

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 Bennett Trucking & Logging, 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) 81-0893552

4. Debtor's address

Principal place of business

Mailing address, if different from principal place of business

1412 Washington St
Roanoke Rapids, NC 27870

Number, Street, City, State & ZIP Code

Halifax

County

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

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

221 E. 14th Street Roanoke Rapids, NC 27870

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 **Bennett Trucking & Logging, 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 **Bennett Trucking & Logging, 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☒ 1-49☐ 50-99☐ 100-199☐ 200-999☐ 1,000-5,000☐ 5001-10,000☐ 10,001-25,000☐ 25,001-50,000☐ 50,001-100,000☐ More than 100,000**15. Estimated Assets**☐ \$0 - \$50,000☒ \$50,001 - \$100,000☐ \$100,001 - \$500,000☐ \$500,001 - \$1 million☐ \$1,000,001 - \$10 million☐ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion**16. Estimated liabilities**☐ \$0 - \$50,000☐ \$50,001 - \$100,000☐ \$100,001 - \$500,000☒ \$500,001 - \$1 million☐ \$1,000,001 - \$10 million☐ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion

Debtor **Bennett Trucking & Logging, 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 **February 4, 2019**
MM / DD / YYYY**X /s/ Dennis Bennett**

Signature of authorized representative of debtor

Dennis Bennett

Printed name

Title **Member****18. Signature of attorney****X /s/ William P. Janvier**

Signature of attorney for debtor

Date **February 4, 2019**

MM / DD / YYYY

William P. Janvier 21136

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 NC

Bar number and State

Fill in this information to identify the case:Debtor name **Bennett Trucking & Logging, 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 **February 4, 2019****X /s/ Dennis Bennett**

Signature of individual signing on behalf of debtor

Dennis Bennett

Printed name

Member

Position or relationship to debtor

Fill in this information to identify the case:

Debtor name **Bennett Trucking & Logging, 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
American Express Attn: Managing Agent PO Box 981535 El Paso, TX 79998-1535		Credit Card				\$19,101.08
BB&T Attn: Managing Agent P.O. Box 1847 Wilson, NC 27894-1847		221 E. 14th Street Roanoke Rapids, NC 27870 Halifax County Old Milk Dairy - Used to Park Trucks Purchase Date: 10/2015 Purchase Price: \$60,000.00		\$49,990.38	\$60,000.00	\$49,990.38
BB&T Attn: Managing Agent P.O. Box 1847 Wilson, NC 27894-1847		221 E. 14th Street Roanoke Rapids, NC 27870 Halifax County Old Milk Dairy - Used to Park Trucks Purchase Date: 10/2015 Purchase Price: \$60,000.00		\$98,384.08	\$60,000.00	\$38,384.08
Forward Financing, LLC Attn: Managing Agent 100 Summer St, Ste 1175 Boston, MA 02110		Includes Future Receivables Sold by Debtor & Purchased by Forward Financing		\$77,400.00	\$0.00	\$77,400.00

Debtor **Bennett Trucking & Logging, LLC**
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
Halifax County Tax Collector Attn: Managing Agent PO Box 68 Halifax, NC 27839		Property Tax				\$13,447.39
Lilley Idealease, Inc Attn: Managing Agent 103 East Blvd, PO Box 670 Williamston, NC 27892		Deficiency on Lease				\$21,492.55
Pearl Delta Funding, LLC Attn: Managing Agent 40 Exchange Place, Ste 1306 New York, NY 10005				\$85,895.04	\$0.00	\$85,895.04
Scottrade Bank Attn: Managing Agent 12800 Corporate Hill Drive Saint Louis, MO 63131		(1) Used 2013 Caterpillar 559B Loader SN: PR65514		\$165,500.00	\$0.00	\$165,500.00

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

In re **Bennett Trucking & Logging, LLC**

Debtor(s)

Case No.

Chapter

11

VERIFICATION OF CREDITOR MATRIX

I, the Member 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: **February 4, 2019**

/s/ Dennis Bennett

Dennis Bennett/Member

Signer/Title

American Arbitration Assoc
Attn: Yvonne Baglini
1301 Atwood Ave, Ste 211N
Johnston, RI 02919

Forward Financing, LLC
Attn: Lauren Hatch, Esq
100 Summer St, Ste 1175
Boston, MA 02110

American Express
Attn: Managing Agent
PO Box 981535
El Paso, TX 79998-1535

Halifax County Tax Collector
Attn: Managing Agent
PO Box 68
Halifax, NC 27839

BB&T
Attn: Managing Agent
P.O. Box 1847
Wilson, NC 27894-1847

John Deere Financial
Attn: Managing Agent
6400 NW 86th St, PO Box 6600
Johnston, IA 50131-6630

Corporation Service Company, as rep
Attn: Managing Agent
PO Box 2576
Springfield, IL 62708

Kabbage
Attn: Managing Agent
925B Peachtree St, Ste 1688
Atlanta, GA 30309

CT Corporation System
Attn: Managing Agent
330 N Brand Blvd, Ste 700
Glendale, CA 91203

Lilley Idealease, Inc
Attn: Managing Agent
103 East Blvd, PO Box 670
Williamston, NC 27892

Dennis & Teresa Bennett
1412 Washington Street
Roanoke Rapids, NC 27870

Pearl Delta Funding, LLC
Attn: Managing Agent
40 Exchange Place, Ste 1306
New York, NY 10005

Dennis Bennett
1412 Washington Street
Roanoke Rapids, NC 27870

Scottrade Bank
Attn: Managing Agent
12800 Corporate Hill Drive
Saint Louis, MO 63131

Forward Financing, LLC
Attn: Managing Agent
100 Summer St, Ste 1175
Boston, MA 02110

Sumitomo Mitsui Finance & Leasing
Attn: Managing Agent
666 Third Ave
New York, NY 10017

Forward Financing, LLC
Attn: Colin Garvey
36 Bromfield St, 2nd Fl
Boston, MA 02108

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

In re **Bennett Trucking & Logging, 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 **Bennett Trucking & Logging, 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*]

February 4, 2019

Date

/s/ William P. Janvier

William P. Janvier 21136

Signature of Attorney or Litigant

Counsel for **Bennett Trucking & Logging, LLC**

Janvier Law Firm, PLLC

311 East Edenton Street

Raleigh, NC 27601

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