20796

United States Bankruptcy Court Middle District of North Carolina					Voluntary Petition		
Name of Debtor (if individual, enter Last, First, Middle): AVRICO, Inc.			Name of Joint Debtor (Spouse) (Last, First, Middle):				
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): d/b/a Foothills Market & Grill			All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):				
Last four digits of Soc. Sec. or Indvidual-Taxpayer I.D. (ITIN) No./Complete EIN(if more than one, state all): <b>56-2082106</b>			Last four digits of Soc. Sec. or Indvidual-Taxpayer I.D. (ITIN) No./Complete EIN(if more than one, state all):				
Street Address of Debtor (No. & Street, City, and State): 401 Farmingdale Avenue		Str	Street Address of Joint Debtor (No. & Street, City, and State):				
Winston-Salem, NC ZIP CODE 27107			ZIP CODE				
County of Residence or of the Principal Place of Business: Forsyth			County of Residence or of the Principal Place of Business:				
Mailing Address of Debtor (if different from street address):			Mailing Address of Joint Debtor (if different from street address):				
ZIP CODE			ZIP CODE				
	Location of Principal Assets of Business Debtor (if different from street address above):						
A					ZIP CO		
Type of Debtor     Nature of Bus       (Form of Organization)     (Check one box)       Individual (includes Joint Debtors)     Health Care Business       See Exhibit D on page 2 of this form.     U.S.C. § 101(51B)		siness al Estate as o		-	Recogni		
<ul> <li>Corporation (includes LLC and LLP)</li> <li>Partnership</li> <li>Other (If debtor is not one of the above entities, check this box and state type of entity below.)</li> </ul>	Railroad     Stockbroker     Commodity Broker		-	<ul><li>Chapter 11</li><li>Chapter 12</li><li>Chapter 13</li></ul>	Chapter Recogni	15 Petition for tion of a Foreign n Proceeding	
	Tax-Exe (Check box Debtor is a tax-e under Title 26 or	exempt organ f the United	ole) nization I States	debts, defin § 101(8) as individual p personal, fai	(Check one box) imarily consumer ed in 11 U.S.C. "incurred by an rimarily for a mily, or house-	Debts are primarily business debts.	
Code (the Internal Revenue Code.)     hold purpose."       Filing Fee (Check one box)     Chapter 11 Debtors							
<ul> <li>Full Filing Fee attached</li> <li>Filing Fee to be paid in installments (applicable to indisigned application for the court's consideration certifying)</li> </ul>	ach	<ul> <li>Check one box:</li> <li>□ Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D).</li> <li>☑ Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D).</li> <li>Check if:</li> </ul>					
<ul> <li>unable to pay fee except in installments. Rule 1006(b)</li> <li>Filing Fee waiver requested (applicable to chapter 7 in attach signed application for the court's consideration.</li> </ul>		<ul> <li>Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000.</li> <li>Check all applicable boxes</li> <li>A plan is being filed with this petition</li> <li>Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).</li> </ul>					
<ul> <li>Statistical/Administrative Information</li> <li>□ Debtor estimates that funds will be available for distril</li> <li>☑ Debtor estimates that, after any exempt property is excepted available for distribution of the state of the sta</li></ul>	luded and administrativ	ve	or creat	ons, in accordance	wini 11 0.0.0. 3 1120(0).	THIS SPACE IS FOR COURT USE ONLY	
Estimated Number of Creditors							
$\begin{array}{cccccccccccccccccccccccccccccccccccc$	5,001- 10,000 25,000	25,001- 50,000	50,001- 100,000	Over 100,000			
Estimated Assets           Image: Constraint of the system         Image: Constand of the system <th< td=""><td>0,001 \$10,000,001 \$5 to \$50 to</td><td><u></u></td><td></td><td></td><td>More than \$1 billion</td><td></td></th<>	0,001 \$10,000,001 \$5 to \$50 to	<u></u>			More than \$1 billion		
Estimated Liabilities \$\begin{aligned}             Estimated Liabilities \$\begin{aligned}             & \begin{aligned}             & \begin{aligned}	to \$50 to		\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion	More than \$1 billion		

B 1 (Official Form 1) (1/08)

Dirk W. Siegmund, Esq.

