Case 11-40649 Doc 1 Filed 10/13/11 Entered 10/13/11 16:51:33 Desc Main Document Page 1 of 34

|   | Form 1)(4/   |                              | United<br>Wester   |   | Bankı<br>rict of N   |  |   |                                    |  |   | Volum             | ntary Pe             | etition     |
|---|--|------------------------------|--|---|--|--|---|------------------------------------|--|---|-------------------|----------------------|-------------|
|   | Debtor (if ind<br>Truck Se   |                              |  | , Middle):  |  |  | Name  | of Joint De                        | ebtor (Spouse  | e) (Last, First   | , Middle):        |                      |             |
|   | All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):   |                              |  |   |  |  | used by the maiden, and   |                                    | in the last 8 yea<br>):  | ars   |                   |                      |             |
| Last four di<br>(if more than or<br>56-1889   |  | Sec. or Indi                 | ividual-Taxp   | ayer I.D. (   | (ITIN) No./0   | Complete E   | IN Last f   | our digits o                       | f Soc. Sec. or   | r Individual-   | Γaxpayer I.D. (   | ITIN) No./Co         | omplete EIN |
| Street Addr   | ress of Debto  |                              |  | and State)  | ):   | ZIP Code   |   | Address of                         | Joint Debtor   | r (No. and St   | reet, City, and S | State):              | ZIP Code    |
|   |  |                              |  |   |  | 28752  |   |                                    |  |   |                   |                      | ZII Code    |
| County of F   | Residence or<br>rell   | of the Prin                  | cipal Place o  | of Busines  | s:   |  |   | •                                  |  | •   | ace of Business   |                      |             |
| _   | ldress of Deb<br>JS Highwa<br>, NC   | ,                            |  | eet addres  | ss):   |  | Mailir  | ng Address                         | of Joint Debt  | tor (if differe   | nt from street a  | ddress):             |             |
|   |  |                              |  |   | Г  | ZIP Code<br><b>28752</b>   | :   |                                    |  |   |                   |                      | ZIP Code    |
|   | Principal Astrom street  |                              |  | r   |  | 20132  | <b>I</b>  |                                    |  |   |                   | I                    |             |
| Type of Debtor (Form of Organization) (Check one box)  Individual (includes Joint Debtors) See Exhibit D on page 2 of this form.  Corporation (includes LLC and LLP) Partnership  Nature of Business (Check one box)  Health Care Business Single Asset Real Estate as de in 11 U.S.C. § 101 (51B) Railroad Stockbroker Commodity Broker Clearing Bank  |  |                              | ☐ Chapt ☐ Chapt ☐ Chapt ☐ Chapt ☐ Chapt  | the 1<br>er 7<br>er 9<br>er 11<br>er 12   | <b>Petition is Fi</b><br>□ Cl<br>of<br>□ Cl                              | otcy Code Und<br>iled (Check one<br>hapter 15 Petiti<br>a Foreign Mai<br>hapter 15 Petiti<br>a Foreign Non | e box) on for Recog n Proceeding on for Recog   | g<br>gnition                       |  |   |                   |                      |             |
|   | If debtor is not<br>is box and stat  |                              |  | ☐ Othe  | er<br>Tax-Exe  | of the Unite   | e)<br>ganization<br>ed States   | defined<br>"incurr                 | are primarily co<br>1 in 11 U.S.C. §<br>ed by an indivinal, family, or | (Check<br>consumer debts,<br>§ 101(8) as<br>idual primarily | for               | Debts are pusiness d |             |
|   | Fil  | ling Fee (C                  | heck one bo  | x)  |  | Check  | one box:  |                                    | Chap   | ter 11 Debt   | ors               |                      |             |
| ■ Full Filing Fee attached □ Filing Fee to be paid in installments (applicable to individuals only). Must attach 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 3A. □ Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B. |  |                              | Debtor is not<br>if:<br>Debtor's agg<br>are less than<br>all applicable<br>A plan is bein<br>Acceptances | a small busing regate nonco \$2,343,300 (as boxes: the plan with the plan | ness debtor as on<br>ntingent liquid<br>amount subject<br>this petition. | defined in 11 U<br>ated debts (exc<br>t to adjustment  | C. § 101(51D).  J.S.C. § 101(51D).  Luding debts owe on 4/01/13 and on a one or more class. | ed to insiders of every three year | ars thereafter).   |   |                   |                      |             |
| ■ Debtor o  | Administrat<br>estimates tha<br>estimates tha<br>ill be no fund  | t funds will<br>t, after any | l be available<br>exempt proj  | erty is ex  | cluded and   | administrat  |   | es paid,                           |  | THIS  | SPACE IS FOR      | COURT USE            | ONLY        |
| Estimated N   | Number of Control Cont | reditors  100- 199           | 200-<br>999  | 1,000-<br>5,000   | 5,001-<br>10,000   | 10,001-<br>25,000  | 25,001-<br>50,000   | 50,001-<br>100,000                 | OVER 100,000   |   |                   |                      |             |
| Estimated A  \$0 to \$50,000  | Assets \$50,001 to \$100,000   | \$100,001 to<br>\$500,000    | \$500,001<br>to \$1<br>million   | \$1,000,001<br>to \$10<br>million   | \$10,000,001<br>to \$50<br>million                                       | \$50,000,001<br>to \$100<br>million  | \$100,000,001<br>to \$500<br>million  | \$500,000,001<br>to \$1 billion    |  |   |                   |                      |             |
| Estimated L  \$0 to \$50,000  | \$50,001 to \$100,000  | \$100,001 to<br>\$500,000    | \$500,001<br>to \$1<br>million   | \$1,000,001<br>to \$10<br>million   | \$10,000,001<br>to \$50<br>million                                       | \$50,000,001<br>to \$100<br>million  | \$100,000,001<br>to \$500<br>million  | \$500,000,001<br>to \$1 billion    |  |   |                   |                      |             |

Case 11-40649 Doc 1 Filed 10/13/11 Entered 10/13/11 16:51:33 Desc Main Document Page 2 of 34

B1 (Official Form 1)(4/10) Page 2 Name of Debtor(s): Voluntary Petition Shuttle Truck Service, Inc. (This page must be completed and filed in every case) All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet) Location Case Number: Date Filed: Where Filed: - None -Location Case Number: Date Filed: Where Filed: Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet) Name of Debtor: Case Number: Date Filed: Ricky N. Williams 11-40607 9/27/11 District: Relationship: Judge: **WDNC** Insider **Hodges** Exhibit B Exhibit A (To be completed if debtor is an individual whose debts are primarily consumer debts.) (To be completed if debtor is required to file periodic reports (e.g., I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, forms 10K and 10Q) with the Securities and Exchange Commission 12, or 13 of title 11, United States Code, and have explained the relief available pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 under each such chapter. I further certify that I delivered to the debtor the notice and is requesting relief under chapter 11.) required by 11 U.S.C. §342(b). ☐ Exhibit A is attached and made a part of this petition. Signature of Attorney for Debtor(s) (Date) Exhibit C Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? Yes, and Exhibit C is attached and made a part of this petition. No. Exhibit 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 petition: ☐ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition. Information Regarding the Debtor - Venue (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. Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable 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 claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and 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(1)).

