ACTION WITHOUT MEETING BY

THE MEMBER/MANAGERS OF

TBG DEVELOPMENT, LLC

WE, the undersigned being all of the Member/Managers of TBG DEVELOPMENT, LLC ("the Company") hereby act without meeting as follows:

RESOLVED that the appropriate member or members are hereby authorized to file a petition pursuant to Title 11, Chapter 11 in the United States Bankruptcy Court on behalf of the Company.

DATED this the <u>J</u> day of November, 2009.

Member/Manager

Homber/Manager Hullez Artchins

lanager

Case 09-33113 Doc 1 Filed 11/06/09 Entered 11/06/09 15:08:15 Desc Main Document Page 2 of 10 TBG Development, LLC 221 S. Tryon Street #100 Charlotte, NC 28202

Richard M. Mitchell Mitchell & Culp PLLC 1001 Morehead Square Drive, Ste Charlotte, NC 28203

City County Tax Coll. Collection Division P.O. Box 31637 Charlotte, NC 28281

I.R.S. P.O. Box 21126 Philadelphia, PA 19114

NC Dept. of Revenue Bankruptcy Unit P.O. Box 1168 Raleigh, NC 27602-1168

US Attorney's Office 227 W. Trade St. 17th Floor Charlotte, NC 28202

US Bankruptcy Adm. John Bramlett 402 W. Trade Street Room 200 Charlotte, NC 28202-1669

Bank of America P.O. Box 15184 Wilmington, DE 19850-5184

Johnston, Allison & Hord, PA Attn: Constance L. Young 1065 E. Morehead St. Charlotte, NC 28204

Case 09-33113 Doc 1 Filed 11/06/09 Entered 11/06/09 15:08:15 Desc Main Document Page 3 of 10 Mecklenburg County Tax Coll. P.O. Box 71063 Charlotte, NC 28272-1063

RBC Bank P.O. Box 1220 Rocky Mount, NC 27802 Case 09-33113 Doc 1 Filed 11/06/09 Entered 11/06/09 15:08:15 Desc Main Document Page 4 of 10

UNITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION

In re: TBG Development, LLC

Case No.			
Chapter	11		

Debtor

VERIFICATION OF CREDITOR MATRIX

The above named debtor(s), or debtor's attorney if applicable, do hereby certify under penalty of perjury that the attached Master Mailing List of creditors, consisting of **2** sheet(s) is complete, correct and consistent with the debtor's schedules pursuant to Local Bankruptcy Rules and I/we assume all responsibility for errors and omissions.

Dated: 11/6/2009

Signed: s/ James M. Donnelly James M. Donnelly

Signed:

Richard M. MitchellAttorney for Debtor(s)Bar no.:3034Mitchell & Culp PLLC1001 Morehead Square Drive, Ste. 330Charlotte, NC 28203Telephone No.:(704) 333-0630Fax No.:(704) 333-4975E-mail address:

