Case 10-31822 Doc 1 Filed 06/25/10 Entered 06/25/10 14:45:29 Desc Main Document Page 1 of 10

B1 (Official I	Form 1)(4/1					- Carriorn		90 . 0.				
			United Wester		S Banki rict of N						Vol	luntary Petition
Name of De Parkside			er Last, First,	Middle):			Name	of Joint De	ebtor (Spouse)) (Last, First	, Middle):	
	All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):						used by the J maiden, and			8 years		
Last four dig (if more than one 20-26338	, state all)	Sec. or Indi	vidual-Taxpa	yer I.D. ((ITIN) No./	Complete E	IN Last f	our digits o	f Soc. Sec. or	Individual-	Гахрауег I.	D. (ITIN) No./Complete EIN
Street Addre	ss of Debto		Street, City, a	and State)):		Street	Address of	Joint Debtor	(No. and St	reet, City, a	and State):
					Г	ZIP Code 28031						ZIP Code
County of Ro Mecklen		of the Princ	cipal Place o	f Busines:		20031	Count	y of Reside	ence or of the	Principal Pl	ace of Busi	iness:
Mailing Add	ress of Deb	otor (if diffe	erent from str	eet addres	ss):		Mailir	ng Address	of Joint Debto	or (if differe	nt from str	eet address):
						ZIP Code	:					ZIP Code
T	2		. D.I.									
Location of I (if different f												
	• •	Debtor				of Business	1		-	-		Under Which
		rganization) one box)		П Неа	Check) Ith Care Bu	one box)		☐ Chapt		Petition is Fi	iled (Check	(one box)
☐ Individua	al (includes	Joint Debte	ors)	Single Asset Real Estate as det		defined	☐ Chapt				Petition for Recognition	
	bit D on pa			in 11 U.S.C. § 101 (51B) Railroad				Chapter 11 of a Foreign Main Proceeding ☐ Chapter 12 ☐ Chapter 15 Petition for Recognition			· ·	
Corporati		es LLC and	LLP)	☐ Stockbroker ☐ Commodity Broker				Chapt				Nonmain Proceeding
Partnersh		6.1		☐ Clearing Bank								
Other (If check this	box and state			Other Toy Event Entity			,				e of Debts k one box)	
				Tax-Exempt Entity (Check box, if applicable) ☐ Debtor is a tax-exempt organize under Title 26 of the United State Code (the Internal Revenue Co		e) anization d States	defined "incurr	are primarily co d in 11 U.S.C. § red by an individual, family, or l	101(8) as dual primarily	for	Debts are primarily business debts.	
			heck one box	()			one box:	1	-	ter 11 Debt		
Full Filing	Fee attached	i							debtor as defin ness debtor as d			,
			(applicable to art's considerat			Check	if:					
debtor is u Form 3A.	nable to pay	fee except ir	n installments.	Rule 1006	(b). See Offic							s owed to insiders or affiliates) and every three years thereafter).
			able to chapter art's considerat			BB.	Acceptances	ng filed with of the plan w	this petition. vere solicited process. § 1126(b).	epetition from	one or mor	e classes of creditors,
Statistical/A	dministrat	ive Inform	ation						3(-).	THIS	S SPACE IS	FOR COURT USE ONLY
Debtor es	stimates tha	t, after any	be available exempt prop for distribut	erty is ex	cluded and	administrat		es paid,				
Estimated Nu	umber of C	reditors	_		_		_	_				
1- 49	□ 50- 99	100- 199	200-	1,000- 5,000	5,001- 10,000	10,001- 25,000	25,001- 50,000	50,001- 100,000	OVER 100,000			
Estimated As		П	П	П	П	П	П	П				
\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion				
Estimated Li \$0 to \$50,000	abilities \$50,001 to \$100,000	\$100,001 to \$500,000		\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion				