B1 (Official Form 1)(4/10) Document Page 3 of 34

# **Voluntary Petition**

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

### 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.

 $\mathbf{X}$ 

Signature of Debtor

X

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

### Signature of Attorney\*

### X /s/ D. Rodney Kight, Jr.

Signature of Attorney for Debtor(s)

### D. Rodney Kight, Jr. 26453

Printed Name of Attorney for Debtor(s)

### **Kight Law Office**

Firm Name

7 Orchard Street Suite 100 Asheville, NC 28801

Address

### Email: info@kightlaw.com

(828) 255-9881 Fax: (828) 255-9886

Telephone Number

October 13, 2011

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.

### ▼ /s/ Ricky N. Williams

Signature of Authorized Individual

### Ricky N. Williams

Printed Name of Authorized Individual

#### President

Title of Authorized Individual

### October 13, 2011

Date

Name of Debtor(s):

Shuttle Truck Service, Inc.

### Signatures

### 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.)

- ☐ 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.

X

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.)

| • |  |
|---|--|

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.

Case 11-40649 Doc 1 Filed 10/13/11 Entered 10/13/11 16:51:33 Desc Main Document Page 4 of 34

**B4** (Official Form 4) (12/07)

# **United States Bankruptcy Court** Western District of North Carolina

| In re | Shuttle Truck Service, 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<br>mailing address including zip<br>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<br>debt, bank loan,<br>government contract,<br>etc.)   | Indicate if claim is<br>contingent,<br>unliquidated,<br>disputed, or<br>subject to setoff | Amount of claim<br>[if secured, also<br>state value of<br>security] |
| Carolina West Holdings, LLC<br>3303 Lake James Road<br>Marion, NC 28752 | Carolina West Holdings, LLC<br>3303 Lake James Road<br>Marion, NC 28752   | The debtor<br>operates its<br>business on a<br>parcel of property<br>located at 12363<br>US Hwy 221 N,<br>Marion, County of<br>McDowell, NC<br>owned by Ricky<br>Williams Revocab |   | 785,000.00<br>(1.00 secured)  |
| Sam's Club<br>P.O. Box 103036<br>Roswell, GA 30076                      | Sam's Club<br>P.O. Box 103036<br>Roswell, GA 30076  | consumer debt   |   | 8,500.00  |
|   |   |   |   |   |
|   |   |   |   |   |
|   |   |   |   |   |
|   |   |   |   |   |
|   |   |   |   |   |
|   |   |   |   |   |

Case 11-40649 Doc 1 Filed 10/13/11 Entered 10/13/11 16:51:33 Desc Main Document Page 5 of 34

| B4 (Offic | cial Form 4) (12/07) - Cont. |         |  |
|-----------|------------------------------|---------|--|
| In re     | Shuttle Truck Service, 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<br>mailing address including zip<br>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<br>debt, bank loan,<br>government contract,<br>etc.) | Indicate if claim is<br>contingent,<br>unliquidated,<br>disputed, or<br>subject to setoff | Amount of claim<br>[if secured, also<br>state value of<br>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 | October 13, 2011 | Signature | /s/ Ricky N. Williams |  |
|------|------------------|-----------|-----------------------|--|
|      |                  |           | Ricky N. Williams     |  |
|      |                  |           | 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.

Case 11-40649 Doc 1 Filed 10/13/11 Entered 10/13/11 16:51:33 Desc Main Document Page 6 of 34

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

# **United States Bankruptcy Court** Western District of North Carolina

| In re | Shuttle Truck Service, Inc. |          | Case No. |    |
|-------|-----------------------------|----------|----------|----|
| _     |                             | Debtor , |          |    |
|       |                             |          | Chapter  | 11 |
|       |                             |          | •        |    |

# **SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors must also complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

| NAME OF SCHEDULE   | ATTACHED<br>(YES/NO) | NO. OF<br>SHEETS | ASSETS            | LIABILITIES | OTHER |
|--|----------------------|------------------|-------------------|-------------|-------|
| A - Real Property  | Yes                  | 1                | 0.00              |             |       |
| B - Personal Property  | Yes                  | 4                | 67,901.00         |             |       |
| C - Property Claimed as Exempt   | No                   | 0                |                   |             |       |
| D - Creditors Holding Secured Claims   | Yes                  | 1                |                   | 785,000.00  |       |
| E - Creditors Holding Unsecured<br>Priority Claims (Total of Claims on Schedule E) | Yes                  | 2                |                   | 0.00        |       |
| F - Creditors Holding Unsecured<br>Nonpriority Claims                              | Yes                  | 2                |                   | 8,500.00    |       |
| G - Executory Contracts and<br>Unexpired Leases                                    | Yes                  | 1                |                   |             |       |
| H - Codebtors  | Yes                  | 1                |                   |             |       |
| I - Current Income of Individual<br>Debtor(s)                                      | No                   | 0                |                   |             | N/A   |
| J - Current Expenditures of Individual<br>Debtor(s)                                | No                   | 0                |                   |             | N/A   |
| Total Number of Sheets of ALL Schedu   | ıles                 | 12               |                   |             |       |
|  | To                   | otal Assets      | 67,901.00         |             |       |
|  |                      |                  | Total Liabilities | 793,500.00  |       |

Case 11-40649 Doc 1 Filed 10/13/11 Entered 10/13/11 16:51:33 Desc Main Document Page 7 of 34

Form 6 - Statistical Summary (12/07)

