Case 12-10242	Doc 1	Filed 03/22/12	Entered 03/22/12 10:57:20	Desc Main
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1	(Official Form	1)(12/11)	

United States Bankruptcy Court Western District of North Carolina								Volu	intary Petition
Name of Debtor (if individual, enter Last, First, Middle):				Name	of Joint De	ebtor (Spouse) (Last, First,	Middle):	
Rays Supply Company, Inc.							, , , , ,		
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):						used by the J maiden, and			years
Last four digits of Soc. Sec. or Individual-Ta (if more than one, state all) 20-8083491	Complete EIN	Last fo	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)						
Street Address of Debtor (No. and Street, Cit 5120 Old Haywood Road Mills River, NC	y, and State):	ZIP Code	Street	Address of	Joint Debtor	(No. and Str	eet, City, an	d State): ZIP Code
			28759	-					
County of Residence or of the Principal Plac Henderson	e of Busines	ss:		Count	y of Reside	ence or of the	Principal Pla	ace of Busine	ess:
Mailing Address of Debtor (if different from	street addre	ess):		Mailin	g Address	of Joint Debt	or (if differen	nt from stree	t address):
		Г	ZIP Code	-					ZIP Code
Location of Principal Assets of Business Det (if different from street address above):	tor								
Type of Debtor		Nature o	f Business			Chapter	of Bankrup	tcy Code U	nder Which
(Form of Organization) (Check one box)			one box)				Petition is Fi	led (Check of	one box)
☐ Individual (includes Joint Debtors) See Exhibit D on page 2 of this form.		alth Care Bus	siness al Estate as d	efined	Chapt			anter 15 De	tition for Recognition
Corporation (includes LLC and LLP)	in 1	II U.S.C. § 1		ermea	Chapt				Iain Proceeding
Partnership	Rai				Chapt		🗆 Cł	napter 15 Per	tition for Recognition
□ Other (If debtor is not one of the above entitied check this box and state type of entity below.)		ckbroker mmodity Bro	ker		Chapt		of	a Foreign N	onmain Proceeding
	Cle	aring Bank							
Chapter 15 Debtors	- Oth							of Debts	
Country of debtor's center of main interests:			mpt Entity , if applicable)		Debts a	re primarily co		c one box)	Debts are primarily
Each country in which a foreign proceeding by, regarding, or against debtor is pending:	und	otor is a tax-ex er Title 26 of t	empt organizati the United State Revenue Code	es	defined "incurr	l in 11 U.S.C. § ed by an indivi nal, family, or	101(8) as dual primarily		business debts.
Filing Fee (Check one	pox)		Check on	e box:		Chap	ter 11 Debto	ors	
Full Filing Fee attached						debtor as defin			
☐ Filing Fee to be paid in installments (applicabl			Check if:	otor 1s not	or is not a small business debtor as defined in 11 U.S.C. § 101(51D).				
attach signed application for the court's consid- debtor is unable to pay fee except in installment			Det						owed to insiders or affiliates)
Form 3A.		(-). 211 0111	are	applicable	. , , ,	amount subject	to adjustment	on 4/01/13 ar	nd every three years thereafter).
☐ Filing Fee waiver requested (applicable to chap			st 🛛 An			this petition.			
attach signed application for the court's consid-	ration. See O	fincial portin 5				vere solicited pr S.C. § 1126(b).	repetition from	one or more	classes of creditors,
Statistical/Administrative Information							THIS	SPACE IS FO	OR COURT USE ONLY
Debtor estimates that funds will be available	ble for distr	ibution to un	secured credi	tors.					
Debtor estimates that, after any exempt p there will be no funds available for distri				e expense	es paid,				
Estimated Number of Creditors				_ ۲					
1- 50- 100- 200- 49 99 199 999	1,000- 5,000	5,001- 10,000	10,001- 2	5,001- 0,000	50,001- 100,000	OVER 100,000			
Estimated Assets									
\$0 to \$50,001 to \$100,001 to \$500,001	\$1,000,001	\$10,000,001		100,000,001	\$500,000,001				
\$50,000 \$100,000 \$500,000 to \$1 million	to \$10 million	to \$50 million		s \$500 illion	to \$1 billion	\$1 billion			
				1					
\$0 to \$50,001 to \$100,001 to \$500,001	\$1,000,001	\$10,000,001		100,000,001					
\$50,000 \$100,000 \$500,000 to \$1 million	to \$10 million	to \$50 million	to \$100 to million m	s \$500 iillion	to \$1 billion	\$1 Dillion			

