Case: 13-10365 Doc #: 1 Filed: 02/18/13 Desc: Main Document Page 1 of 11

B1 (Official Form 1)(12/11))								1	1	
	U	Jnited S Dist			ruptcy ampshi					Voluntary	Petition
Name of Debtor (if individ K&B Crushing Equi			Middle):			Name	of Joint De	ebtor (Spouse) (Last, First	t, Middle):	
All Other Names used by th (include married, maiden, a			years					used by the J maiden, and		in the last 8 years	
Last four digits of Soc. Sec. (if more than one, state all) 20-0527947	or Indivi	dual-Taxpay	yer I.D. (i	ITIN) No./0	Complete E	IN Last for	our digits o	f Soc. Sec. or	Individual-	Taxpayer I.D. (ITIN) N	o./Complete EIN
Street Address of Debtor (N	lo. and St	reet, City, a	nd State):	:		Street	Address of	Joint Debtor	(No. and St	reet, City, and State):	
20 Commercial Ct Auburn, NH											
				Г	ZIP Code 03032	-					ZIP Code
County of Residence or of t Rockingham	the Princip	pal Place of	Business			Count	y of Reside	ence or of the	Principal Pl	ace of Business:	
Mailing Address of Debtor	(if differe	ent from stre	et addres	s):		Mailir	ng Address	of Joint Debt	or (if differe	ent from street address):	
20 Commercial Cou	irt										
Auburn, NH				_	ZIP Code						ZIP Code
Location of Principal Assets					03032						
(if different from street addı	ress above	e):									
Type of De (Form of Organization)		a hov)			of Business			•	•	ptcy Code Under Whie iled (Check one box)	eh
☐ Individual (includes Join	nt Debtors			th Care Bu	siness		☐ Chapt	er 7	_	· · · · · · · · · · · · · · · · · · ·	
See Exhibit D on page 2 of Corporation (includes L	-	LP)	in 11	I U.S.C. §	eal Estate as 101 (51B)	defined	☐ Chapt ☐ Chapt			hapter 15 Petition for R f a Foreign Main Procee	
☐ Partnership☐ Other (If debtor is not one	of the abo	ve entities.	☐ Railı☐ Stoc	road kbroker			☐ Chapter 12 ☐ Chapter 15 Petition for Recognition ☐ Chapter 13 ☐ Grapter 15 Of a Foreign Nonmain Proceeding				
check this box and state typ			☐ Clea	modity Bro	oker		☐ Chapt	er 13	OI	i a Foreigh Nohmani Pr	oceeding
Chapter 15 D			Othe		mat Entity	,				re of Debts	
Country of debtor's center of n Each country in which a foreig by, regarding, or against debto	n proceedi	ing	unde	(Check box or is a tax-ex r Title 26 of	mpt Entity , if applicable empt organiz the United St l Revenue Co	able) Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as business 1 States "incurred by an individual primarily for			s are primarily ess debts.		
l <u> </u>	Fee (Che	eck one box))		_ I	one box:		•	ter 11 Debt		
■ Full Filing Fee attached■ Filing Fee to be paid in inst	tallmanta (a	annliachla ta i	individual:	only) Must	■ I	Debtor is not		debtor as defin ness debtor as d		C. § 101(51D). U.S.C. § 101(51D).	
attach signed application for debtor is unable to pay fee	or the court	's consideration	on certifyii	ng that the	ial Linear	Debtor's agg				cluding debts owed to insid	
Form 3A.	слеері ін п	nstannents. N	tuic 1000(b). See Offic		are less than all applicable		amount subject	to adjustment	t on 4/01/13 and every thre	e years thereafter).
Filing Fee waiver requested attach signed application for					BB.	A plan is bein Acceptances	ng filed with of the plan w	this petition. vere solicited pr S.C. § 1126(b).	epetition fron	n one or more classes of cr	editors,
Statistical/Administrative Debtor estimates that fu			for distril	aution to u	secured or	aditore			THIS	S SPACE IS FOR COURT	USE ONLY
Debtor estimates that the Debtor estimates that, af there will be no funds as	fter any ex	xempt prope	erty is exc	cluded and	administrat		es paid,				
Estimated Number of Credi		or distribution	on to unse		itors.						
1- 50- 10 49 99 19	00-	200- 1] 1,000- 5,000	5,001- 10,000	10,001- 25,000	25,001- 50,000	50,001- 100,000	OVER 100,000			
Estimated Assets			.,000	10,000	25,000	50,000	100,000	100,000			
	00,001 to 500,000	\$500,001 \$ to \$1 to	61,000,001 o \$10 nillion	\$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 Liabilities	00,001 to		\$1,000,001 o \$10	\$10,000,001 to \$50	\$50,000,001 to \$100	\$100,000,001 to \$500	\$500,000,001 to \$1 billion				