| Shuttle Truck Service, Inc.  |                                    | Case No                    |                          |             |
|--|------------------------------------|----------------------------|--------------------------|-------------|
| De   | ebtor                              | Chantan                    | 44                       |             |
|  |                                    | Chapter                    | 11                       |             |
| STATISTICAL SUMMARY OF CERTAIN LIA   | BILITIES AN                        | ND RELATED DAT             | ΓA (28 U.S.C. § 1        | <b>59</b> ) |
| f you are an individual debtor whose debts are primarily consumer debt acase under chapter 7, 11 or 13, you must report all information reques | ots, as defined in § 1 sted below. | 101(8) of the Bankruptcy ( | Code (11 U.S.C.§ 101(8)) | ), filin    |
| ☐ Check this box if you are an individual debtor whose debts are N report any information here.  | IOT primarily cons                 | umer debts. You are not re | quired to                |             |
| This information is for statistical purposes only under 28 U.S.C. § 1<br>Summarize the following types of liabilities, as reported in the Sche |                                    | em.                        |                          |             |
| Type of Liability  | Amount                             |                            |                          |             |
| Domestic Support Obligations (from Schedule E)   |                                    |                            |                          |             |
| Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)   |                                    |                            |                          |             |
| Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)                            |                                    |                            |                          |             |
| Student Loan Obligations (from Schedule F)   |                                    |                            |                          |             |
| Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E  |                                    |                            |                          |             |
| Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)  |                                    |                            |                          |             |
| TOTAL  |                                    |                            |                          |             |
| State the following:   |                                    |                            |                          |             |
| Average Income (from Schedule I, Line 16)  |                                    |                            |                          |             |
| Average Expenses (from Schedule J, Line 18)  |                                    |                            |                          |             |
| Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20)   |                                    |                            |                          |             |
| State the following:   |                                    |                            |                          |             |
| Total from Schedule D, "UNSECURED PORTION, IF ANY" column  |                                    |                            |                          |             |
| 2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column   |                                    |                            |                          |             |
| 3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column   |                                    |                            |                          |             |
| 4. Total from Schedule F   |                                    |                            |                          |             |
| 5. Total of non-priority unsecured debt (sum of 1, 3, and 4)   |                                    |                            |                          |             |

Case 11-40649 Doc 1 Filed 10/13/11 Entered 10/13/11 16:51:33 Desc Main Document Page 8 of 34

B6A (Official Form 6A) (12/07)

| In re | Shuttle Truck Service, Inc. |        | Case No. |  |
|-------|-----------------------------|--------|----------|--|
|       |                             | Debtor | ,        |  |

### **SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim." If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property

Nature of Debtor's Interest in Property

Nature of Debtor's Interest in Property

Nature of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption

Current Value of Debtor's Interest in Property, without Deducting any Secured Claim

None

Sub-Total > **0.00** (Total of this page)

Total > **0.00** 

-----

Case 11-40649 Doc 1 Filed 10/13/11 Entered 10/13/11 16:51:33 Desc Main Document Page 9 of 34

B6B (Official Form 6B) (12/07)

| In re | Shuttle Truck Service, Inc. |        | Case No. |  |
|-------|-----------------------------|--------|----------|--|
| -     |                             | Debtor | -,       |  |

### SCHEDULE B - PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply 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).

|     | Type of Property  | N<br>O<br>N<br>E | Description and Location of Property | Husband,<br>Wife,<br>Joint, or<br>Community | Current Value of<br>Debtor's Interest in Property<br>without Deducting any<br>Secured Claim or Exemption |
|-----|---|------------------|--------------------------------------|---|--|
| 1.  | Cash on hand  | X                |                                      |   |  |
| 2.  | Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives. | Bank a           | account at Wachovia/ Wells Fargo     | -   | 400.00   |
| 3.  | Security deposits with public utilities, telephone companies, landlords, and others.  | X                |                                      |   |  |
| 4.  | Household goods and furnishings, including audio, video, and computer equipment.  | X                |                                      |   |  |
| 5.  | Books, pictures and other art<br>objects, antiques, stamp, coin,<br>record, tape, compact disc, and<br>other collections or collectibles.   | X                |                                      |   |  |
| 6.  | Wearing apparel.  | x                |                                      |   |  |
| 7.  | Furs and jewelry.   | X                |                                      |   |  |
| 8.  | Firearms and sports, photographic, and other hobby equipment.   | X                |                                      |   |  |
| 9.  | Interests in insurance policies.<br>Name insurance company of each<br>policy and itemize surrender or<br>refund value of each.  | X                |                                      |   |  |
| 10. | Annuities. Itemize and name each issuer.  | x                |                                      |   |  |
|     |   |                  |                                      |   |  |

3 continuation sheets attached to the Schedule of Personal Property

400.00

Sub-Total >

(Total of this page)

Case 11-40649 Doc 1 Filed 10/13/11 Entered 10/13/11 16:51:33 Desc Main Document Page 10 of 34

 $B6B\ (Official\ Form\ 6B)\ (12/07)$  - Cont.

| In re | Shuttle Truck Service, Inc. | Case No. |
|-------|-----------------------------|----------|
|       |                             |          |

Debtor

# **SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

|     | Type of Property  | N<br>O<br>N<br>E | Description and Location of Property | Husband,<br>Wife,<br>Joint, or<br>Community | Current Value of<br>Debtor's Interest in Property,<br>without Deducting any<br>Secured Claim or Exemption |
|-----|---|------------------|--------------------------------------|---|---|
| 11. | Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).) | X                |                                      |   |   |
| 12. | Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.   | х                |                                      |   |   |
| 13. | Stock and interests in incorporated and unincorporated businesses. Itemize.   | X                |                                      |   |   |
| 14. | Interests in partnerships or joint ventures. Itemize.   | X                |                                      |   |   |
| 15. | Government and corporate bonds and other negotiable and nonnegotiable instruments.  | X                |                                      |   |   |
| 16. | Accounts receivable.  | X                |                                      |   |   |
| 17. | Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.  | X                |                                      |   |   |
| 18. | Other liquidated debts owed to debtor including tax refunds. Give particulars.  | X                |                                      |   |   |
| 19. | Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.  | x                |                                      |   |   |
| 20. | Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.  | X                |                                      |   |   |
| 21. | Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.  | X                |                                      |   |   |
|     |   |                  |                                      | Sub-Tota                                    | al > <b>0.00</b>  |
|     |   |                  | (                                    | Total of this page)                         |   |

Sheet <u>1</u> of <u>3</u> continuation sheets attached to the Schedule of Personal Property

Case 11-40649 Doc 1 Filed 10/13/11 Entered 10/13/11 16:51:33 Desc Main Document Page 11 of 34

 $B6B\ (Official\ Form\ 6B)\ (12/07)$  - Cont.

| In re Shuttle Truck Service, Inc. Case No |
|---|
|---|

Debtor

# **SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

|     | Type of Property  | N<br>O<br>N<br>E | Description and Location of Property   | Husband,<br>Wife,<br>Joint, or<br>Community | Current Value of<br>Debtor's Interest in Property,<br>without Deducting any<br>Secured Claim or Exemption |
|-----|---|------------------|--|---|---|
| 22. | Patents, copyrights, and other intellectual property. Give particulars.   | Х                |  |   |   |
| 23. | Licenses, franchises, and other general intangibles. Give particulars.  | X                |  |   |   |
| 24. | Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes. | х                |  |   |   |
| 25. | Automobiles, trucks, trailers, and other vehicles and accessories.  | X                |  |   |   |
| 26. | Boats, motors, and accessories.   | X                |  |   |   |
| 27. | Aircraft and accessories.   | X                |  |   |   |
| 28. | Office equipment, furnishings, and supplies.  |                  | Miscellaneous office equipment consisting of computers, desks, chairs, printers  | -   | 2,500.00  |
| 29. | Machinery, fixtures, equipment, and supplies used in business.  |                  | Equipment: tractor trailer scales, cleaning equipment, coolers, freezers, restaurant equipment, TV, dining chairs and tables, cameras, washer and dryer, cash registers, art and decorations, ATM machine, benches, pressure washers, hot dog machines | <del>-</del>                                | 65,000.00   |
| 30. | Inventory.  | Х                |  |   |   |
| 31. | Animals.  | X                |  |   |   |
| 32. | Crops - growing or harvested. Give particulars.   | X                |  |   |   |
| 33. | Farming equipment and implements.   | X                |  |   |   |
|     |   | Х                |  |   |   |

