Case 10-31398 B1 (Official Form 1) (4/10)

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United States Bankruptcy Court Western District of North Carolina								
Name of Debtor (if individual, enter Last, First, Middle):			Name of Joint Debtor (Spouse) (Last, First, Middle):					
10210 Prosperity Park Drive, LLC	induro).			ini Dicetor (opou	50) (Lusi, 1 15i,	(induite)		
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): None			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 Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all): EIN: 30-0521732			Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all):					
Street Address of Debtor (No. and Street, City, and State) 1329 E Morehead St			Street Address of Joint Debtor (No. and Street, City, and State					
Ste 200 Charlotte, NC					ZIPCODE			
County of Residence or of the Principal Place of Business:			County of Residence or of the Principal Place of Business:					
Mecklenburg								
Mailing Address of Debtor (if different from street address):			Mailing Address of Joint Debtor (if different from street address):					
	ZIPCO	DDE					ZIPCODE	
Location of Principal Assets of Business Debtor	(if different from	street address at	ove):				ZIPCODE	
10210 Prosperity Park Dr, C				1 ~			28269	
Type of Debtor (Form of Organization)	(Check one box)	re of Business		C	-	kruptcy Code U is Filed (Check		
(Check one box)	Health Care I	Health Care Business Chap				Chapter 15 Petition for		
Individual (includes Joint Debtors) See Exhibit D on page 2 of this form.	11 U.S.C. § 1	01 (51B)		Chapter 9 — Reco			of a Foreign	
Corporation (includes LLC and LLP)	Railroad Stockbroker			Chapter		Main Proceed	e	
Partnership Other (If debtor is not one of the above entities,		Broker		Chapte	L	Chapter 15 P Recognition	of a Foreign	
check this box and state type of entity below.)	Clearing Ban			Chapter	r 13	Nonmain Pro		
	Other					re of Debts		
	Ta	Tax-Exempt Entity			(Check one box) Debts are primarily consumer ☐ debts, defined in 11 U.S.C.			
	(Che	(Check box, if applicable)			§101(8) as "incurred by an business debts			
	Debtor is a tax-exempt organiza under Title 26 of the United Stat Code (the Internal Revenue Cod		States	individual primarily for a personal, family, or household purpose."				
Filing Fee (Check one box) Check one box: Chapter 11 Debtors								
Full Filing Fee attached Debtor is a small business as defined in 11 U.S.C.				C. § 101(51D)				
Debtor is not a small business as defined in 11 U.				J.S.C. § 101(51D)				
Filing Fee to be paid in installments (Applicable to individuals only) Must attach						luding debts owed to		
signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form No. 3A.						subject to adjustment on		
4/01/13 and every three years thereafter). Check all applicable boxes						-		
Filing Fee waiver requested (applicable to chapter 7 individuals only). Must								
attach signed application for the court's consideration. See Official Form 3B.					licited prepetitio			
Statistical/Administrative Information THIS SPACE IS FOR								
Debtor estimates that funds will be available for dist							COURT USE ONLY	
Debtor estimates that, after any exempt property is e distribution to unsecured creditors.	excluded and admini	strative expenses p	paid, there will	be no funds availab	ble for			
Estimated Number of Creditors						_		
1 -49 50-99 100-199 200-999	1000-	5,001-	10,001-	25,001-	50,001-	Over		
	5000	10,000	25,000	50,000	100,000	100,000		
Estimated Assets								
\$0 to \$50,001 to \$100,001 to \$500,001		\$10,000,001	\$50,000,001	\$100,000,001	\$500,000,001	More than		
\$50,000 \$100,000 \$500,000 to \$1 million	to \$10 million	to \$50 million	to \$100 million	to \$500 million	to \$1 billion	\$1 billion		
Estimated Liabilities								
\$0 to \$50,001 to \$100,001 to \$500,001 \$50,000 \$100,000 \$500,000 to \$1	\$1,000,001 to \$10	\$10,000,001 to \$50	\$50,000,001	\$100,000,001 to \$500	\$500,000,001 to \$1 billion	More than \$1 billion		
\$50,000 \$100,000 \$500,000 to \$1 million	million	million	to \$100 million	to \$500 million		φ1 UIIIUII		

