

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 Wicked Taco, LLC

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) 46-4482536

4. Debtor's address	Principal place of business	Mailing address, if different from principal place of business
	<u>3928 Western Blvd.</u> <u>Raleigh, NC 27606</u> Number, Street, City, State & ZIP Code <u>Wake</u> County	<u>932 Laskin Road, Ste. 200</u> <u>Virginia Beach, VA 23451</u> 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 **Wicked Taco, 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 **Wicked Taco, 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 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 **Wicked Taco, 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 **March 2, 2018**
MM / DD / YYYY

X /s/ Joseph W. Luter, IV
Signature of authorized representative of debtor
Title **Sole Manager**

Joseph W. Luter, IV
Printed name

18. Signature of attorney

X /s/ Gregory B. Crampton
Signature of attorney for debtor

Date **March 2, 2018**
MM / DD / YYYY

Gregory B. Crampton
Printed name

Nicholls & Crampton, PA
Firm name

**3700 Glenwood Avenue
Suite 500
Raleigh, NC 27612**
Number, Street, City, State & ZIP Code

Contact phone **919-781-1311** Email address **gcrampton@nichollscrampton.com**

991 NC
Bar number and State

Fill in this information to identify the case:

Debtor name Wicked Taco, LLC

United States Bankruptcy Court for the: EASTERN DISTRICT OF NORTH CAROLINA

Case number (if known) _____

Check if this is an amended filing

Official Form 202

Declaration Under Penalty of Perjury for Non-Individual Debtors

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud 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.

Declaration and signature

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- Schedule A/B: Assets—Real and Personal Property* (Official Form 206A/B)
- Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 206D)
- Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G)
- Schedule H: Codebtors* (Official Form 206H)
- Summary of Assets and Liabilities for Non-Individuals* (Official Form 206Sum)
- Amended Schedule*
- Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- Other document that requires a declaration _____

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

Executed on March 2, 2018

X /s/ Joseph W. Luter, IV
Signature of individual signing on behalf of debtor

Joseph W. Luter, IV
Printed name

Sole Manager
Position or relationship to debtor

Fill in this information to identify the case:

Debtor name **Wicked Taco, LLC**
 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
Christine Williamson 1640 Tether Keep Virginia Beach, VA 23454	cfgw1022@yahoo.com (757) 481-0955	Convertible Promissory Note				\$403,666.67
Argent 932 Laskin Road, Ste 200 Virginia Beach, VA 23451	Fleet Smith fleet@investacacom (757) 617-0966	Convertible Promissory Note; Promissory Note				\$340,666.67
Rick Galliford 3283 Atlantic Circle Naples, FL 34119	foed735@gmail.com (757) 576-3633	Convertible Promissory Note				\$173,000.00
Gerald R. Barfield P.O. Box 634 Morehead City, NC 28557	geraldb2001@yahoo.com (252) 560-1515	Judgment	Disputed			\$126,114.03
Bruce A. Berlin 1081 19th Street, Ste 203 Virginia Beach, VA 23451	Bruce@Venturerealtygroup.com (757) 497-7700	Convertible Promissory Note				\$29,986.67
John L Gibson, III 1081 19th Street, Ste 103 Virginia Beach, VA 23451	John@Venturerealtygroup.com (757) 497-7700	Convertible Promissory Note				\$29,986.67

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

In re **Wicked Taco, LLC**

Debtor(s)

Case No.

Chapter **11**

LIST OF EQUITY SECURITY HOLDERS

Following is the list of the Debtor's equity security holders which is prepared in accordance with rule 1007(a)(3) for filing in this Chapter 11 Case

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
A. Churchill Young IV Rollover IRA c/o Shela Williams EVP P.O. Box 85678 Richmond, VA 23285			Member
Big River Advertising, LLC c/o H. Frederick T. Moore 2100 E. Cary Street Richmond, VA 23223			Member
Bruce A. Berlin 1081 19th Street, Ste 203 Virginia Beach, VA 23451			Member
Donna Whitaker 1081 19th Street, Ste 202 Virginia Beach, VA 23451			Member
H. Frederick T Moore c/o Big River Advertising, LLC 2100 E. Cary Street Richmond, VA 23223			Member
Howard Stuart Todd Townsend 321 Robmont Road Charlotte, NC 28270			Member
Huntley G. Davenport, Jr. 3 Greenway Lane Richmond, VA 23226			Member
John L. Gibson, III 1081 19th Street, Ste 103 Virginia Beach, VA 23451			Member
LFWT, LLC Attn: Joseph W. Luter, IV 932 Laskin Road Ste 200 Virginia Beach, VA 23451			Member
Robert Clay 5599 San Felipe St., Ste 1440 Houston, TX 77056			Member