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B1 (Official For	n 1)(12/11) Document	Page 2 of 12	Page 2
Voluntary		Name of Debtor(s): Rays Supply Company	
(This page mu	st be completed and filed in every case)		
	All Prior Bankruptcy Cases Filed Within Last	8 Years (If more than two, at	tach additional sheet)
Location Where Filed:	- None -	Case Number:	Date Filed:
Location Where Filed:		Case Number:	Date Filed:
Per	nding Bankruptcy Case Filed by any Spouse, Partner, or	Affiliate of this Debtor (If me	ore than one, attach additional sheet)
Name of Debto	Dr:	Case Number:	Date Filed:
District:		Relationship:	Judge:
	Exhibit A	(To be completed if debtor is an i	Exhibit B ndividual whose debts are primarily consumer debts.)
forms 10K and pursuant to S and is reques	leted if debtor is required to file periodic reports (e.g., nd 10Q) with the Securities and Exchange Commission ection 13 or 15(d) of the Securities Exchange Act of 1934 ting relief under chapter 11.)	I, the attorney for the petitione have informed the petitioner the 12, or 13 of title 11, United St under each such chapter. I furt required by 11 U.S.C. §342(b)	r named in the foregoing petition, declare that I nat [he or she] may proceed under chapter 7, 11, ates Code, and have explained the relief available ther certify that I delivered to the debtor the notice
L Exhibit.	A is attached and made a part of this petition.	X Signature of Attorney for E	Debtor(s) (Date)
	r own or have possession of any property that poses or is alleged to Exhibit C is attached and made a part of this petition.	ibit C pose a threat of imminent and ide	ntifiable harm to public health or safety?
Exhibit I If this is a join	eted by every individual debtor. If a joint petition is filed, ea D completed and signed by the debtor is attached and made	a part of this petition.	
	Information Regardin	g the Debtor - Venue	
	(Check any ap Debtor has been domiciled or has had a residence, principa days immediately preceding the date of this petition or for	al place of business, or princip	
	There is a bankruptcy case concerning debtor's affiliate, ge	eneral partner, or partnership p	ending in this District.
	Debtor is a debtor in a foreign proceeding and has its print this District, or has no principal place of business or assets proceeding [in a federal or state court] in this District, or the sought in this District.	in the United States but is a d	efendant in an action or
	Certification by a Debtor Who Reside (Check all app		Property
	Landlord has a judgment against the debtor for possession	of debtor's residence. (If box c	hecked, complete the following.)
	(Name of landlord that obtained judgment)		
	(Address of landlord)		
	Debtor claims that under applicable nonbankruptcy law, th the entire monetary default that gave rise to the judgment f		
	Debtor has included in this petition the deposit with the co after the filing of the petition.		-

Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

Case	12-1	0242	Doc	1	Fil	ec

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BI (Official Form 1)(12/11)	Name of Debtor(s): Page 3
Voluntary Petition	Rays Supply Company, Inc.
(This page must be completed and filed in every case)	
	gnatures
Signature(s) of Debtor(s) (Individual/Joint)	Signature of a Foreign Representative
I declare under penalty of perjury that the information provided in this petition is true and correct. [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such 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.	recognition of the foreign main proceeding is attached.
X	X
Signature of Debtor	
X	Printed Name of Foreign Representative
Signature of Joint Debtor	
	Date
Telephone Number (If not represented by attorney)	Signature of Non-Attorney Bankruptcy Petition Preparer
Data	I declare under penalty of perjury that: (1) I am a bankruptcy petition
Date	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
Signature of Attorney* X /s/ Benson T. Pitts Signature of Attorney for Debtor(s) Benson T. Pitts 38429 Printed Name of Attorney for Debtor(s) Pitts, Hay, Hugenschmidt Firm Name 137 Biltmore Ave. Asheville, NC 28801	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.)
828-255-8085 Fax: 828-251-2760	
Telephone Number	
March 22, 2012	Address
*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.	X
Signature of Debtor (Corporation/Partnership)	Date
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.	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:
X /s/ Shane Swekosky Signature of Authorized Individual	
Signature of Authorized Individual	
Shane Swekosky	If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.
Printed Name of Authorized Individual	
President	A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in
Title of Authorized Individual	fines or imprisonment or both. 11 U.S.C. §110; 18 U.S.C. §156.
March 22, 2012	
Date	

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B4 (Official Form 4) (12/07)

United States Bankruptcy Court Western District of North Carolina

In re Rays Supply Company, Inc.

