

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 Capital Partnership, LLC

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

3. Debtor's federal Employer Identification Number (EIN) 20-1087746

4. Debtor's address	Principal place of business	Mailing address, if different from principal place of business
	<u>130 Preston Executive Drive</u> <u>Suite 101</u> <u>Cary, NC 27513</u> Number, Street, City, State & ZIP Code <u>Wake</u> County	_____ P.O. Box, Number, Street, City, State & ZIP Code 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 Capital Partnership, LLC
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 Capital Partnership, LLC
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 type="checkbox"/> 1-49	<input type="checkbox"/> 1,000-5,000	<input type="checkbox"/> 25,001-50,000
<input checked="" 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 Capital Partnership, LLC
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 November 2, 2017
MM / DD / YYYY

/s/ Brandon Giegling
Signature of authorized representative of debtor

Title Authorized Agent

Brandon Giegling
Printed name

18. Signature of attorney /s/ William P. Janvier
Signature of attorney for debtor

Date November 2, 2017
MM / DD / YYYY

William P. Janvier
Printed name

Janvier Law Firm, PLLC
Firm name

311 East Edenton Street
Raleigh, NC 27601
Number, Street, City, State & ZIP Code

Contact phone 919-582-2323 Email address _____

21136
Bar number and State

B2030 (Form 2030) (12/15)

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

In re Capital Partnership, LLC

Debtor(s)

Case No.

Chapter 11

DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR(S)

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept	\$	<u>12,000.00</u>
Prior to the filing of this statement I have received	\$	<u>12,000.00</u>
Balance Due	\$	<u>0.00</u>

2. \$ 0.00 of the filing fee has been paid.

3. The source of the compensation paid to me was:

Debtor Other (specify):

4. The source of compensation to be paid to me is:

Debtor Other (specify):

5. I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation is attached.

6. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
- b. Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;
- c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
- d. [Other provisions as needed]

Filing motions to avoid npm security interest in HHG or tools of the trade; filing motions to avoid judicial liens; assisting the debtor in negotiating reaffirmation agreements; filing motions to continue (for which a flat fee of \$50.00 shall be paid); and amending schedules as needed.

7. By agreement with the debtor(s), the above-disclosed fee does not include the following service:

Representation of the debtor(s) in any dischargeability actions, including student loan discharge issues, and other adversary proceedings; representation of the debtor in contested judicial or npm lien avoidance matters; only contested proceedings concerning the right of the IRS to continue to garnish or offset social security benefits; section 707(b) motions to dismiss, representation of the debtor in contested motions for relief from stay; representation of the debtor in objections to exemptions, filing motions to redeem collateral (\$200.00 to \$600.00 depending on level of opposition to motion); If the debtor(s) chooses to employ the attorney in any of these matters, the debtor shall compensate the attorney at the hourly rate of \$250.00 per hour, unless specifically provided for otherwise herein.

CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

November 2, 2017

Date

/s/ William P. Janvier

William P. Janvier

Signature of Attorney

Janvier Law Firm, PLLC

311 East Edenton Street

Raleigh, NC 27601

919-582-2323 Fax: 866-809-2379

Name of law firm

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

In re **Capital Partnership, LLC** Debtor(s) Case No. _____
Chapter **11**

VERIFICATION OF CREDITOR MATRIX

I, the Authorized Agent 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: **November 2, 2017**

/s/ Brandon Giegling
Brandon Giegling/Authorized Agent
Signer/Title

Aflac
1932 Wynnton Road
Columbus, GA 31999

CHTD Company
Attn: Managing
PO Box 2576
Springfield, IL 62708

Dr. Neil Kline
1002 Lititz Pike #229
Lititz, PA 17543

Airway Technologies
3418 Midcourt Road #114
Carrollton, TX 75006

Circadiance
1300 Rodi Road
Turtle Creek, PA 15145

Drive Medical SPV Inc dba Drive D
29427 Network Place
Chicago, IL 60673

American Academy of Sleep Medicine
2510 North Frontage Road
Darien, IL 60561

Conserve
PO Box 1528
Fairport, NY 14450

Eclinical Works
PO Box 847950
Boston, MA 02284

Aramark Refreshment Services
11800 Statesville Road
Huntersville, NC 28078

Cook Property Group, LLC
4212 Sprucedale Drive
Raleigh, NC 27613

Employment Security Commission
Attn: Managing Agent
PO Box 25903
Raleigh, NC 27611

