. FKA/ New Logic 414 West 14th Street 3rd Floor New York, NY 10014	1-877-550-4731	Business loan				\$25,634.10
Capital One Attn: Managing Agent/Bankruptcy PO Box 30285 Salt Lake City, UT 84130-0285	1-877-383-4802	Credit card				\$1,200.00
Comdata, Inc. 5301 Maryland Way Brentwood, TN 37027	615.370.7000	Trade debt				\$9,720.22
Dakota State Bank Attn: Managing Agent PO Box 206 Blunt, SD 57522	605-224-4567	2000 Transcraft stepdeck trailer. Cross-collateralized with other stepdeck trailer and 2007 International		\$25,000.00	\$0.00	\$25,000.00
Discover Financial Services Attn: Managing Agent/Bankruptcy PO Box 15316 Wilmington, DE 19850	1-800-347-2683	Credit card				\$5,700.00
Headway Capital LLC Attn: Managing Agent/Bankruptcy 175 West Jackson Boulevard Ste 1000 Chicago, IL 60604	866-698-8494	Business loan				\$20,387.03

Debtor **Pendergrass Trucking, Inc.**
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
IBIS Attn: Managing agent 40 Wall Street, 15th Floor New York, NY 10005	1-800-330-3772	Business loan				\$5,000.00
Imperial Supplies LLC Attn: Managing Agent/Bankruptcy 789 Armed Forces Drive Green Bay, WI 54304	920-494-7474	Account				\$1,075.76
Internal Revenue Service Centralized Insolvency Unit P. O. Box 21126 Philadelphia, PA 19114-0326	267-941-6800	Taxes				\$8,500.00
Lilley Idealease Attn: Managing Agent/Bankruptcy PO Box 670 Williamston, NC 27892	252-792-4192	Loan				\$15,000.00
LoanMe Attn: Managing Agent/Bankruptcy 1900 S State College Blvd #300 Anaheim, CA 92806	844-956-2663	Loan				\$21,207.29
Milestone Mastercard Attn: Managing Agent/Bankruptcy PO Box 4477 Beaverton, OR 97076	1-866-453-2636	Credit card				\$600.00
NC Department of Revenue Office Serv. Div., Bankruptcy Unit Post Office Box 1168 Raleigh., NC 27602-1168	877-252-3052	Taxes				\$16,300.00

Debtor **Pendergrass Trucking, Inc.**
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
Quill Attn: Managing agent Post Office Box 37600 Philadelphia, PA 19101-0600	800-789-8955	Account				\$70.43
Wex-Fleet Fueling c/o RMC PO Box 2471 Woburn, MA 01888	800-761-7181	Account				\$8,728.84

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

In re **Pendergrass Trucking, 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: **April 28, 2017**

/s/ Donald G. Pendergrass

Donald G. Pendergrass/President
Signer/Title

Date: **April 28, 2017**

/s/ Travis Sasser

Signature of Attorney
Travis Sasser
Sasser Law Firm
2000 Regency Parkway
Suite 230
Cary, NC 27518
919.319.7400 Fax: 919.657.7400

AG Adjustments
Attn: Managing Agent/Bankruptcy
740 Walt Whitman Road
Melville, NY 11747-9090

Fresh View
Attn: Managing Agent/Bankruptcy
10865 Grandview Drive Suite 2000
Overland Park, KS 66210

Quill
Attn: Managing agent
Post Office Box 37600
Philadelphia, PA 19101-0600

CACH, LLC
Attn: Managing Agent/Bankruptcy
4340 South Monaco Street. Unit 2
Denver, CO 80237-3408

Headway Capital LLC
Attn: Managing Agent/Bankruptcy
175 West Jackson Boulevard Ste 1000
Chicago, IL 60604

Smith Debnam et al
Attn: Managing Agent
Post Office Box 26268
Raleigh, NC 27611-6268

Can Capital Asset Servicing, Inc.
FKA/ New Logic
414 West 14th Street 3rd Floor
New York, NY 10014

IBIS
Attn: Managing agent
40 Wall Street, 15th Floor
New York, NY 10005

Wex-Fleet Fueling
c/o RMC
PO Box 2471
Woburn, MA 01888

Capital One
Attn: Managing Agent/Bankruptcy
PO Box 30285
Salt Lake City, UT 84130-0285

Imperial Supplies LLC
Attn: Managing Agent/Bankruptcy
789 Armed Forces Drive
Green Bay, WI 54304

Comdata, Inc.
5301 Maryland Way
Brentwood, TN 37027

Internal Revenue Service
Centralized Insolvency Unit
P. O. Box 21126
Philadelphia, PA 19114-0326

Corporation Service Company
Attn: Managing Agent/Bankruptcy
2711 Centerville Road
Wilmington, DE 19808

Lilley Idealease
Attn: Managing Agent/Bankruptcy
PO Box 670
Williamston, NC 27892

Dakota State Bank
Attn: Managing Agent
PO Box 206
Blunt, SD 57522

LoanMe
Attn: Managing Agent/Bankruptcy
1900 S State College Blvd #300
Anaheim, CA 92806

Discover Financial Services
Attn: Managing Agent/Bankruptcy
PO Box 15316
Wilmington, DE 19850

Milestone Mastercard
Attn: Managing Agent/Bankruptcy
PO Box 4477
Beaverton, OR 97076

Donald Pendergrass
5512 Yates Mill Pond Road
Raleigh, NC 27606

NC Department of Revenue
Office Serv. Div., Bankruptcy Unit
Post Office Box 1168
Raleigh, NC 27602-1168

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

In re Pendergrass Trucking, Inc.

Debtor(s)

Case No.

Chapter 11

STATEMENT REGARDING AUTHORITY TO SIGN AND FILE PETITION

I, **Donald G. Pendergrass**, declare under penalty of perjury that I am the **President** of **Pendergrass Trucking, Inc.**, and that the following is a true and correct copy of the resolutions adopted by the Board of Directors of said corporation at a special meeting duly called and held on the 28th day of April, 2017.

"Whereas, it is in the best interest of this corporation to file a voluntary petition in the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that **Donald G. Pendergrass, President** of this Corporation, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter 11 voluntary bankruptcy case on behalf of the corporation; and

Be It Further Resolved, that **Donald G. Pendergrass, President** of this Corporation is authorized and directed to appear in all bankruptcy proceedings on behalf of the corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the corporation in connection with such bankruptcy case, and

Be It Further Resolved, that **Donald G. Pendergrass, President** of this Corporation is authorized and directed to employ **Travis Sasser**, attorney and the law firm of **Sasser Law Firm** to represent the corporation in such bankruptcy case."

Date April 28, 2017

Signed /s/ Donald Pendergrass

Donald G. Pendergrass

Resolution of Board of Directors
of
Pendergrass Trucking, Inc.

Whereas, it is in the best interest of this corporation to file a voluntary petition in the the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that **Donald G. Pendergrass, President** of this Corporation, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter 11 voluntary bankruptcy case on behalf of the corporation; and

Be It Further Resolved, that **Donald G. Pendergrass, President** of this Corporation is authorized and directed to appear in all bankruptcy proceedings on behalf of the corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the corporation in connection with such bankruptcy case, and

Be It Further Resolved, that **Donald G. Pendergrass, President** of this Corporation is authorized and directed to employ **Travis Sasser**, attorney and the law firm of **Sasser Law Firm** to represent the corporation in such bankruptcy case.

Date April 28, 2017

Signed /s/ Donald Pendergrass