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BI (Official Full	11 1)(12/11)		1 age 2	
Voluntary	Petition	Name of Debtor(s): K&B Crushing Equipment, LLC		
(This page mus	st be completed and filed in every case)	<u> </u>		
Location	All Prior Bankruptcy Cases Filed Within Last	Case Number:	Date Filed:	
Where Filed:	- None -			
Location Where Filed:		Case Number:	Date Filed:	
	nding Bankruptcy Case Filed by any Spouse, Partner, or			
Name of Debto Keith A. Bak		Case Number: 13-10362	Date Filed: 2/18/13	
District: New Hamps	hire	Relationship: Sole Member Manager	Judge:	
	Exhibit A		hibit B	
(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.) (To be completed if debtor is an individual whose debts are primarily consumer of the petitioner named in the foregoing petition, declare have informed the petitioner that [he or she] may proceed under chapter 12, or 13 of title 11, United States Code, and have explained the relief a under each such chapter. I further certify that I delivered to the debtor to required by 11 U.S.C. §342(b).				
□ Exilibit A	A is attached and made a part of this petition.	X Signature of Attorney for Debtor(s)	(Date)	
	DL.	ibit C		
	r own or have possession of any property that poses or is alleged to Exhibit C is attached and made a part of this petition.		harm to public health or safety?	
		ibit D		
☐ Exhibit I If this is a joir	_	a part of this petition.	separate Exhibit D.)	
☐ Exhibit I	O also completed and signed by the joint debtor is attached a	and made a part of this petition.		
	Information Regardin	<u> </u>		
•	(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 principal asset	s in this District for 180	
	There is a bankruptcy case concerning debtor's affiliate, ge	• .	•	
	Debtor is a debtor in a foreign proceeding and has its princ this District, or has no principal place of business or assets proceeding [in a federal or state court] in this District, or the sought in this District.	in the United States but is a defendar	nt in an action or	
	Certification by a Debtor Who Reside (Check all appl		ty	
	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, the			
	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 the	nis certification. (11 U.S.C. § 362(1)).		

B1 (Official Form 1)(12/11) Page 3

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.

X

Signature of Debtor

 \mathbf{X}

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

Signature of Attorney*

X /s/ Robert L. O'Brien

Signature of Attorney for Debtor(s)

Robert L. O'Brien 15358

Printed Name of Attorney for Debtor(s)

O'Brien Law Firm

Firm Name

P.O. Box 357

New Boston, NH 03070-0357

Address

Email: WeAreLaw@me.com

603-459-9965 Fax: 603-250-0822

Telephone Number

February 18, 2013

Date

*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

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

X /s/ Keith A. Babb

Signature of Authorized Individual

Keith A. Babb

Printed Name of Authorized Individual

Sole Member Manager

Title of Authorized Individual

February 18, 2013

Date

Name of Debtor(s):

K&B Crushing Equipment, LLC

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.

T 7
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Δ

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.)

	_		-	
٦	٠	v	•	

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.

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B4 (Official Form 4) (12/07)