Debtor(s)

Case No. Chapter 11

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

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

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
ADS, Inc. / Hancor, Inc. P.O. Box 741459 Atlanta, GA 30374-1459	ADS, Inc. / Hancor, Inc. P.O. Box 741459 Atlanta, GA 30374-1459			89,318.69
Alliance Designer Products 225 Blvd. Bellerose West Laval Quebec, CN	Alliance Designer Products 225 Blvd. Bellerose West Laval Quebec, CN			6,733.60
BWI - Greenville P.O. Box 1410 Greer, SC 29650	BWI - Greenville P.O. Box 1410 Greer, SC 29650			7,844.06
Crop Production Services P.O. Box 597 Newland, NC 28657	Crop Production Services P.O. Box 597 Newland, NC 28657			7,568.16
E. Dillon Company P.O. Box 160 Swords Creek, VA 24649	E. Dillon Company P.O. Box 160 Swords Creek, VA 24649			22,250.56
Eco Commercial Group, Inc. 5120 Old Haywood Road Mills River, NC 28759	Eco Commercial Group, Inc. 5120 Old Haywood Road Mills River, NC 28759			31,000.00
Florida Pine Supply P.O. Box 158 Mayo, FL 32066-0158	Florida Pine Supply P.O. Box 158 Mayo, FL 32066-0158			60,384.00
Getscgo P.O. Box 159 Middlesex, NC 27557	Getscgo P.O. Box 159 Middlesex, NC 27557			25,075.00
Green Resource P.O. Box 429 Colfax, NC 27235	Green Resource P.O. Box 429 Colfax, NC 27235			13,722.95
Infiltrator P.O. Box 534646 Atlanta, GA 30353-4646	Infiltrator P.O. Box 534646 Atlanta, GA 30353-4646			5,524.20
Internal Revenue Service P.O. Box 7346 Philadelphia, PA 19101-7346	Internal Revenue Service P.O. Box 7346 Philadelphia, PA 19101-7346	Withholding taxes		15,810.34
L & M Supply Company 1800 Springhead Road Willacoochee, GA 31650	L & M Supply Company 1800 Springhead Road Willacoochee, GA 31650			17,468.45

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Debtor(s)

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Case No.

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
Lane Enterprises 1404 Industrial Drive	Lane Enterprises 1404 Industrial Drive			74,404.60
Statesville, NC 28625	Statesville, NC 28625			
N.C. Department of Revenue P.O. Box 1168 Raleigh, NC 27602	N.C. Department of Revenue P.O. Box 1168 Raleigh, NC 27602	Withholding taxes		26,794.85
Pennington Seed 1236 Eden Street Columbia, SC 29201	Pennington Seed 1236 Eden Street Columbia, SC 29201			20,949.85
Savio Enginering 8324 Washington St., N.E. Albuquerque, NM 87113	Savio Enginering 8324 Washington St., N.E. Albuquerque, NM 87113			9,543.27
Southeastern Culvert P.O. Box 999 Auburn, GA 30011	Southeastern Culvert P.O. Box 999 Auburn, GA 30011			23,493.06
Tri Chex Seeds P.O. Box 5280 Augusta, GA 30906	Tri Chex Seeds P.O. Box 5280 Augusta, GA 30906			9,922.17
Underwood True Value Hardware P.O. Box 7083	Underwood True Value Hardware P.O. Box 7083 McMinnville, TN 37111			15,664.05
McMinnville, TN 37111 Western Excelsior P.O. Box 635037 Cincinnati, OH 45263-5037	Western Excelsior P.O. Box 635037 Cincinnati, OH 45263-5037			24,660.00

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 March 22, 2012

/s/ Shane Swekosky Signature Shane Swekosky President

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

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A.M. Leonard, Inc. P.O. Box 816 Piqua, OH 45356-0816

ACF Environmental P.O. Box 758763 Baltimore, MD 21275-8763

Adcock Manufacturing Corp. 1550 West 132nd Street Gardena, CA 90249

ADS, Inc. / Hancor, Inc. P.O. Box 741459 Atlanta, GA 30374-1459

Alliance Designer Products 225 Blvd. Bellerose West Laval Quebec, CN

Ally Financial P.O. Box 9001951 Louisville, KY 40290

American Honda Finance P. O. Box 105027 Atlanta, GA 30348

Andrew A. Freeman Bell, Davis & Pitt, P.A. P.O. Box 21029 Winston Salem, NC 27120-1029

Atlas Gloves 851 Coho Way Bellingham, WA 98225

Bahco Tools, Inc. 23001 Network Place Chicago, IL 60673-1230

Border Concepts, Inc. P.O. Box 471185 Charlotte, NC 28247

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Brinly-Hardy Co. 1338 Hundred Oaks Drive Suite G Charlotte, NC 28217