Sheet <u>2</u> of <u>3</u> continuation sheets attached to the Schedule of Personal Property

67,500.00

Sub-Total >

(Total of this page)

Case 11-40649 Doc 1 Filed 10/13/11 Entered 10/13/11 16:51:33 Desc Main Document Page 12 of 34

B6B (Official Form 6B) (12/07) - Cont.

| In re | Shuttle Truck Service, Inc. |        | Case No. |
|-------|-----------------------------|--------|----------|
| _     |                             | Debtor | -,       |

# **SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

| Type of Property   | N O Description and Location of Property E  | Husband,<br>Wife,<br>Joint, or<br>Community | Current Value of<br>Debtor's Interest in Property,<br>without Deducting any<br>Secured Claim or Exemption |
|--|---|---|---|
| 35. Other personal property of any kind not already listed. Itemize. | The debtor operates its business on a parcel of property located at 12363 US Hwy 221 N, Marion, County of McDowell, NC owned by Ricky Williams Revocable Trust. | -   | 1.00  |
|  | This serves as collateral pursuant to a deed of trus for a note in favor of Carolina West Holdings, LLC.  | t   |   |

| Sub-Total > 1.00 | (Total of this page) | Total > 67,901.00 |

Sheet <u>3</u> of <u>3</u> continuation sheets attached to the Schedule of Personal Property

(Report also on Summary of Schedules)

Case 11-40649 Doc 1 Filed 10/13/11 Entered 10/13/11 16:51:33 Desc Main Page 13 of 34 Document

B6D (Official Form 6D) (12/07)

| In re | Shuttle Truck Service, Inc. | Case No. |  |
|-------|-----------------------------|----------|--|
|       | ·                           |          |  |
|       |                             | Debtor   |  |

# SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is a creditor, 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). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community".

If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Unliquidated" in the column labeled "Unliquidated" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion" on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

| CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.) | CODEBTOR                               | H W J C | sband, Wife, Joint, or Community  DATE CLAIM WAS INCURRED,  NATURE OF LIEN, AND  DESCRIPTION AND VALUE  OF PROPERTY  SUBJECT TO LIEN  | G          | DZLLQULDA        | ΙEΙ | AMOUNT OF<br>CLAIM<br>WITHOUT<br>DEDUCTING<br>VALUE OF<br>COLLATERAL | UNSECURED<br>PORTION, IF<br>ANY |
|--|--|---------|---|------------|------------------|-----|--|---------------------------------|
| Account No.  |  |         | Deed of Trust   | Ţ          | D<br>A<br>T<br>E |     |  |                                 |
| Carolina West Holdings, LLC<br>3303 Lake James Road<br>Marion, NC 28752                              | x                                      | -       | The debtor operates its business on a parcel of property located at 12363 US Hwy 221 N, Marion, County of McDowell, NC owned by Ricky Williams Revocable Trust.  This serves as collateral pursuant to a deed of trust for a note in favor of | H          | D                |     |  |                                 |
|  |  |         | Value \$ 1.00   |            |                  |     | 785,000.00   | 784,999.00                      |
| Account No.  |  |         | Value \$ Value \$   | -          |                  |     |  |                                 |
| Account No.  |  | П       |   | П          |                  |     |  |                                 |
|  |  |         | Value \$  | _          |                  |     |  |                                 |
| continuation sheets attached   |  |         | (Total of t   | 785,000.00 | 784,999.00       |     |  |                                 |
|  | Total (Report on Summary of Schedules) |         |   |            |                  |     | 785,000.00   | 784,999.00                      |

Case 11-40649 Doc 1 Filed 10/13/11 Entered 10/13/11 16:51:33 Desc Main Document Page 14 of 34

B6E (Official Form 6E) (4/10)

| •     |                             |             |
|-------|-----------------------------|-------------|
| In re | Shuttle Truck Service, Inc. | Case No.    |
| -     | <u> </u>                    | ,<br>Debtor |

# SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, 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).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be eled

| liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." If the claim is disputed, place an "X" in the column labeled "Disputed." If the claim is disputed, place an "X" in the column labeled "Disputed." If the claim is disputed, place an "X" in the column labeled "Disputed." If the claim is disputed, place an "X" in the column labeled "Disputed." If the claim is disputed, place an "X" in the column labeled "Disputed." If the claim is disputed, place an "X" in the column labeled "Disputed." If the claim is disputed, place an "X" in the column labeled "Disputed." If the claim is disputed, place an "X" in the column labeled "Subtoals" on each sheet. Report the total of all amounts entitled to priority listed on the Statistical Summary of Certain Liabilities and Related Data.  Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data. |
|---|
| ☐ Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.   |
| TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)   |
| ☐ Domestic support obligations  |
| Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relation of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).   |
| ☐ Extensions of credit in an involuntary case   |
| Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of trustee or the order for relief. 11 U.S.C. § 507(a)(3).   |
| ☐ Wages, salaries, and commissions  |
| Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sale representatives up to \$11,725* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).   |
| ☐ Contributions to employee benefit plans   |
| Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of busine whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).   |
| ☐ Certain farmers and fishermen   |
| Claims of certain farmers and fishermen, up to \$5,775* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).  |
| ☐ Deposits by individuals   |
| Claims of individuals up to \$2,600* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).  |
| ■ Taxes and certain other debts owed to governmental units  |
| Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).   |
| Commitments to maintain the capital of an insured depository institution  Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federa Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).   |
| ☐ Claims for death or personal injury while debtor was intoxicated  |
| Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).  |

<sup>\*</sup> Amount subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

Case 11-40649 Doc 1 Filed 10/13/11 Entered 10/13/11 16:51:33 Desc Main Document Page 15 of 34

 $B6E\ (Official\ Form\ 6E)\ (4/10)$  - Cont.

| In re | Shuttle Truck Service, Inc. |        | Case No. |  |
|-------|-----------------------------|--------|----------|--|
| _     |                             | Debtor |          |  |

# SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

(Continuation Sheet)