B1 (Official)			:04 Desc Main Page 2		
Voluntary Pet (This page must be	tition Documen e completed and filed in every case)	Name of Debtor(s): 10210 Prosperity Park Drive,	LLC		
	All Prior Bankruptcy Cases Filed Within Last 8 Years (I				
Location Where Filed:	NONE	Case Number:	Date Filed:		
Location Where Filed:	N.A.	Case Number:	Date Filed:		
	nkruptcy Case Filed by any Spouse, Partner				
Name of Debtor: Prosperi	ity Park, LLC	Case Number:	Date Filed:		
District:	ity Faix, LLC	Relationship:	Judge:		
WDNC		Affiliate			
10K and 10Q) with Section 13 or 15(d) relief under chapter	Exhibit A f debtor is required to file periodic reports (e.g., forms a the Securities and Exchange Commission pursuant to o of the Securities Exchange Act of 1934 and is requesting r 11)	Exhib (To be completed if del whose debts are primar I, the attorney for the petitioner named in the fore the petitioner that [he or she] may proceed under States Code, and have explained the relief availab I further certify that I delivered to the debtor the r X Signature of Attorney for Debtor(s)	btor is an individual ily consumer debts) egoing petition, declare that I have informed chapter 7, 11, 12, or 13 of title 11, United ole under each such chapter.		
_	n or have possession of any property that poses or is alleged axhibit C is attached and made a part of this petition.	I to pose a threat of imminent and identifiable in	arm to public health or salety?		
Exhibit D If this is a joint pet	by every individual debtor. If a joint petition is filed, each a completed and signed by the debtor is attached and made a	a part of this petition.	nibit D.)		
		arding the Debtor - Venue ny applicable box)			
Ą	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 Sates 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 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.				
	Certification by a Debtor Who Resi (Check all ap	ides as a Tenant of Residential Propoplicable boxes)	erty		
	Landlord has a judgment for possession of debtor's residence. (If box checked, complete the following.)				
	(Name of I	landlord that obtained judgment)			
	(Address)	of landlord)			
	Debtor claims that under applicable non bankruptcy law, entire monetary default that gave rise to the judgment for				
	Debtor has included in this petition the deposit with the c period after the filing of the petition.	court of any rent that would become due during	the 30-day		
\forall	Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. \S 362(1)).				

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Voluntary Petition	-)	Name of Debtor(s):		
(This page must be completed and filed in eve		10210 Prosperity Park Drive, LLC atures		
Signature(s) of Debtor(s) (Individu	,	Signature of a Foreign Representative		
I declare under penalty of perjury that the information is true and correct.	provided in this petition			
[If petitioner is an individual whose debts are primaril]		I declare under penalty of perjury that the information provided in this petition		
has chosen to file under chapter 7] I am aware that I m chapter 7, 11, 12, or 13 of title 11, United States Code		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.		
available under each such chapter, and choose to proce	ceed under chapter 7.			
[If no attorney represents me and no bankruptcy petition] I have obtained and read the notice required be		(Check only one box.)		
I request relief in accordance with the chapter of title 1 Code, specified in this petition.	11, United States	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. Pursuant to 11 U.S.C.§ 1511, I request relief in accordance with the chapter of		
		title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.		
X Signature of Debtor		X		
		(Signature of Foreign Representative)		
X				
Signature of John Debtor				
Telephone Number (If not represented by attorney))	(Printed Name of Foreign Representative)		
		(Date)		
Date		(=,		
Signature of Attorney*				
X /s/ Joseph W. Grier, III		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,		
JOSEPH W. GRIER, III 7764 Printed Name of Attorney for Debtor(s)		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(h), and 342(b); and, 3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110		
<u>Grier, Furr & Crisp, PA</u> Firm Name		setting a maximum fee for services chargeable by bankruptcy petition		
101 N. Tryon St., Suite 1240		preparers, I have given the debtor notice of the maximum amount before any document for filing for a debtor or accepting any fee from the debtor, as		
Address		required in that section. Official Form 19 is attached.		
Charlotte, NC 28246				
		Printed Name and title, if any, of Bankruptcy Petition Preparer		
_704 375-3720 Telephone Number				
		Social Security Number (If the bankruptcy petition preparer is not an individual,		
<u>May 18, 2010</u> Date		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.)		
*In a case in which § 707(b)(4)(D) applies, this signature certification that the attorney has no knowledge after an				
information in the schedules is incorrect.	i inquir y that the	Address		
Signature of Debtor (Corporation/Pa	artnershin)	1		
I declare under penalty of perjury that the information	n provided in this petition			
is true and correct, and that I have been authorized to behalf of the debtor.	file this petition on	X		
	0.23 11			
The debtor requests relief in accordance with the chap United States Code, specified in this petition.	pter of title 11,	Date		
		Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.		
X /s/ Sarah B. Fisher Signature of Authorized Individual		Names and Social Security numbers of all other individuals who prepared or		
SARAH B. FISHER		assisted in preparing this document unless the bankruptcy petition preparer is not an individual:		
Printed Name of Authorized Individual				
Manager		If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.		
Title of Authorized Individual May 18, 2010		A bankruptcy petition preparer's failure to comply with the provisions of title 11		
Date		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.		