United States Bankruptcy Court District of New Hampshire

In re	K&B Crushing Equipment, LLC	Case No.		
		Debtor(s)	Chapter	11

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

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

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
Acadia Insurance 23 Commerce Dr Bedford, NH 03110	Acadia Insurance 23 Commerce Dr Bedford, NH 03110			17,080.00
Airgas East 8030 S Willow St #10 Manchester, NH 03101	Airgas East 8030 S Willow St #10 Manchester, NH 03101			2,383.00
Bridon Lubes Inc PO BOX 471 North Andover, MA 01845	Bridon Lubes Inc PO BOX 471 North Andover, MA 01845			2,017.00
Citizens Bank PO BOX 42008 Providence, RI 02940	Citizens Bank PO BOX 42008 Providence, RI 02940	Unsecured SBA loan		36,949.08
E&J Auto Parts 22 Manchester RD #1 Derry, NH 03038	E&J Auto Parts 22 Manchester RD #1 Derry, NH 03038			6,237.00
Ed Deschamps 35 Forest Park Dr Nashua, NH 03060	Ed Deschamps 35 Forest Park Dr Nashua, NH 03060			1,782.00
Fleetpride PO BOX 281811 Atlanta, GA 30384	Fleetpride PO BOX 281811 Atlanta, GA 30384			1,735.00
Granite Real Estate Holdings of NE Peter Hosmer 17 Route 125 #9 Rochester, NH 03867	Granite Real Estate Holdings of NE Peter Hosmer 17 Route 125 #9 Rochester, NH 03867			24,899.00
Heatherdell RB Hammers Corp 500 Bradley Hill Rd Blauvelt, NY 10913	Heatherdell RB Hammers Corp 500 Bradley Hill Rd Blauvelt, NY 10913			15,335.00
Home Depot Dept 21 -2002663965 PO BOX 183175 Columbus, OH 43218	Home Depot Dept 21 -2002663965 PO BOX 183175 Columbus, OH 43218	credit card		3,070.40
Jay Jellis CPA 13 Orchard View Dr Box 8 Londonderry, NH 03053	Jay Jellis CPA 13 Orchard View Dr Box 8 Londonderry, NH 03053			9,295.00

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B4 (Offi	cial Form 4) (12/07) - Cont.		
In re	K&B Crushing Equipment, LLC	Case No.	
	Debtor(s)		

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
Maloney & Sons 171 Russel St Manchester, NH 03104	Maloney & Sons 171 Russel St Manchester, NH 03104			25,104.00
Milton Cat Southworth 554 Maple St Contoocook, NH 03229	Milton Cat Southworth 554 Maple St Contoocook, NH 03229			18,200.00
Paul Doolittle 33 Old Chester Rd Derry, NH 03038	Paul Doolittle 33 Old Chester Rd Derry, NH 03038			110,000.00 (108,000.00 secured)
Peter Horne PO BOX 1435 North Hampton, NH 03867	Peter Horne PO BOX 1435 North Hampton, NH 03867			725,000.00 (720,000.00 secured)
Powerscreen Ct/New England 284 North St Windsor Locks, CT 06096	Powerscreen Ct/New England 284 North St Windsor Locks, CT 06096			35,425.00
RM Murdock Co PO BOX 111 Frankfort, NY 13340	RM Murdock Co PO BOX 111 Frankfort, NY 13340			21,568.00
Suffolk Soil & Supply Inc. 640 Moriches Middle Island Rd Moriches, NY 11955	Suffolk Soil & Supply Inc. 640 Moriches Middle Island Rd Moriches, NY 11955			7,000.00
Tai Deh Hsu 2 Wellman Ave #210 Nashua, NH 03060	Tai Deh Hsu 2 Wellman Ave #210 Nashua, NH 03060			170,000.00 (168,000.00 secured)
Yale Steel Inc. 13334 Jeddo Rd Yale, MI 48097	Yale Steel Inc. 13334 Jeddo Rd Yale, MI 48097			2,250.00

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

I, the Sole Member Manager 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	February 18, 2013	Signature	/s/ Keith A. Babb
		-	Keith A. Babb
			Sole Member Manager

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.

Acadia Insurance 23 Commerce Dr Bedford, NH 03110

Airgas East 8030 S Willow St #10 Manchester, NH 03101

Anthem BC/BS PO BOX 1168 Newark, NJ 07101

Arcsource Inc. 36 London Lane Seabrook, NH 03874

Auto Electric Service Inc. 191 Crawley Falls Rd #A-8 Exeter, NH 03833

Black Rock Trading PO BOX 2501 Vancouver BC Canada V6B3W7 Vancouver, BC

Bridon Lubes Inc PO BOX 471 North Andover, MA 01845

Cambridge Mutual Fire Ins. PO BOX 1984 Andover, MA 01810

Citizens Bank PO BOX 42008 Providence, RI 02940

Comcast PO BOX 1577 Newark, NJ 07101

Crystal Rock LLC PO BOX 10028 Waterbury, CT 06725

Derry Auto Parts PO Box 274 Derry, NH 03038

E&J Auto Parts 22 Manchester RD #1 Derry, NH 03038 Eastern Maine Electric Coop PO BOX 425 Calais, ME 04619