Best Life Health Insurance
PO Box 19721
Irvine, CA 92623

Corporation Service Company
Attn: Managing Agent
801 Adlai Stevenson Drive
Springfield, IL 62703

Fisher & Paykel
173 Technology Drive Ste 100
Irvine, CA 92618

Canon Financial Services
PO Box 5008
Mt. Laurel, NJ 08054

Delaney Law Firm
PO Box 10887
Raleigh, NC 27605

Greenberg Traurig
3290 Northside Parkway Ste 400
Atlanta, GA 30327

Carolina Cardiology Sleep & Obesity
2015 Gum Branch Rd Apt 1201
Jacksonville, NC 28540

DirecTV LLC
PO Box 410347
Charlotte, NC 27614

Harris & Hilton, PA
Attn: David N. Hilton
7320 Six Forks Rd, Ste 100
Raleigh, NC 27615

Carolina Pure Water Systems
PO Box 97123
Raleigh, NC 27624

Dr. Jamila Battle
2820 Peachleaf
Raleigh, NC 27610

Infina Connect
1000 CentreGreen Way Ste 250
Cary, NC 27513

CBE Group
1309 Technology Parkway
Cedar Falls, IA 50613

Dr. Jose Antony
1212 Waterford Lake Drive
Cary, NC 27519

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

iSolved
PO Box 993
Coldwater, MI 49036

Paradise Vacation Club
23792 Rockfield #250
Lake Forest, CA 92630

Reach Local
21700 Oxnard Street, Suite 1600
Woodland Hills, CA 91367

KZEL Properties
600 Queen Annes Road
Greenville, NC 27858

Parkway Healthcare Ventures
225 Rivergreen Lane
Bowling Green, KY 42103

Regions Bank
PO Box 11007
Birmingham, AL 35288-0001

Local Edge
PO Box 25934
Lehigh Valley, PA 18002

Performant Recovery Inc
PO Box 979112
St. Louis, MO 63197

Regions Bank
Attn: Collateral Management
PO Box 12926
Birmingham, AL 35202

Luma Health
177 Post Street, Suite 920
San Francisco, CA 94108

Pioneer Credit Recovery
PO Box 189
Arcade, NY 14009

ResMed
9001 Spectrum Center Blvd
San Diego, CA 92123

McKesson Medical Surgical
9954 Maryland Drive Ste 4000
Richmond, VA 23233

Pitney Bowes
2225 American Drive
Neenah, WI 54956

Respironics
PO Box 405740
Atlanta, GA 30384-5740

Mindshift
PO Box 200105
Pittsburgh, PA 15251

PPM Fulfillment
4344 N 62nd Street
Lincoln, NE 68507

Salter Labs
30 Spur Drive Ste A
El Paso, TX 79906

MVAP
1415 Lawrence Drive
Newbury Park, CA 91320

Preston Properties III, LLC
Attn: Wesley Smith
130 Preston Executive Dr, Ste 203
Cary, NC 27513

Satinsky Consulting
201 Cedar Ridge Way
Durham, NC 27705

NC Dept. of Revenue
Attn: Bankruptcy Unit
PO Box 1168
Raleigh, NC 27602-1168

Provent Sleep Therapy
373 South Willow Street Ste 306
Manchester, NH 03103

SoTellUs
3256 E. Phelps St.
Gilbert, AZ 85295

Palmetto GBA
PO Box 100238
Columbia, SC 29202

Quill
PO Box 37600
Philadelphia, PA 19101

Spectrum Enterprise
1900 Blue Crest Lane
San Antonio, TX 78247

States Resources Corporation
2211 South 156th Circle
Omaha, NE 68130

Stericycle
4010 Commercial Ave
Northbrook, IL 60062

Suntrust Bank
PO Box 79079
Baltimore, MD 21279-0079

Suntrust Bank
PO Box 791250
Baltimore, MD 21279-1250

Swift Financial
3505 Silverside Road
Wilmington, DE 19810

US Dept of Treasury
PO Box 830794
Birmingham, AL 35283

Wake County Revenue Department
PO Box 2331
Raleigh, NC 27602

Windstream
1720 Galleria Blvd
Charlotte, NC 28270

Worksmart
100 Meredith Drive
Durham, NC 27713

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

In re **Capital Partnership, 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 **Capital Partnership, LLC** 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*]

November 2, 2017
Date

/s/ William P. Janvier
William P. Janvier
Signature of Attorney or Litigant
Counsel for **Capital Partnership, LLC**
Janvier Law Firm, PLLC
311 East Edenton Street
Raleigh, NC 27601
919-582-2323 Fax:866-809-2379