Case 13-41628-TLS Doc 1 Filed 08/27/13 Entered 08/27/13 16:00:42 Desc Main 8/27/13 3:59PM

| B1 (Official | Form 1)(04 | /13) | | | Do | cumer | nt Pa | age 1 o | 18 | | | |
|--|---------------------------------------|-----------------------------|--|-----------------------------------|------------------------------------|--|---|---|--|---------------------------|---|--------------------|
| | | | United | | Banki St of Neb | | Court | | | | Voluntary | Petition |
| | ebtor (if ind ys Adver | | er Last, First, L C | 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): | | | | | | | | | Joint Debtor (trade names) | in the last 8 years): | | |
| Last four dig (if more than one 20-4426 | e, state all) | Sec. or Indi | vidual-Taxpa | yer I.D. (| ITIN)/Com | plete EIN | Last f (if more | our digits of than one, state | f Soc. Sec. or all) | r Individual-7 | Faxpayer I.D. (ITIN) No | o./Complete EIN |
| | o. 33rd St | | Street, City, a | and State) | : | | | Address of | Joint Debtor | (No. and Str | reet, City, and State): | |
| | | | | | Г | ZIP Code 68503 | 2 | | | | | ZIP Code |
| | | of the Prin | cipal Place of | f Business | | | Count | y of Reside | ence or of the | Principal Pla | ace of Business: | I |
| Lancast | - | | | | | | | A 11 | | (10.1100 | | |
| Mailing Add | iress of Det | otor (if diffe | erent from stre | eet addres | s): | | Mailii | ig Address | of Joint Debi | tor (if differen | nt from street address): | |
| | | | | | _ | ZIP Code | | | | | | ZIP Code |
| Location of (if different | Principal A from street | ssets of Bus address abo | siness Debtor ove): | | | | | | | | | |
| | Type of | f Debtor | | | Natura | of Business | - | <u> </u> | Chaptor | of Bonkrun | ntay Codo Undor Whic | h |
| (Form | of Organizati | | one box) | | | one box) | • | Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box) | | | .11 | |
| Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. Corporation (includes LLC and LLP) Partnership Other (If debtor is not one of the above entities, check this box and state type of entity below.) | | | Health Care Business Single Asset Real Estate as def in 11 U.S.C. § 101 (51B) Railroad Stockbroker Commodity Broker Clearing Bank | | s defined | Chapt Chapt Chapt Chapt Chapt Chapt | er 9 er 11 er 12 | of □ Cł | hapter 15 Petition for R a Foreign Main Procee hapter 15 Petition for R a Foreign Nonmain Pro | ding ecognition | | |
| | Chapter 1 | 15 Debtors | | Othe | | | | | | | e of Debts (x one box) | |
| Country of debtor's center of main interests: Each country in which a foreign proceeding by, regarding, or against debtor is pending: | | | Tax-Exempt Entity (Check box, if applicable) □ Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code). | | | le) zation states | Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for | | | | | |
| | Fi | ling Fee (C | heck one box | () | | | one box: | 1 | - | oter 11 Debto | | |
| attach sig | e to be paid ir ned application | n installments | a (applicable to art's consideration | ion certifyi | ng that the | Check | Debtor is not if: | a small busin | ness debtor as | | C. § 101(51D). J.S.C. § 101(51D). cluding debts owed to insid | ers or affiliates) |
| Form 3A. | | fee except if | n installments. | Rule 1006(| b). See Offic | | | \$2,490,925 (| | | on 4/01/16 and every thre | |
| | | | able to chapter art's considerati | | | B. | A plan is bei Acceptances | ng filed with of the plan w | | | one or more classes of cre | editors, |
| Statistical/A | | | | | E. Peters | | | | | THIS | SPACE IS FOR COURT | USE ONLY |
| Debtor e | stimates that | at, after any | l be available exempt prop for distributi | erty is exc | cluded and | administra | | es paid, | | | | |
| Estimated N | | | lor distribut | ion to uns | | | | | | 1 | | |
| 1- 49 | □ 50- 99 | 100- 199 | 200- | □ 1,000- 5,000 | □ 5,001- 10,000 | 10,001- 25,000 | □ 25,001- 50,000 | □ 50,001- 100,000 | OVER 100,000 | | | |
| Estimated A | | | | - ,- 30 | ,000 | ,000 | ,000 | | ,000 | 1 | | |
| \$0 to \$50,000 | \$50,001 to \$100,000 | \$100,001 to \$500,000 | \$500,001 to \$1 | \$1,000,001 to \$10 million | \$10,000,001 to \$50 million | 50,000,001 to \$100 million | \$100,000,001 to \$500 million | 500,000,001 to \$1 billion | More than \$1 billion | | | |
| Estimated L \$0 to \$50,000 | iabilities 550,001 to \$100,000 | \$100,001 to \$500,000 | \$500,001 | \$1,000,001 to \$10 million | \$10,000,001 to \$50 million | \$50,000,001 to \$100 million | \$100,000,001 to \$500 million | \$500,000,001 to \$1 billion | More than \$1 billion | | | |