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B1 (Official For	m 1)(4/10)	Page 2 01 10	Page 2
Voluntary	y Petition	Name of Debtor(s): Parkside Partners, Inc.	
(This page mu	st be completed and filed in every case)		
	All Prior Bankruptcy Cases Filed Within Last		
Location Where Filed:	- None -	Case Number:	Date Filed:
Location Where Filed:		Case Number:	Date Filed:
Per	nding Bankruptcy Case Filed by any Spouse, Partner, or	Affiliate of this Debtor (If more the	nan one, attach additional sheet)
Name of Debto - None -	or:	Case Number:	Date Filed:
District:		Relationship:	Judge:
	Exhibit A		Exhibit B ual whose debts are primarily consumer debts.)
forms 10K as pursuant to S and is reques	leted if debtor is required to file periodic reports (e.g., and 10Q) with the Securities and Exchange Commission ection 13 or 15(d) of the Securities Exchange Act of 1934 ting relief under chapter 11.) A is attached and made a part of this petition.	I, the attorney for the petitioner nan have informed the petitioner that [h 12, or 13 of title 11, United States (ned in the foregoing petition, declare that I e or she] may proceed under chapter 7, 11, Code, and have explained the relief available ertify that I delivered to the debtor the notice
	Exh	ibit C	
	r own or have possession of any property that poses or is alleged to Exhibit C is attached and made a part of this petition.	pose a threat of imminent and identifia	ble harm to public health or safety?
	Exh	ibit D	
_	eted by every individual debtor. If a joint petition is filed, ea	-	h a separate Exhibit D.)
	D completed and signed by the debtor is attached and made	a part of this petition.	
If this is a join Exhibit	nt petition: D also completed and signed by the joint debtor is attached a	and made a part of this petition.	
	Information Regardin	g the Debtor - Venue	
_	(Check any ap	-	
	Debtor has been domiciled or has had a residence, principal days immediately preceding the date of this petition or for		
	There is a bankruptcy case concerning debtor's affiliate, ge	• .	·
	Debtor is a debtor in a foreign proceeding and has its princ this District, or has no principal place of business or assets proceeding [in a federal or state court] in this District, or the sought in this District.	cipal place of business or principal in the United States but is a defendence	assets in the United States in dant in an action or
	Certification by a Debtor Who Reside		perty
	(Check all app Landlord has a judgment against the debtor for possession		ed, complete the following.)
	(Name of landlord that obtained judgment)		
	(Ivanie of fandiord that obtained judgment)		
		<u></u>	
	(Address of landlord)		
	Debtor claims that under applicable nonbankruptcy law, the entire monetary default that gave rise to the judgment f		
	Debtor has included in this petition the deposit with the coafter the filing of the petition.	• •	-
	Debtor certifies that he/she has served the Landlord with the	nis certification. (11 U.S.C. § 362(I)).

B1 (Official Form 1)(4/10)

Voluntary Petition

(This page must be completed and filed in every case)

Name of Debtor(s):

Parkside Partners, Inc.

Signatures 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

Signature of Debtor

 \mathbf{X}

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

Signature of Attorney*

X /s/ J. Wesley Moore

Signature of Attorney for Debtor(s)

J. Wesley Moore 40933

Printed Name of Attorney for Debtor(s)

Law Offices of J. Wesley Moore

Firm Name

1100 Metropolitan Avenue Suite 206 Charlotte, NC

Address

Email: wes.moore@jwesleymoorelaw.com 980-219-7106 Fax: 704-973-9698

Telephone Number

June 25, 2010

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 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 relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X /s/ Phil M. Gandy, Jr.

Signature of Authorized Individual

Phil M. Gandy, Jr.

Printed Name of Authorized Individual

President

Title of Authorized Individual

June 25, 2010

Date

Signature of a Foreign Representative

Page 3

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.)

- ☐ I request relief in accordance with chapter 15 of title 11. United States Code. Certified copies of the documents required by 11 U.S.C. §1515 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.

7	v
2	١

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

Signature of Non-Attorney Bankruptcy 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(h), 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.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankrutpcy 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.)

T
v
A

Date

Address

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or 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 individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

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.

CORPORATE RESOLUTION

I, the undersigned, being an Officer of Parkside Partners, Inc., a North Carolina corporation (the "Company") having a corporate headquarters located at 17818 Statesville Road, Cornelius, NC 28031, do hereby adopt the following resolutions by signing below to consent to action without holding a formal meeting of the Board of the Company:

RESOLVED, that the filing by the Company of a petition for relief under Chapter 11 of Title 11, United States Code (the "Bankruptcy Code"), in the United States Bankruptcy Court for the Western District of North Carolina is approved; and it is

FURTHER RESOLVED, that the Officer of the Company is authorized, empowered, and directed to execute on behalf of the Company a petition for relief under Chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the Western District of North Carolina, and any affidavits, forms, schedules, application or any other pleadings or documents which are necessary or appropriate, including debtor-in-possession financing arrangements; and it is