Taxes and Certain Other Debts Owed to Governmental Units

TYPE OF PRIORITY Husband, Wife, Joint, or Community CODEBTOR UNLIQUIDATED CONT AMOUNT NOT ENTITLED TO PRIORITY, IF ANY CREDITOR'S NAME, AND MAILING ADDRESS S P U T Н AMOUNT DATE CLAIM WAS INCURRED INCLUDING ZIP CODE, W INGENT AND CONSIDERATION FOR CLAIM OF CLAIM AMOUNT ENTITLED TO PRIORITY C AND ACCOUNT NUMBER (See instructions.) **Notice Purposes** Account No. **IRS** 0.00 320 Federal Place Greensboro, NC 27401 0.00 0.00 **Notice Purposes** Account No. **IRS** 0.00 P.O. Box 7346 Philadelphia, PA 19101-7346 0.00 0.00 Account No. **McDowell County Tax Collector** 0.00 **60 East Court Street** Marion, NC 28752 0.00 0.00 **Notice Purposes** Account No. **North Carolina Department of** 0.00 Revenue **Bankruptcy Unit** P.O. Box 1167 Raleigh, NC 27602 0.00 0.00 **Notice Purposes** Account No. **US Attorney** 0.00 100 Otis Street Room 233 Asheville, NC 28801 0.00 0.00 Subtotal 0.00 Sheet <u>1</u> of <u>1</u> continuation sheets attached to (Total of this page) 0.00 Schedule of Creditors Holding Unsecured Priority Claims 0.00 0.00 (Report on Summary of Schedules) 0.00 0.00 Case 11-40649 Doc 1 Filed 10/13/11 Entered 10/13/11 16:51:33 Desc Main Document Page 16 of 34

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

| In re | Shuttle Truck Service, Inc. |        | Case No. |  |
|-------|-----------------------------|--------|----------|--|
| _     | ·                           | Debtor | -,       |  |

# SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, 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). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

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

| — Check and con it dected has no electrons nothing unsecur                       |          |        | is to report on and senegate 1.   |           |             |        |              |                 |
|--|----------|--------|---|-----------|-------------|--------|--------------|-----------------|
| CREDITOR'S NAME,   | Ç        | Hu     | sband, Wife, Joint, or Community  | Ğ         | Ü           | Þ      |              |                 |
| MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.) | ODE BTOR | J<br>C | DATE CLAIM WAS INCURRED AND<br>CONSIDERATION FOR CLAIM. IF CLAIM<br>IS SUBJECT TO SETOFF, SO STATE. | COZHLZGEZ | 1-05-       | SPUTED | 3            | AMOUNT OF CLAIM |
| Account No.  |          |        | Notice Purposes   | Ť         | T<br>E<br>D |        |              |                 |
| Equifax Credit Information Services<br>P.O. Box 740241<br>Atlanta, GA 30374      |          | -      |   |           |             |        |              | 0.00            |
| Account No.  | T        |        | Notice Purposes   | T         | П           | T      | $\dagger$    |                 |
| Experian Customer Care<br>P.O. Box 19729<br>Irvine, CA 92623-9729                |          | -      |   |           |             |        |              |                 |
| Account No.  | ┡        | L      | Notice Purposes   | ╄         | Н           | L      | $\downarrow$ | 0.00            |
| Little & Lattimore, PA 20 North Main Street Marion, NC 28752                     |          | -      | Notice rui poses  |           |             |        |              |                 |
|  |          | L      |   | L         |             | L      | $\perp$      | 0.00            |
| Account No.  Sam's Club P.O. Box 103036 Roswell, GA 30076                        |          | -      | consumer debt   |           |             |        |              | 8,500.00        |
| continuation sheets attached   |          |        | (Total of t   | Subt      |             |        | , [          | 8,500.00        |

Case 11-40649 Doc 1 Filed 10/13/11 Entered 10/13/11 16:51:33 Desc Main Document Page 17 of 34

B6F (Official Form 6F) (12/07) - Cont.

| In re | Shuttle Truck Service, Inc. |        | Case No. |  |
|-------|-----------------------------|--------|----------|--|
| -     |                             | Debtor | •,       |  |

# SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS (Continuation Sheet)

|  | _        | _     |   |            |          |          |                 |
|--|----------|-------|---|------------|----------|----------|-----------------|
| CREDITOR'S NAME,   | C        | Hu    | sband, Wife, Joint, or Community  | C          | U        | D        |                 |
| MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.) | CODEBTOR | A A B | DATE CLAIM WAS INCURRED AND<br>CONSIDERATION FOR CLAIM. IF CLAIM<br>IS SUBJECT TO SETOFF, SO STATE. | CONTINGENT | LIQUIDA  | DISPUTED | AMOUNT OF CLAIM |
| Account No.  |          |       | Notice Purposes   | ]⊤         | T<br>E   |          |                 |
| TransUnion<br>P.O. Box 2000<br>Crum Lynne, PA 19022-2000                         |          | -     |   |            | D        |          | 0.00            |
| Account No.  | t        |       |   | T          |          |          |                 |
|  |          |       |   |            |          |          |                 |
| Account No.  | ┢        |       |   | $\vdash$   | $\vdash$ | ┢        |                 |
|  |          |       |   |            |          |          |                 |
| Account No.  |          |       |   |            |          |          |                 |
|  |          |       |   |            |          |          |                 |
| Account No.  |          |       |   |            |          |          |                 |
|  |          |       |   |            |          |          |                 |
| Sheet no. 1 of 1 sheets attached to Schedule of                                  | -        |       |   | Sub        | tota     | ıl       | 0.00            |
| Creditors Holding Unsecured Nonpriority Claims                                   |          |       | (Total of t   | his        | pag      | ge)      | 0.00            |
|  |          |       |   |            | ota      |          | 8,500.00        |
|  |          |       | (Report on Summary of So  | hec        | lule     | es)      | 0,500.00        |

Case 11-40649 Doc 1 Filed 10/13/11 Entered 10/13/11 16:51:33 Desc Main Document Page 18 of 34

B6G (Official Form 6G) (12/07)

| In re | Shuttle Truck Service, Inc. | Case No. |  |
|-------|-----------------------------|----------|--|
| _     |                             | ,        |  |
|       |                             | Debtor   |  |

### SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser", "Agent", etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, 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).

☐ Check this box if debtor has no executory contracts or unexpired leases.

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract Description of Contract or Lease and Nature of Debtor's Interest. State whether lease is for nonresidential real property. State contract number of any government contract.