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| Document P | are 2 of 8 | |

| B1 (Official For | m 1)(04/13) Document | Page 2 01 8 | Page 2 |
|--|---|---|---|
| Voluntar | v Petition | Name of Debtor(s): | |
| (This page mu | st be completed and filed in every case) | Blue Skys Adventures, I | |
| (Inis page ma | All Prior Bankruptcy Cases Filed Within Last | 8 Vears (If more than two, attac | ch additional sheet) |
| Location Where Filed: | | Case Number: | Date Filed: |
| Location Where Filed: | | Case Number: | Date Filed: |
| Pe | nding Bankruptcy Case Filed by any Spouse, Partner, or | Affiliate of this Debtor (If more | e than one, attach additional sheet) |
| Name of Debt - None - | or: | Case Number: | Date Filed: |
| District: | | Relationship: | Judge: |
| | Exhibit A | (To be completed if debter is an indi | Exhibit B vidual whose debts are primarily consumer debts.) |
| forms 10K a pursuant to S and is reques | oleted if debtor is required to file periodic reports (e.g., nd 10Q) with the Securities and Exchange Commission Section 13 or 15(d) of the Securities Exchange Act of 1934 sting relief under chapter 11.) A is attached and made a part of this petition. | have informed the petitioner that 12, or 13 of title 11, United State | hamed in the foregoing petition, declare that I [he or she] may proceed under chapter 7, 11, is Code, and have explained the relief available is certify that I delivered to the debtor the notice |
| | E | libit C | |
| ☐ Yes, and ■ No. (To be comp ☐ Exhibit If this is a join | leted by every individual debtor. If a joint petition is filed, ea D completed and signed by the debtor is attached and made | ibit D ch spouse must complete and att a part of this petition. | |
| | D also completed and signed by the joint debtor is attached a | ind made a part of this petition. | |
| | Information Regardin (Check any ap Debtor has been domiciled or has had a residence, princip days immediately preceding the date of this petition or for There is a bankruptcy case concerning debtor's affiliate, ge Debtor is a debtor in a foreign proceeding and has its princ this District, or has no principal place of business or assets proceeding [in a federal or state court] in this District, or th sought in this District. | plicable box) al place of business, or principal a longer part of such 180 days the eneral partner, or partnership pen cipal place of business or princip in the United States but is a defe | han in any other District. ding in this District. al assets in the United States in endant in an action or |
| | Certification by a Debtor Who Reside | s as a Tenant of Residential Pr | roperty |
| | (Check all app | | L 'V |
| | Landlord has a judgment against the debtor for possession | of debtor's residence. (If box chee | cked, complete the following.) |
| | (Name of landlord that obtained judgment) | | |
| | (Address of landlord) | | |
| | Debtor claims that under applicable nonbankruptcy law, the entire monetary default that gave rise to the judgment | | |
| | Debtor has included with this petition the deposit with the after the filing of the petition. | court of any rent that would beco | ome due during the 30-day period |