BWI - Greenville P.O. Box 1410 Greer, SC 29650

Carswell Distributing Co. P.O. Box 4193 Winston Salem, NC 27115

Cherokee Manufacturing 501 East Richmond Street South Saint Paul, MN 55075

Cintas P.O. Box 729 Fletcher, NC 28732

Colorite Waterworks P.O. Box 8538-262 Newark, NJ 07191

Corona Clipper, Inc. 22440 Temescal Canyon Road Corona, CA 92883-4103

Crop Production Services P.O. Box 597 Newland, NC 28657

Dandy Products 1095 Hardcourt Road Mount Vernon, OH 43050

Deeproot 530 Washington Street San Francisco, CA 94111

E. Dillon Company P.O. Box 160 Swords Creek, VA 24649

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Eco Commercial Group, Inc. 5120 Old Haywood Road Mills River, NC 28759

Florida Pine Supply P.O. Box 158 Mayo, FL 32066-0158

Ford Motor Credit P.O. Box 650575 Dallas, TX 75265

Gardman USA, Inc. 4175 Royal Drive Suite 700 Kennesaw, GA 30144

Garick LLC P.O. Box 636909 Cincinnati, OH 45263-6906

GE Commercial Distribution Finance Corporation P.O. Box 74651 Chicago, IL 60675-4651

General Cable Industries P.O. Box 640745 Pittsburgh, PA 15264-0745

Getscgo P.O. Box 159 Middlesex, NC 27557

Gilmour Manufacturing 33318 Treasury Center Chicago, IL 60694-3300

Great American Leasing Corp. P.O. Box 660831 Dallas, TX 75266-8031

Green Resource P.O. Box 429 Colfax, NC 27235

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Henderson County Tax Collector 200 N. Grove St. Suite 66 Hendersonville, NC 28792

Infiltrator P.O. Box 534646 Atlanta, GA 30353-4646

Internal Revenue Service P.O. Box 7346 Philadelphia, PA 19101-7346

International Plastics P.O. Box 25544 Greenville, SC 29616-0544

J.W. Faircloth & Son, Inc. P.O. Box 757 Hillsborough, NC 27278

L & M Supply Company 1800 Springhead Road Willacoochee, GA 31650

Lane Enterprises 1404 Industrial Drive Statesville, NC 28625

Michael James Hoefling P.O. Box 36469 1065 East Morehead Street Charlotte, NC 28236

Monroe Hardware P.O. Box 5015 Monroe, NC 28110

N.C. Department of Revenue P.O. Box 1168 Raleigh, NC 27602

Newport Sand & Gravel P.O. Box 1109 Newport, TN 37822

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NYP Corp. 805 East Grand Street Elizabeth, NJ 07201

Old Dominion Freight Line P.O. Box 60908 Charlotte, NC 28260-0908

Oldcastle Precast, Inc. P.O. Box 60000 File No. 72477-050 San Francisco, CA 94160

Pennington Seed 1236 Eden Street Columbia, SC 29201

Phillip D. Lambeth Harkey Lambeth LLP 1043 East Morehead Street Suite 300 Charlotte, NC 28204

Premium Services Landscaping, LLC 231 Ladson Spring Trail Mills River, NC 28759

Presco Products P.O. Box 226467 Dallas, TX 75222-6467

Savio Enginering 8324 Washington St., N.E. Albuquerque, NM 87113

Schermerhorn Bros., Co. P.O. Box 99035 Chicago, IL 60693

Southeastern Culvert P.O. Box 999 Auburn, GA 30011

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Southern Agricultural Insecticides P.O. Box 218 Palmetto, FL 34220

Swekosky Company, Inc. 231 Ladson Spring Trail Mills River, NC 28759

Tennessee Webbing P.O. Box 6091 Knoxville, TN 37914

TLC Products P.O. Box 45301 Westlake, OH 44145

Trans-Consolidated Distributors P.O. Box 5062 Newbury Park, CA 91319

Tri Chex Seeds P.O. Box 5280 Augusta, GA 30906

Uline Accounts Receivable 2200 South Lakeside Drive Waukegan, IL 60085

Underwood True Value Hardware P.O. Box 7083 McMinnville, TN 37111

Union Pen Company 70 Riverdale Ave. Box 5010 Greenwich, CT 06831

UPS Freight P.O. Box 7247-0244 Philadelphia, PA 19170

Western Excelsior P.O. Box 635037 Cincinnati, OH 45263-5037

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United States Bankruptcy Court Western District of North Carolina

In re Rays Supply Company, Inc.

Debtor(s)

Case No. Chapter

11

CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for <u>Rays Supply Company, Inc.</u> in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

■ None [*Check if applicable*]

March 22, 2012

Date

/s/ Benson T. Pitts Benson T. Pitts 38429 Signature of Attorney or Litigant Counsel for Rays Supply Company, Inc. Pitts, Hay, Hugenschmidt 137 Biltmore Ave. Asheville, NC 28801 828-255-8085 Fax:828-251-2760