In re: Wicked Taco, LLC Debtor(s) Case No. _____

LIST OF EQUITY SECURITY HOLDERS
(Continuation Sheet)

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
Todd Stuart Rollover IRA c/o Davenport & Company, LLC 4250 Northside Drive, NW Atlanta, GA 30327			Member
WTVB, LLC c/o Fleet Smith 932 Laskin Road, Ste 200 Virginia Beach, VA 23451			Member

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the **Sole Manager** of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date March 2, 2018 Signature /s/ Joseph W. Luter, IV
Joseph W. Luter, IV

*Penalty for making a false statement of 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 Wicked Taco, LLC

Debtor(s)

Case No.
Chapter

11

VERIFICATION OF CREDITOR MATRIX

I, the Sole 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: March 2, 2018

/s/ Joseph W. Luter, IV

Joseph W. Luter, IV/Sole Manager

Signer/Title

A. Churchhill Young IV Rollover IRA
c/o Shela Williams EVP
P.O. Box 85678
Richmond, VA 23285

Huntley G. Davenport, Jr.
3 Greenway Lane
Richmond, VA 23226

Rick Galliford
3283 Atlantic Circle
Naples, FL 34119

Argent
932 Laskin Road, Ste 200
Virginia Beach, VA 23451

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

Robert Clay
5599 San Felipe St., Ste 1440
Houston, TX 77056

Big River Advertising, LLC
c/o H. Frederick T. Moore
2100 E. Cary Street
Richmond, VA 23223

Jeremy Clayton King, Attorney
Lanier, King & Paysour, PLLC
108 S. Pitt Street
Greenville, NC 27858

Sysco Raleigh, LLC
1032 Baugh Road
Selma, NC 27576

Bruce A. Berlin
1081 19th Street, Ste 203
Virginia Beach, VA 23451

John L. Gibson, III
1081 19th Street, Ste 103
Virginia Beach, VA 23451

Todd Stuart Rollover IRA
c/o Davenport & Company, LLC
4250 Northside Drive, NW
Atlanta, GA 30327

Christine Williamson
1640 Tether Keep
Virginia Beach, VA 23454

John L. Gibson, III
1081 19th Street, Ste 103
Virginia Beach, VA 23451

US Foods, Inc.
P.O. Box 602211
Charlotte, NC 28260-2211

Donna Whitaker
1081 19th Street, Ste 202
Virginia Beach, VA 23451

LFWT, LLC
Attn: Joseph W. Luter, IV
932 Laskin Road Ste 200
Virginia Beach, VA 23451

WTVB, LLC
c/o Fleet Smith
932 Laskin Road, Ste 200
Virginia Beach, VA 23451

Gerald R. Barfield
P.O. Box 634
Morehead City, NC 28557

LNHM, LLC
Attn: Fagg Nowlan
110 Westover Dr.
High Point, NC 27265

H. Frederick T Moore
c/o Big River Advertising, LLC
2100 E. Cary Street
Richmond, VA 23223

North Carolina Dept. of Commerce
Div. of Employment Security
P.O. Box 26504
Raleigh, NC 27611-6504

Howard Stuart Todd Townsend
321 Robmont Road
Charlotte, NC 28270

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

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

In re **Wicked Taco, 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 **Wicked Taco, 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:

LFWT, LLC

**Attn: Joseph W. Luter, IV
932 Laskin Road Ste 200
Virginia Beach, VA 23451**

WTVB, LLC

**c/o Fleet Smith
932 Laskin Road, Ste 200
Virginia Beach, VA 23451**

None [*Check if applicable*]

March 2, 2018

Date

/s/ Gregory B. Crampton

Gregory B. Crampton

Signature of Attorney or Litigant

Counsel for **Wicked Taco, LLC**

Nicholls & Crampton, PA

3700 Glenwood Avenue

Suite 500

Raleigh, NC 27612

919-781-1311 Fax:919-782-0465

gcrampton@nichollscrampton.com