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

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| | | | | |

| B1 (Official Form 1)(04/13) | Document | Page 3 of 8 | Page 3 |
|--|--|---|---|
| Voluntary Petition | | Name of Debtor(s): | 8 |
| | | Blue Skys Adventures, LLC | |
| (This page must be completed and filed in every case | | atures | |
| Signature(s) of Debtor(s) (Individu | 0 | | nrocontativo |
| I declare under penalty of perjury that the information petition is true and correct. [If petitioner is an individual whose debts are primari has chosen to file under chapter 7] I am aware that I is chapter 7, 11, 12, or 13 of title 11, United States Code available under each such chapter, and choose to prov [If no attorney represents me and no bankruptcy petit petition] I have obtained and read the notice required I request relief in accordance with the chapter of title specified in this petition. | n provided in this ly consumer debts and may proceed under e, understand the relief ceed under chapter 7. ion preparer signs the by 11 U.S.C. §342(b). | Signature of a Foreign Rep I declare under penalty of perjury that the inform is true and correct, that I am the foreign represe proceeding, and that I am authorized to file this (Check only one box.) I request relief in accordance with chapter 15 Certified copies of the documents required b Pursuant to 11 U.S.C. §1511, I request relief of title 11 specified in this petition. A certifier recognition of the foreign main proceeding in | mation provided in this petition intative of a debtor in a foreign petition. 5 of title 11. United States Code. by 11 U.S.C. §1515 are attached. 6 in accordance with the chapter ed copy of the order granting |
| v | | X | |
| X | | Signature of Foreign Representative | |
| | | | |
| X | | Printed Name of Foreign Representative | |
| Signature of Joint Debtor | | Date | |
| Telephone Number (If not represented by attorn | | | |
| relephone Number (in not represented by attorn | ley) | Signature of Non-Attorney Bankru | ptcy Petition Preparer |
| Date | | I declare under penalty of perjury that: (1) I ar | n a bankruptcy petition |
| Signature of Attorney* | | preparer as defined in 11 U.S.C. § 110; (2) I p compensation and have provided the debtor w | |
| X /s/ Trev E. Peterson Signature of Attorney for Debtor(s) <u>Trev E. Peterson 16637</u> Printed Name of Attorney for Debtor(s) | | and the notices and information required unde 110(h), and 342(b); and, (3) if rules or guideli pursuant to 11 U.S.C. § 110(h) setting a maxin chargeable by bankruptcy petition preparers, I of the maximum amount before preparing any debtor or accepting any fee from the debtor, as Official Form 19 is attached. | nes have been promulgated mum fee for services I have given the debtor notice document for filing for a |
| <u>Knudsen, Berkheimer, Richardson & Er</u> Firm Name 3800 VerMaas Place, Suite 200 Lincoln, NE 68502 | idacott, LLP | Printed Name and title, if any, of Bankru Social-Security number (If the bankrutpc an individual, state the Social Security nu principal, responsible person or partner o | by petition preparer is not umber of the officer, of the bankruptcy petition |
| Address | | preparer.)(Required by 11 U.S.C. § 110.) |) |
| Email: tpeterson@kno 402-475-7011 Fax: 402-475-8912 Telephone Number | udsenlaw.com | | |
| August 27, 2013 | | Address | |
| *In a case in which § 707(b)(4)(D) applies, this signa certification that the attorney has no knowledge after information in the schedules is incorrect. | | X | |
| Signature of Debtor (Corporation/P | artnership) | Date | |
| I declare under penalty of perjury that the information petition is true and correct, and that I have been author on behalf of the debtor. The debtor requests relief in accordance with the chap | prized to file this petition | Signature of bankruptcy petition preparer or or person, or partner whose Social Security numb Names and Social-Security numbers of all oth assisted in preparing this document unless the not an individual: | ber is provided above. her individuals who prepared or |
| States Code, specified in this petition. | . , | | |
| ${f \chi}$ /s/ Joseph Christopher Neal | | | |
| Signature of Authorized Individual | | | |
| Joseph Christopher Neal | | If more than one person prepared this docume | |
| Printed Name of Authorized Individual | | conforming to the appropriate official form fo | r each person. |
| Member | | A bankruptcy petition preparer's failure to co | |
| Title of Authorized Individual August 27, 2013 | | title 11 and the Federal Rules of Bankruptcy I fines or imprisonment or both. 11 U.S.C. §110 | |
| Date | | | |

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CONSENT RESOLUTIONS OF THE MEMBER OF BLUE SKYS ADVENTURES, LLC

The undersigned, being the only member of Blue Skys Adventures, LLC (the "Company"), a Nebraska Limited Liability Company, with its principal place of business in the State of Nebraska, waives his right to a call and notice of a special meeting of the member and adopt the following consent resolutions:

BE IT RESOLVED THAT: The members have determined and authorize the filing of a bankruptcy proceeding under Chapter 11 of the United States Bankruptcy Code in the State of Nebraska for the Company.

BE IT FURTHER RESOLVED THAT: Joseph Christopher Neal is authorized to sign the Bankruptcy Petition, Schedules, Statement of Financial Affairs, Verification of Matrix and any and all other documents deemed necessary or desirable to effectuate the bankruptcy filing.

BE IT FURTHER RESOLVED THAT: The employment of the law firm of Knudsen, Berkheimer, Richardson and Endacott, LLP as special bankruptcy counsel for the Company is approved and ratified by the members.

These resolutions were adopted this 27th Joseph

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B4 (Official Form 4) (12/07)

United States Bankruptcy Court District of Nebraska

In re Blue Skys Adventures, LLC

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] |
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B4 (Official Form 4) (12/07) - Cont. In re Blue Skys Adventures, LLC

Debtor(s)

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] |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

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

I, the Member 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 August 27, 2013

Signature /s/ Joseph Christopher Neal

Joseph Christopher Neal Member

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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Internal Revenue Service PO Box 7346 Philadelphia, PA 19101-7346

Lancaster County Attorney 575 South 10th Street Lincoln, NE 68508

Lancaster County Treasurer 555 So. 10th Street Lincoln, NE 68508

Nebrasaka Department of Revenue Attn: Bankruptcy Unit P.O. Box 94818 Lincoln, NE 68509-4818

Pinnacle Bank 7001 So. 27th Street Lincoln, NE 68512

U. S. Trustee's Office Roman L. Hruska Courthouse 111 So. 18th Plaza, Suite 1148 Omaha, NE 68102 Case 13-41628-TLS Doc 1 Filed 08/27/13 Entered 08/27/13 16:00:42 Desc Main Document Page 8 of 8

United States Bankruptcy Court District of Nebraska

In re Blue Skys Adventures, LLC

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>Blue Skys Adventures, LLC</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*]

August 27, 2013

Date

 /s/ Trev E. Peterson

 Trev E. Peterson 16637

 Signature of Attorney or Litigant

 Counsel for
 Blue Skys Adventures, LLC

 Knudsen, Berkheimer, Richardson & Endacott, LLP

 3800 VerMaas Place, Suite 200

 Lincoln, NE 68502

 402-475-7011 Fax:402-475-8912

 tpeterson@knudsenlaw.com