MSI Merchant Services, Inc. Attn. MIS Department 890 Mountain Avenue New Providence, NJ 07974 Credit card processing machines

Case 11-40649 Doc 1 Filed 10/13/11 Entered 10/13/11 16:51:33 Desc Main Document Page 19 of 34

B6H (Official Form 6H) (12/07)

| In re | Shuttle Truck Service, Inc. | Case No. |  |
|-------|-----------------------------|----------|--|
|       | ,                           | , Debtor |  |

# **SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, 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).

Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR

NAME AND ADDRESS OF CREDITOR

Ricky N. Williams Revocable Trust 12365 US Hwy 221 N Marion, NC 28752 Carolina West Holdings, LLC 3303 Lake James Road Marion, NC 28752 Case 11-40649 Doc 1 Document

Filed 10/13/11 Entered 10/13/11 16:51:33 Desc Main Page 20 of 34

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

# **United States Bankruptcy Court Western District of North Carolina**

| In re | Shuttle Truck Service, Inc.               |                                | Case No.    |                  |  |  |  |  |
|-------|---|--------------------------------|-------------|------------------|--|--|--|--|
|       |   | Debtor(s)                      | Chapter     | 11               |  |  |  |  |
|       |   |                                |             |                  |  |  |  |  |
|       |   |                                |             |                  |  |  |  |  |
|       |   |                                |             |                  |  |  |  |  |
|       | DECLARATION CONCERNING DEBTOR'S SCHEDULES |                                |             |                  |  |  |  |  |
|       |   |                                |             |                  |  |  |  |  |
|       | DECLARATION UNDER PENALTY OF              | E DED II IDV ON DEUALE OF CODI | OOD ATION ( | D DADTNEDCHID    |  |  |  |  |
|       | DECLARATION UNDER FENALTT OF              | TERJUKT ON BEHALFOF CORE       | OKATION     | OK I AKTNEKSIIII |  |  |  |  |

I, the President of the corporation named as debtor in this case, declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 14 sheets, and that they are true and correct to the best of my knowledge, information, and belief.

| Date | October 13, 2011 | Signature | /s/ Ricky N. Williams |
|------|------------------|-----------|-----------------------|
|      |                  | _         | Ricky N. Williams     |
|      |                  |           | 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.

Case 11-40649 Doc 1 Filed 10/13/11 Entered 10/13/11 16:51:33 Desc Main Document Page 21 of 34

B7 (Official Form 7) (04/10)

# **United States Bankruptcy Court** Western District of North Carolina

| In re | Shuttle Truck Service, Inc. |           | Case No. |    |
|-------|-----------------------------|-----------|----------|----|
|       |                             | Debtor(s) | Chapter  | 11 |

# STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, 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).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. **If the answer to an applicable question is "None," mark the box labeled "None."** If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

### **DEFINITIONS**

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

### 1. Income from employment or operation of business

None

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT SOURCE

\$134,155.00 2009: Debtor Business Income

\$0.00 2010: TBD \$0.00 2011: TBD

### 2. Income other than from employment or operation of business

None

State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT SOURCE

#### 3. Payments to creditors

None

Complete a. or b., as appropriate, and c.

a. Individual or joint debtor(s) with primarily consumer debts. List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within 90 days immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR

DATES OF **PAYMENTS** 

AMOUNT PAID

AMOUNT STILL OWING

b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within 90 days immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,850°. If the debtor is an individual, indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR Carolina West Holdings, LLC 3303 Lake James Road Marion, NC 28752

DATES OF PAYMENTS/ **TRANSFERS** September 13, 2011-present. Amounts unknown/TBD.

AMOUNT PAID OR VALUE OF **TRANSFERS** \$0.00

AMOUNT STILL **OWING** 

\$0.00

None

c. All debtors: List all payments made within one year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR AND RELATIONSHIP TO DEBTOR

DATE OF PAYMENT

AMOUNT PAID

AMOUNT STILL **OWING** 

# 4. Suits and administrative proceedings, executions, garnishments and attachments

None 

a. List all suits and administrative proceedings to which the debtor is or was a party within **one year** immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT AND CASE NUMBER Case No. 11-SP-169

PROCEEDING Notice of Hearing In the General Court of Justice as to Commencement of Foreclosure **Proceedings** 

NATURE OF

COURT OR AGENCY AND LOCATION

**Superior Court Division** 

State of NC

STATUS OR DISPOSITION Pendina

In the matter of the Foreclosure of the Deed of Trust executed by Ricky N. Williams, Trestee of the Ricky N. Williams Revocable Trust, dated November 9, 2006, Grantors in Deed of Trust to MTNBK, LTD, Trustee for Carolina First Bank, Original Holder, securing an indebtedness in the original principal amount of \$700,000, dated June 25, 2007 and recorded in Book 922 at Page 441, McDowell County Register of Deeds, by WASLAW, LLC, Substitute Trustee

**County of McDowell** 

b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately

preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

<sup>\*</sup> Amount subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

3

NAME AND ADDRESS OF PERSON FOR WHOSE BENEFIT PROPERTY WAS SEIZED

DATE OF SEIZURE

DESCRIPTION AND VALUE OF PROPERTY

### 5. Repossessions, foreclosures and returns

None

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR OR SELLER

DATE OF REPOSSESSION, FORECLOSURE SALE, TRANSFER OR RETURN

DESCRIPTION AND VALUE OF **PROPERTY** 

### 6. Assignments and receiverships

None

a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF ASSIGNEE

DATE OF ASSIGNMENT

TERMS OF ASSIGNMENT OR SETTLEMENT

None

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CUSTODIAN

NAME AND LOCATION OF COURT CASE TITLE & NUMBER

DATE OF ORDER

DESCRIPTION AND VALUE OF **PROPERTY** 

### 7. Gifts

None

List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON OR ORGANIZATION RELATIONSHIP TO DEBTOR, IF ANY

DATE OF GIFT

DESCRIPTION AND VALUE OF GIFT

#### 8. Losses

None

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DESCRIPTION AND VALUE OF PROPERTY

DESCRIPTION OF CIRCUMSTANCES AND. IF LOSS WAS COVERED IN WHOLE OR IN PART BY INSURANCE, GIVE PARTICULARS

DATE OF LOSS

Page 24 of 34

4

### 9. Payments related to debt counseling or bankruptcy

None 

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of the petition in bankruptcy within one year immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE

Kight Law Office, PC 7 Orchard Street, Suite 100 Asheville, NC 28801

DATE OF PAYMENT. NAME OF PAYOR IF OTHER THAN DEBTOR October 12, 2011

AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY \$5061

#### 10. Other transfers

None

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within two years immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF TRANSFEREE, RELATIONSHIP TO DEBTOR

DATE

DESCRIBE PROPERTY TRANSFERRED AND VALUE RECEIVED

None b. List all property transferred by the debtor within ten years immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

NAME OF TRUST OR OTHER

**DEVICE** 

DATE(S) OF TRANSFER(S) AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY OR DEBTOR'S INTEREST

IN PROPERTY

### 11. Closed financial accounts

None

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF INSTITUTION

TYPE OF ACCOUNT, LAST FOUR DIGITS OF ACCOUNT NUMBER. AND AMOUNT OF FINAL BALANCE

AMOUNT AND DATE OF SALE OR CLOSING

### 12. Safe deposit boxes

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF BANK OR OTHER DEPOSITORY

NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITORY

DESCRIPTION OF CONTENTS DATE OF TRANSFER OR SURRENDER, IF ANY

### 13. Setoffs

None

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR

DATE OF SETOFF

AMOUNT OF SETOFF

#### 14. Property held for another person

None 

List all property owned by another person that the debtor holds or controls.