United States BankerBaserricher Page 5 of 10 Voluntary Petition Name of Detro of Individual runer Las, Fins, Mohdle: Name of Detro of Individual runer Las, Fins, Mohdle: Name of Detro of Individual runer Las, Fins, Mohdle: Name of Detro of Individual runery as, Fins, Mohdle: Name of Detro of Individual runery as, Fins, Mohdle: A Opervision and the las & Synth (indice metro), maids, and the last & Synth (indice metro), maids, and the last & Synth (indice metro), maids, and the last & Sy	<u>B 1 (</u>	B 1 (Official F@aste (09883113 Doc 1 Filed 11/06/09 Entered 11/06/09 15:08:15 Desc Main												
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•	ion Document	9 Entered 11/06/09 15:08:1 Page 6, of st.0	
(This page must b	pe completed and filed in every case)	TBG Development, LLC	
	All Prior Bankruptcy Cases Filed Within L	ast 8 Years (If more than two, attach additional she	,
Location Where Filed: No	ONE	Case Number:	Date Filed:
Location Where Filed:		Case Number:	Date Filed:
vilere i neu.	Pending Bankruptcy Case Filed by any Spouse, Partner	or Affiliate of this Debtor (If more than one, attac	h additional sheet)
lame of Debtor: NONE		Case Number:	Date Filed:
District:		Relationship:	Judge:
	Exhibit A	Exhibit B	
0Q) with the Securiti of the Securities Exch	ebtor is required to file periodic reports (e.g., forms 10K and ies and Exchange Commission pursuant to Section 13 or 15(d) hange Act of 1934 and is requesting relief under chapter 11.)	(To be completed if debto whose debts are primarily I, the attorney for the petitioner named in the for have informed the petitioner that [he or she] may 12, or 13 of title 11, United States Code, and hav available under each such chapter. I further certif debtor the notice required by 11 U.S.C. § 342(b)	r is an individual consumer debts) egoing petition, declare that I proceed under chapter 7, 11, ve explained the relief fy that I have delivered to the
Exhibit A is atta	ached and made a part of this petition.	X Not Applicable Signature of Attorney for Debtor(s)	Date
	Ex	hibit C	
	or have possession of any property that poses or is alleged to pose a t C is attached and made a part of this petition.	a threat of imminent and identifiable harm to public l	nealth or safety?
	Ex	hibit D	
To be completed by e	Ex every individual debtor. If a joint petition is filed, each spouse mu		
		st complete and attach a separate Exhibit D.)	
Exhibit D co	every individual debtor. If a joint petition is filed, each spouse mu ompleted and signed by the debtor is attached and made a part of	st complete and attach a separate Exhibit D.)	
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B 1 (Official Formse (09883113 Doc 1 Filed 11/06/09								
Voluntary Petition Document	Page 7 of 10							
(This page must be completed and filed in every case)	TBG Development, LLC							
	· /							
Sigr	natures							
Signature(s) of Debtor(s) (Individual/Joint)	Signature of a Foreign Representative							
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	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.)							
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 chapter 15 of Title 11, United States Code. Certified Copies of the documents required by § 1515 of title 11 are attached.							
I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.	Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the Chapter of title 11 specified in the petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.							
X Not Applicable	X Not Applicable							
Signature of Debtor	(Signature of Foreign Representative)							
X Not Applicable								
Signature of Joint Debtor	(Printed Name of Foreign Representative)							
Signature of Joint Debtor	(1 miled Maile of Polegin Representative)							
Telephone Number (If not represented by attorney)								
	Date							
Date								
Signature of Attorney X	Signature of Non-Attorney Petition Preparer							
Signature of Attorney for Debtor(s)	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							
Richard M. Mitchell Bar No. 3034	debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been							
Printed Name of Attorney for Debtor(s) / Bar No.	promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable							
Mitchell & Culp PLLC	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							
Firm Name	as required in that section. Official Form 19 is attached.							
1001 Morehead Square Drive, Ste. 330 Charlotte, NC 28203								
Address	Not Applicable							
Autos	Printed Name and title, if any, of Bankruptcy Petition Preparer							
(704) 333-0630 (704) 333-4975	Social-Security number (If the bankruptcy petition preparer is not an individual, state							
Telephone Number	the Social-Security number of the officer, principal, responsible person or partner of							
11/6/2009	the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)							
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.	Address							
Signature of Debtor (Corporation/Partnership)	X Not Applicable							
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.	Date Signature of bankruptcy petition preparer or officer, principal, responsible person, or							
The debtor requests the relief in accordance with the chapter of title 11, United States Code, specified in this petition.	partner whose Social-Security number is provided above. 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							
X s/ James M. Donnelly	in preparing this document unless the bankruptcy petition preparer is not an individual.							
Signature of Authorized Individual	If more than one person prepared this document, attach to the appropriate official form							
James M. Donnelly Printed Name of Authorized Individual	for each person.							
Member/Manager	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							
171CHIDCI/IVIAHAZCI	both. 11 U.S.C. § 110; 18 U.S.C. § 156.							
Title of Authorized Individual								