UNITED STATES BANKRUPTCY COURT Western District of North Carolina

In re 10210 Prosperity Park Drive, LLC

Debtor

Case No. _

Chapter 11

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C.§ 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See 11 U.S.C. § 112 and Fed. R. Bankr. P. 1007(m).

(1)	(2)	(3)	(4)	(5)
Name of creditor	Name, telephone number and	Nature of claim	Indicate if	Amount of claim
and complete	complete mailing address,	(trade debt, bank	claim is	[if secured also
mailing address	including zip code, of	loan, government	contingent, unliquidated,	state value of security]
including zip code	employee, agent, or department	contract, etc.	disputed or	
	of creditor familiar with claim		subject to setoff	
	who may be contacted			

DAS Architecture 101 W. Worthington Ave Ste 202 Charlotte, NC 28203

Prosperity Park Owners Association, LLC 1329 E Morehead St Charlotte, NC 28204

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DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, [the president or other officer or an authorized agent of the corporation] named as debtor in this case, declare under penalty of perjury that I have read the foregoing LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS and that it is true and correct to the best of my information and belief.

Date May 18, 2010

Signature

/s/ Sarah B. Fisher

SARAH B. FISHER, Manager

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10210 Prosperity Park Drive, LLC 1329 E Morehead St Ste 200 Charlotte, NC 28204

Joseph W. Grier, III Grier, Furr & Crisp, PA 101 N. Tryon St., Suite 1240 Charlotte, NC 28246

U.S. Bankruptcy Administrator 402 W. Trade Street Suite 200 Charlotte, NC 28202

Charles Lindsey McAlpine 1329 E Morehead St, Suite 200 Charlotte, NC 28204

John D. Cornet 3 Tiffany Court Greensboro, NC 27408

DAS Architecture 101 W. Worthington Ave Ste 202 Charlotte, NC 28203

Fifth Third Bank PO Box 63037 Cincinnati, OH 45263

Sarah B. Fisher 1329 E Morehead St. Ste 200 Charlotte, NC 28204

William A. Fisher 500 Brook Forest Ln Charlotte, NC 28211

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Internal Revenue Service P.O. Box 21126 Philadelphia, PA 19114

Charles Lindsey McAlpine 1329 E Morehead St, Ste 200 Charlotte, NC 28204

McAlpine Company 1329 E Morehead St Ste 200 Charlotte, NC 28204

McAlpine Cornet Capital 1329 E Morehead St Charlotte, NC 28204

Mecklenburg County Tax Collector PO Box 71063 Charlotte, NC 28272

NC Department of Revenue Central Collection Division P.O. Box 1168 Raleigh, NC 27601

Prosperity Park Owners Association, LLC 1329 E Morehead St Charlotte, NC 28204

Prosperity Park, LLC 1329 E Morehead St. Ste 200 Charlotte, NC 28204

The McAlpine Group 1329 E Morehead St Ste 200 Charlotte, NC 28204 Case 10-31398 Doc 1 Filed 05/18/10 Entered 05/18/10 18:38:04 Desc Main Document Page 8 of 8

> Roger Williams c/o Michael David Bland PO Box 2570 Matthews, NC 28106