NAME AND ADDRESS OF OWNER J&R's Food, Inc.

DESCRIPTION AND VALUE OF PROPERTY Miscellaneous restaurant equipment owned by a related entity of the debtor.

LOCATION OF PROPERTY Stored on debtor's presmises.

### 15. Prior address of debtor

None

If the debtor has moved within three years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

**ADDRESS** NAME USED DATES OF OCCUPANCY

### 16. Spouses and Former Spouses

None

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within eight years immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

**NAME** 

### 17. Environmental Information.

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law

None

a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

NAME AND ADDRESS OF DATE OF **ENVIRONMENTAL** SITE NAME AND ADDRESS GOVERNMENTAL UNIT NOTICE LAW

None b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous

Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

NAME AND ADDRESS OF DATE OF **ENVIRONMENTAL** SITE NAME AND ADDRESS NOTICE LAW

GOVERNMENTAL UNIT

None c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the

docket number.

NAME AND ADDRESS OF GOVERNMENTAL UNIT

DOCKET NUMBER

STATUS OR DISPOSITION

#### 18. Nature, location and name of business

None 

a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within six years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within six years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

> LAST FOUR DIGITS OF SOCIAL-SECURITY OR OTHER INDIVIDUAL TAXPAYER-I.D. NO.

NAME (ITIN)/ COMPLETE EIN

**Shuttle Truck** 56-1889510 Service. Inc.

**ADDRESS** 

12363 US Highway 221 North Marion, NC 28752

NATURE OF BUSINESS **Truck Stop & Service** 

Center

BEGINNING AND **ENDING DATES** 

October 1, 1994 -

Present

None

b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

**ADDRESS** NAME

The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within six years immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership, a sole proprietor, or self-employed in a trade, profession, or other activity, either full- or part-time.

(An individual or joint debtor should complete this portion of the statement only if the debtor is or has been in business, as defined above, within six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)

### 19. Books, records and financial statements

None 

a. List all bookkeepers and accountants who within two years immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

NAME AND ADDRESS Frank Biddix PO Box 271 Spruce Pine, NC 28777 DATES SERVICES RENDERED

2006-Present - Accountant

None

b. List all firms or individuals who within the two years immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

NAME

**ADDRESS** 

DATES SERVICES RENDERED

None

c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

NAME **ADDRESS** 

None

d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued by the debtor within **two years** immediately preceding the commencement of this case.

NAME AND ADDRESS DATE ISSUED

20. Inventories

None

a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

DATE OF INVENTORY

INVENTORY SUPERVISOR

DOLLAR AMOUNT OF INVENTORY

(Specify cost, market or other basis)

None b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above.

DATE OF INVENTORY

NAME AND ADDRESSES OF CUSTODIAN OF INVENTORY RECORDS

21. Current Partners, Officers, Directors and Shareholders

None

a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

NAME AND ADDRESS

NATURE OF INTEREST

PERCENTAGE OF INTEREST

None b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting or equity securities of the corporation.

NAME AND ADDRESS

TITLE

NATURE AND PERCENTAGE OF STOCK OWNERSHIP

22. Former partners, officers, directors and shareholders

None

a. If the debtor is a partnership, list each member who withdrew from the partnership within **one year** immediately preceding the commencement of this case.

NAME

**ADDRESS** 

DATE OF WITHDRAWAL

Phillip & Alice Allen

None b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within **one year** 

immediately preceding the commencement of this case.

NAME AND ADDRESS

TITLE

DATE OF TERMINATION

23 . Withdrawals from a partnership or distributions by a corporation

None

If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during **one year** immediately preceding the commencement of this case.

NAME & ADDRESS OF RECIPIENT, RELATIONSHIP TO DEBTOR

DATE AND PURPOSE OF WITHDRAWAL

AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY

24. Tax Consolidation Group.

None

If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within **six years** immediately preceding the commencement of the case.

NAME OF PARENT CORPORATION

TAXPAYER IDENTIFICATION NUMBER (EIN)

25. Pension Funds.

None

If the debtor is not an individual, list the name and federal taxpayer-identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within six years immediately preceding the commencement of the case.

NAME OF PENSION FUND

TAXPAYER IDENTIFICATION NUMBER (EIN)

8

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

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct to the best of my knowledge, information and belief.

| Date | October 13, 2011 | Signature | /s/ Ricky N. Williams |  |
|------|------------------|-----------|-----------------------|--|
|      |                  |           | Ricky N. Williams     |  |
|      |                  |           | President             |  |

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

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

Case 11-40649 Doc 1 Filed 10/13/11 Entered 10/13/11 16:51:33 Desc Main Document Page 29 of 34

|       | Western   | District of North Care  | Jiiia  |  |
|-------|---|---|--|--|
| In re | Shuttle Truck Service, Inc.   | <b>D</b> 1. ()  | Case No.                                       |  |
|       |   | Debtor(s)   | Chapter  |  |
|       | DISCLOSURE OF COMPEN  | NSATION OF ATTO   | RNEY FOR DE                                    | EBTOR(S)   |
|       | Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rul compensation paid to me within one year before the filir be rendered on behalf of the debtor(s) in contemplation of   | le 2016(b), I certify that I and of the petition in bankrupton  | am the attorney for<br>sy, or agreed to be pai | the above-named debtor and tha<br>d to me, for services rendered or to |
|       | For legal services, I have agreed to accept   |   | \$   | 5,061.00   |
|       | Prior to the filing of this statement I have received   |   |  | 0.00   |
|       | Balance Due   |   |  | 5,061.00   |
| 2.    | The source of the compensation paid to me was:  |   |  |  |
|       | ☐ Debtor ☐ Other (specify): Ricky   | N. Williams   |  |  |
| 3.    | The source of compensation to be paid to me is:   |   |  |  |
|       | ■ Debtor □ Other (specify):   |   |  |  |
| 4.    | ■ I have not agreed to share the above-disclosed compe  | ensation with any other person  | unless they are mem                            | bers and associates of my law firm.                                    |
|       | ☐ I have agreed to share the above-disclosed compensa copy of the agreement, together with a list of the name   | ation with a person or persons  | who are not members                            | or associates of my law firm. A  |
| 5.    | In return for the above-disclosed fee, I have agreed to ret   | nder legal service for all aspec  | ts of the bankruptcy c                         | ase, including:  |
|       | <ul> <li>a. Analysis of the debtor's financial situation, and render</li> <li>b. Preparation and filing of any petition, schedules, state</li> <li>c. Representation of the debtor at the meeting of credito</li> <li>d. [Other provisions as needed]</li> <li>Negotiations with secured creditors to reaffirmation agreements and application</li> <li>522(f)(2)(A) for avoidance of liens on hou</li> </ul> | ement of affairs and plan which<br>ors and confirmation hearing, a<br>educe to market value; ex<br>ns as needed; preparatio | h may be required; nd any adjourned hea        | rings thereof;   |
| 6.    | By agreement with the debtor(s), the above-disclosed fee<br>Representation of the debtors in any dis<br>any other adversary proceeding.   | does not include the followin chargeability actions, jud  | g service:<br>icial lien avoidanc              | es, relief from stay actions or  |
|       |   | CERTIFICATION   |  |  |
|       | I certify that the foregoing is a complete statement of any bankruptcy proceeding.  | agreement or arrangement for  | r payment to me for re                         | epresentation of the debtor(s) in                                      |
| Date  | d: October 13, 2011   | /s/ D. Rodney Ki  | ght, Jr.                                       |  |
|       |   | D. Rodney Kight   | , Jr. 26453                                    |  |
|       |   | Kight Law Office 7 Orchard Street   |  |  |
|       |   | Suite 100   | •  |  |
|       |   | Asheville, NC 28  |  |  |
|       |   |   | Fax: (828) 255-988                             | 6  |
|       |   | info@kightlaw.c   | om   |  |