FURTHER RESOLVED, that the retention on behalf of the Company of J. Wesley Moore, upon such terms and conditions as the Officer of the Company shall approve, to render legal services to, and to represent the Company in connection with such Chapter 11 proceedings and other related matters in connection therewith, is authorized and approved; and it is

FURTHER RESOLVED, that any of the Officers of the Company are each severally authorized to retain on behalf of the Company such other professionals as the Officers of the Company shall deem necessary or appropriate, upon such terms and conditions as the Officers of the Company shall approve, to render services to the Company in connection with such Chapter 11 proceedings and with respect to other related matters in connection therewith; and it is

FURTHER RESOLVED, that any of the Officers of the Company are authorized, empowered, and directed to take any and all further action and to execute and deliver any and all such further instruments and documents and to pay all such expenses (subject to bankruptcy court approval), where necessary or appropriate in order to carry out fully the intent and accomplish the purposes of the resolutions adopted herein; and it is

FURTHER RESOLVED, that all actions taken by the Officers of the Company prior to the date hereof in connection with the reorganization of the Company or any matter related thereto, or by virtue of these resolutions, are hereby in all respects ratified, confirmed, and approved.

Dated: Cornelius, North Carolina June 25, 2010

By: /s/ Phil M. Gandy, Jr.

Name: Phil M. Gandy, Jr.

Title: President

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B4 (Official Form 4) (12/07)

United States Bankruptcy Court Western District of North Carolina

In re	Parkside Partners, Inc.		Case No.	
		Debtor(s)	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; Fed. R. Bankr. P. 1007(m).

(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, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
AT&T P.O. Box 105262 Atlanta, GA 30348-5262	AT&T P.O. Box 105262 Atlanta, GA 30348-5262			363.68
BB&T Corporation 163 Plantation Ridge Drive Mooresville, NC 28117	BB&T Corporation 163 Plantation Ridge Drive Mooresville, NC 28117	90 completed lots and approximately 30 acres of additional undeveloped land at: 909 Neal Hawkins Rd. Gastonia, NC		2,902,741.56 (2,000,000.00 secured)
Drafting & Design, Inc. 10100 Park Cedar Drive Charlotte, NC 28210	Drafting & Design, Inc. 10100 Park Cedar Drive Charlotte, NC 28210	,		250.00
Falapco, Inc. 990 Biscayne Drive Concord, NC 28027	Falapco, Inc. 990 Biscayne Drive Concord, NC 28027			525.00
Gandy Communities, Inc. 17818 Statesville Road Cornelius, NC 28031	Gandy Communities, Inc. 17818 Statesville Road Cornelius, NC 28031			3,421,700.81
Gaston County Tax Collector P.O. Box 580326 Charlotte, NC 28258-0326	Gaston County Tax Collector P.O. Box 580326 Charlotte, NC 28258-0326			5,273.73
Green Home Solutions, Inc. 7037 High Vista Court Matthews, NC 28104	Green Home Solutions, Inc. 7037 High Vista Court Matthews, NC 28104			306.67
Mecklenburg Finance Co. 17818 Statesville Road Cornelius, NC 28031	Mecklenburg Finance Co. 17818 Statesville Road Cornelius, NC 28031			26,162.17
Rea Construction Co. P.O. Box 19012 Charlotte, NC 28219	Rea Construction Co. P.O. Box 19012 Charlotte, NC 28219			48,569.30

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B4 (Offic	rial Form 4) (12/07) - Cont.		
In re	Parkside Partners, Inc.	Case No.	
	Debtor(s)		

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(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, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]

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

I, the President 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	June 25, 2010	Signature	/s/ Phil M. Gandy, Jr.	
		-	Phil M. Gandy, Jr.	
			President	

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.