B 1 (Official Form	n 1) (1/08)	_	FORM B1, Page 2			
Voluntary Peti (This page must	tion be completed and filed in every case)	Name of Debtor(s): AVRICO, Inc.				
	All Prior Bankruptcy Cases Filed Within La	st 8 Years (If more than two, attach additional sheet.	)			
Location Where Filed:	NONE	Case Number:	Date Filed:			
Location Where Filed:		Case Number:	Date Filed:			
	Pending Bankruptcy Case Filed by any Spouse, Partner of	r Affiliate of this Debtor (If more than one, attach a	additional sheet)			
Name of Debtor: NONE		Case Number:	Date Filed:			
District:		Relationship:	Judge:			
Exhibit A       Exhibit B         (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)       I, the attorney for the petitioner named in the foregoing petition, declare have informed the petitioner that [he or she] may proceed under chapter 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I have delivered to debtor the notice required by 11 U.S.C. § 342(b).         Exhibit A is attached and made a part of this petition.       X Not Applicable						
		Signature of Attorney for Debtor(s)	Date			
	Fyl	nibit C				
	n or have possession of any property that poses or is alleged to pose bit C is attached and made a part of this petition.		health or safety?			
	Exh	ibit D				
(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)						
🗋 Exhibit D	completed and signed by the debtor is attached and made a part of	this petition.				
If this is a joint petit	tion:					
	also completed and signed by the joint debtor is attached and made	e a part of this petition.				
	Information Regard	ling the Debtor - Venue	in			
(Check any applicable box) Debtor has been domiciled or has had a residence, 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.						
	There is a bankruptcy case concerning debtor's affiliate. general partner, or partnership pending in this District.					
Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District. or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.						
		les as a Tenant of Residential Property oplicable boxes.)				
	Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following).					
		(Name of landlord that obtained judgment)				
		(Address of landlord)				
	Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.					
	Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(I)).					

## Dirk W. Siegmund, Esq.

B 1 (Official Form 1) (1/08)	FORM B1, Page				
Voluntary Petition (This page must be completed and filed in every case)	Name of Debtor(s): AVRICO, Inc.				
Sign	atures				
Signature(s) of Debtor(s) (Individual/Joint)           I declare under penalty of perjury that the information provided in this petition is true and correct.         [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.           [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).           I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.           X         Not Applicable           Signature of Debtor           X         Not Applicable           Signature of Joint Debtor           Telephone Number (If not represented by attorney)	Signature of a Foreign Representative         I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.         (Check only one box.)       Irequest relief in accordance with chapter 15 of Title 11, United States Code. Certified Copies of the documents required by § 1515 of title 11 are attached.         Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the				
Date	Date				
Signature of AttorneyXSignature of Attorney for Debtor(s)Dirk W. Siegmund, Esq. Bar No. 20796Printed Name of Attorney for Debtor(s) / Bar No.Ivey, McClellan, Gatton & Talcott, L.L.PFirm NamePost Office Box 3324AddressGreensboro, North Carolina 27402(336) 274-4658(336) 274-4658Telephone Number $5-5$ Date*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.	Signature of Non-Attorney Petition Preparer         I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. § § 110(b), 110(b), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.         Not Applicable         Printed Name and title, if any, of Bankruptcy Petition Preparer         Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social-Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)         Address				
Signature of Debtor (Corporation/Partnership)         I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor         The debtor requests the relief in accordance with the chapter of title 11, United States Code, specified in this petition.         X       X         Signature of Authorized Individual       Jennifer A. Green         Printed Name of Authorized Individual       President         Title of Authorized Individual       S-A A         Date       Date	<ul> <li>X Not Applicable</li> <li>Date</li> <li>Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social-Security number is provided above.</li> <li>Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual.</li> <li>If more than one person prepared this document, attach to the appropriate official form for each person.</li> <li>A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.</li> </ul>				