Case 11-40649 Doc 1 Filed 10/13/11 Entered 10/13/11 16:51:33 Desc Main Document Page 30 of 34

|  | Case No.  |                                       |
|--|---|---------------------------------------|
| Debtor   | ,<br>Chapter  | 11                                    |
|  |   | (3) for filing in this chapter 11 cas |
| Security<br>Class  | Number of Securities  | Kind of<br>Interest                   |
| Common   | 100%  | Equity                                |
| l as the debtor in this case,<br>I that it is true and correct | declare under penalty to the best of my inform  | of perjury that I have read the       |
| F  | President   | ant for up to 5 years or both         |
|  | QUITY SECURITY  Pers which is prepared in accordance  Security Class  Common  PERJURY ON BEHAI  d as the debtor in this case, that it is true and correct  Signature  F | Debtor  Chapter                       |

Case 11-40649 Doc 1 Filed 10/13/11 Entered 10/13/11 16:51:33 Desc Main Document Page 31 of 34

| In re    | Shuttle Truck Service, Inc.            |  | Case No.               |                                  |
|----------|--|--|------------------------|----------------------------------|
|          |  | Debtor(s)                                  | Chapter                | 11                               |
|          |  |  |                        |                                  |
|          | VERIF                                  | ICATION OF CREDITOR                        | MATRIX                 |                                  |
|          |  |  |                        |                                  |
| I, the P | resident of the corporation named as t | he debtor in this case, hereby verify that | the attached list of c | ereditors is true and correct to |
| the bes  | t of my knowledge.                     |  |                        |                                  |
|          |  |  |                        |                                  |
|          |  |  |                        |                                  |
|          |  |  |                        |                                  |
| Date:    | October 13, 2011                       | /s/ Ricky N. Williams                      |                        |                                  |
|          |  | Ricky N. Williams/President                |                        |                                  |
|          |  | Signer/Title                               |                        |                                  |

Carolina West Holdings, LLC 3303 Lake James Road Marion, NC 28752

Equifax Credit Information Services P.O. Box 740241 Atlanta, GA 30374

Experian Customer Care P.O. Box 19729 Irvine, CA 92623-9729

IRS 320 Federal Place Greensboro, NC 27401

IRS P.O. Box 7346 Philadelphia, PA 19101-7346

Little & Lattimore, PA 20 North Main Street Marion, NC 28752

McDowell County Tax Collector 60 East Court Street Marion, NC 28752

MSI Merchant Services, Inc. Attn. MIS Department 890 Mountain Avenue New Providence, NJ 07974

North Carolina Department of Revenue Bankruptcy Unit P.O. Box 1167 Raleigh, NC 27602

Ricky N. Williams Revocable Trust 12365 US Hwy 221 N Marion, NC 28752

Sam's Club P.O. Box 103036 Roswell, GA 30076 TD Bank NA 2810 S. Federal Highway Fort Pierce, FL 34982

TransUnion
P.O. Box 2000
Crum Lynne, PA 19022-2000

US Attorney 100 Otis Street Room 233 Asheville, NC 28801 Case 11-40649 Doc 1 Filed 10/13/11 Entered 10/13/11 16:51:33 Desc Main Document Page 34 of 34

| In re  | Shuttle Truck Service, Inc.           |   | Case No.                                     |  |  |
|--------|---------------------------------------|---|--|--|--|
|        |                                       | Debtor(s)   | Chapter 11                                   |  |  |
|        |                                       |   |  |  |  |
|        |                                       |   |  |  |  |
|        | CORPORATI                             | E OWNERSHIP STATEMENT (                                 | RILE 7007 1)                                 |  |  |
|        |                                       | COVILLIANT STATEMENT (                                  | KCEL / vor.i)                                |  |  |
| Pursua | ant to Federal Rule of Bankruptcy Pro | ocedure 7007.1 and to enable the Ju                     | dges to evaluate possible disqualification   |  |  |
|        | <u>—</u>                              |   | ove captioned action, certifies that the     |  |  |
|        |                                       |   | t, that directly or indirectly own(s) 10% or |  |  |
|        |                                       | uity interests, or states that there ar                 | re no entities to report under FRBP 7007.1:  |  |  |
| 12365  | Ricky N. Williams 12365 US Hwy 221 N  |   |  |  |  |
| Mario  | n, NC 28752                           |   |  |  |  |
|        |                                       |   |  |  |  |
|        |                                       |   |  |  |  |
| □ Nor  | ne [Check if applicable]              |   |  |  |  |
|        |                                       |   |  |  |  |
|        |                                       |   |  |  |  |
|        |                                       |   |  |  |  |
|        |                                       |   |  |  |  |
| Octob  | per 13, 2011                          | /s/ D. Rodney Kight, Jr.                                |  |  |  |
| Date   |                                       | D. Rodney Kight, Jr. 26453                              |  |  |  |
|        |                                       | Signature of Attorney or Litiga                         |  |  |  |
|        |                                       | Counsel for Shuttle Truck Ser Kight Law Office          | rvice, Inc.                                  |  |  |
|        |                                       | 7 Orchard Street  |  |  |  |
|        |                                       | Suite 100   |  |  |  |
|        |                                       | Asheville, NC 28801<br>(828) 255-9881 Fax:(828) 255-988 | 86   |  |  |
|        |                                       | info@kightlaw.com                                       |  |  |  |
|        |                                       |   |  |  |  |