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United States Bankruptcy Court Western District of North Carolina

	Western D	istrict of Morth Care	mia	
In r	Parkside Partners, Inc.	Debtor(s)	Case No. Chapter	11
		Deotor(s)	Chapter	
	DISCLOSURE OF COMPENSA	ATION OF ATTO	RNEY FOR DI	EBTOR(S)
1.	Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2 compensation paid to me within one year before the filing obe rendered on behalf of the debtor(s) in contemplation of or	of the petition in bankruptc	y, or agreed to be pai	d to me, for services rendered or to
	• • • • • • • • • • • • • • • • • • •			5,000.00
	Prior to the filing of this statement I have received			5,000.00
	Balance Due			0.00
2.	The source of the compensation paid to me was:			
	■ Debtor □ Other (specify):			
3.	The source of compensation to be paid to me is:			
	■ Debtor □ Other (specify):			
1.	■ I have not agreed to share the above-disclosed compensation	ntion with any other person	unless they are mem	bers and associates of my law firm.
	☐ I have agreed to share the above-disclosed compensation copy of the agreement, together with a list of the names of			
5.	In return for the above-disclosed fee, I have agreed to render	r legal service for all aspec	ts of the bankruptcy of	ease, including:
	 a. Analysis of the debtor's financial situation, and rendering b. Preparation and filing of any petition, schedules, stateme c. Representation of the debtor at the meeting of creditors a d. [Other provisions as needed] Negotiations with secured creditors to redure affirmation agreements and applications 522(f)(2)(A) for avoidance of liens on house 	nt of affairs and plan which nd confirmation hearing, a ice to market value; ex as needed; preparation	n may be required; nd any adjourned hea emption planning	rings thereof;
ó .	By agreement with the debtor(s), the above-disclosed fee door Representation of the debtors in any discharge any other adversary proceeding.			es, relief from stay actions or
	C	ERTIFICATION		
this	I certify that the foregoing is a complete statement of any agriculture proceeding.	reement or arrangement for	payment to me for re	epresentation of the debtor(s) in
Date	ed: June 25, 2010	/s/ J. Wesley Mod	ore	
		J. Wesley Moore		
		Law Offices of J.		
		1100 Metropolita Suite 206	II AVEIIUE	
		Charlotte, NC		
		980-219-7106 Fa		
		wes moore@iwe	slevmoorelaw cor	n

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United States Bankruptcy Court Western District of North Carolina

In re	Parkside Partners, Inc.		Case No.	
_		Debtor		
			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
Gandy Children's GST Irrevocable Trust 21210 Captiva Court Cornelius, NC 28031			27.80% Equity
Gandy Family GST Irrevocable Trust 21210 Captiva Court Cornelius, NC 28031			27.80% Equity
Phil M. Gandy, Jr. 21210 Captiva Court Cornelius, NC 28031			22.20% Equity
Rebecca J. Gandy 21210 Captiva Court Cornelius, NC 28031			22.20% Equity

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the President 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	June 25, 2010	Signature /s/ Phil M. Gandy, Jr.
		Phil M. Gandy, Jr.
		Dracidant

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.

AT&T P.O. Box 105262 Atlanta, GA 30348-5262

BB&T Corporation 163 Plantation Ridge Drive Mooresville, NC 28117

Drafting & Design, Inc. 10100 Park Cedar Drive Charlotte, NC 28210

Falapco, Inc. 990 Biscayne Drive Concord, NC 28027

Gandy Communities, Inc. 17818 Statesville Road Cornelius, NC 28031

Gaston County Tax Collector P.O. Box 580326 Charlotte, NC 28258-0326

Green Home Solutions, Inc. 7037 High Vista Court Matthews, NC 28104

Mecklenburg Finance Co. 17818 Statesville Road Cornelius, NC 28031

Rea Construction Co. P.O. Box 19012 Charlotte, NC 28219

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United States Bankruptcy Court Western District of North Carolina

In re Parkside Partners, Inc.			Case No.	
	Debto	r(s)	Chapter	11
CORPORATE (OWNERSHIP STA	ATEMENT (RUI	LE 7007.1)	
Pursuant to Federal Rule of Bankruptcy Proce or recusal, the undersigned counsel for Park following is a (are) corporation(s), other than more of any class of the corporation's(s') equir	side Partners, Inc. the debtor or a gove	in the above capti ernmental unit, tha	oned action at directly o	n, certifies that the r indirectly own(s) 10% or
■ None [Check if applicable]				
June 25, 2010	/s/ J. Wesley Moor	e		
Date	J. Wesley Moore 4	0933		
	Signature of Attorney or Litigant Counsel for Parkside Partners, Inc.			
	Law Offices of J. V			
	1100 Metropolitan Suite 206	Avenue		

Charlotte, NC

980-219-7106 Fax:704-973-9698 wes.moore@jwesleymoorelaw.com