Case 09-331 ⁻ B4 (Official Form 4) (12/07)	13 Doc 1 Filed 11/06/09 Document	Entered 11/06/09 Page 8 of 10	15:08:15 Des	sc Main				
United States Bankruptcy Court Western District of North Carolina Charlotte Division								
In re TBG Development, LLC		, Case No.						
	Debtor	Chapter	<u>11</u>					
LIST OF CREE	DITORS HOLDING 2	0 LARGEST U	NSECURE	D CLAIMS				
(1)	(2)	(3)	(4)	(5)				
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, gov- ernment contract, etc.)	Indicate if claim is contingent, unliquidated, disputed or subject to setoff	Amount of claim [if secured also state value of security]				
RBC Bank	Accounts Receivable	Line of Credit		\$49,846.22				
P.O. Box 1220 Rocky Mount, NC 27802	RBC Bank P.O. Box 1220 Rocky Mount, NC 27802							
Mecklenburg County Tax Coll. P.O. Box 71063	Tax Collector	Tax		\$11,396.81				
Charlotte, NC 28272-1063	Mecklenburg County Tax Coll. P.O. Box 71063 Charlotte, NC 28272-1063							
Bank of America P.O. Box 15184	Account Receivable	Charge Card		\$3,785.97				
Wilmington, DE 19850-5184	Bank of America P.O. Box 15184 Wilmington, DE 19850-5184							

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A CORPORATION OR PARTNERSHIP

I, James M. Donnelly, Member/Manager of the Corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date: 11/6/2009

Signature: s/ James M. Donnelly

James M. Donnelly ,Member/Manager

(Print Name and Title)

Penalty for making a false statement or concealing property. Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C §§ 152 and 3571.

Case 09-33113 Doc 1 Filed 11/ Docun

06/09	Entered 11/06/09 15:08:15	Desc Main
nent	Page 9 of 10	

B6F (Official Form 6F) (12/07)

In re **TBG Development, LLC** Case No.

(If known)

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

Debtor

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO.							3,785.97
Bank of America P.O. Box 15184 Wilmington, DE 19850-5184							
ACCOUNT NO.							NPO
Johnston, Allison & Hord, PA Attn: Constance L. Young 1065 E. Morehead St. Charlotte, NC 28204							
ACCOUNT NO.							11,396.81
Mecklenburg County Tax Coll. P.O. Box 71063 Charlotte, NC 28272-1063							
ACCOUNT NO104	X						1,147,229.11
RBC Bank P.O. Box 1220 Rocky Mount, NC 27802							
ACCOUNT NO6102	X						49,846.22
RBC Bank P.O. Box 1220 Rocky Mount, NC 27802							

0 Continuation sheets attached

\$ 1,212,258.11 Subtotal > 1,212,258.11 S ≻

Total

I

(Use only on last page of the completed Schedule F.) (Report also on Summary of Schedules and, if applicable on the Statistical Summary of Certain Liabilities and Related Data.)

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C §§ 152 and 3571.

B6 Declaration (Official Form 6 - Declaration) (12/07)

In re TBG Development, LLC

Debtor

Case No.

DECLARATION CONCERNING DEBTOR'S SCHEDULES

DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

(NOT APPLICABLE)

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I James M. Donnelly, the Member/Manager of the Corporation named as debtor in this case, declare under penalty of

2 perjury that I have read the foregoing summary and schedules, consisting of _____ sheets (Total shown on summary page plus 1), and that they are true and correct to the best of my knowledge, information, and belief.

Date 11/6/2009

Signature:

s/ James M. Donnelly

James M. Donnelly Member/Manager [Print or type name of individual signing on behalf of debtor.]

[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]

(If known)

Case 09-33113