Ed Deschamps 35 Forest Park Dr Nashua, NH 03060

Eric C. Mitchell & Assoc PO BOX 10298 Bedford, NH 03110

FEL-TECH Hammer Div 259 Brooks Street Worcester, MA 01606

Fleetpride PO BOX 281811 Atlanta, GA 30384

FNB Commerciaol Leasing INc 1853 Route 315 Highway Pittston, PA 18640

Granite Real Estate Holdings of NE Peter Hosmer 17 Route 125 #9 Rochester, NH 03867

Heatherdell RB Hammers Corp 500 Bradley Hill Rd Blauvelt, NY 10913

Home Depot Dept 21 -2002663965 PO BOX 183175 Columbus, OH 43218

Infantine Ins PO BOX 5125 Manchester, NH 03108

Internal Revenue Service PO BOX 7346 Philadelphia, PA 19101

Internal Revenue Service PO BOX 9502 80 Daniel St Portsmouth, NH 03802

Jay Jellis CPA 13 Orchard View Dr Box 8 Londonderry, NH 03053 Komatsu Financial Binder Machinery Co 2820 Hamilton Blvd South Plainfield, NJ 07080

Lower Shin Pond Lot Owners Assoc PO BOX 185 Jay, ME 04239

Lucky's Trailer Sales 402 Vermont Route 107 South Royalton, VT 05068

Maine Drilling & Blasting PO BOX 1086 Scarborough, ME 04070

Maloney & Sons 171 Russel St Manchester, NH 03104

Milton Cat Southworth 554 Maple St Contoocook, NH 03229

Paul Doolittle 33 Old Chester Rd Derry, NH 03038

Peter Horne PO BOX 1435 North Hampton, NH 03867

Powerscreen Ct/New England 284 North St Windsor Locks, CT 06096

Richard Joyal Attorney 63 High St Manchester, NH 03104

RM Murdock Co PO BOX 111 Frankfort, NY 13340

Ronald Crawford Norway Lodge LLC RR1, Box 1137 Baileyville, ME 04694

Samson Fastener Co 43 Gigante Dr Unit 3 Hampstead, NH 03841 Suffolk Soil & Supply Inc. 640 Moriches Middle Island Rd Moriches, NY 11955

Tai Deh Hsu 2 Wellman Ave #210 Nashua, NH 03060

Town of Acton ME Tax Collector PO BOX 510 Acton, ME 04001

Town of Alton NH PO BOX 537 Alton, NH 03809

Town of Auburn Tax Collector PO BOX 426 Auburn, NH 03032

Town of Grafton Tax Collector PO BOX 277 Grafton, NH 03240

Town of Hampstead Tax Collector PO BXO 298 11 Main St Hampstead, NH 03841

Town of Henniker Tax Collector 18 Depot Hill Rd Henniker, NH 03242

Town of Hillsboro Tax Collector PO BOX 1699 Hillsborough, NH 03244

Town of New Durham Tax Collector PO BOX 207 4 Main Street New Durham, NH 03855

Town of Ossipee Tax Collector PO BOX 67 Center Ossipee, NH 03814 United Rentals PO BOX 100711 Atlanta, GA 30384

Verizon Wireless PO BOX 15062 Albany, NY 12212

Waste Management of Rochchester PO BOX 13648 Philadelphia, PA 19101

Westmount Financial Mike Hart 3710 Buckeye St #100 Palm Beach Gardens, FL 33410

Westmount Financial Mike Hart 3710 Buckeye St #100

Yale Steel Inc. 13334 Jeddo Rd Yale, MI 48097 Case: 13-10365 Doc #: 1 Filed: 02/18/13 Desc: Main Document Page 11 of 11

United States Bankruptcy Court District of New Hampshire

In re K&B Crushing Equipment, LL	С	Case No.	
	Debtor(s)	Chapter	11
CORPO	DRATE OWNERSHIP STATEMENT	(RULE 7007.1)	
		,	
or recusal, the undersigned counsel for following is a (are) corporation(s), of	tcy Procedure 7007.1 and to enable the J or K&B Crushing Equipment , LLC in the than the debtor or a governmental urs(s') equity interests, or states that there a	he above caption nit, that directly o	ed action, certifies that the or indirectly own(s) 10% or
■ None [Check if applicable]			
February 18, 2013	/s/ Robert L. O'Brien		
Date	Robert L. O'Brien 15358		
	Signature of Attorney or Litig Counsel for K&B Crushing E		
	Counsel for K&B Crushing E O'Brien Law Firm	equipment, LLC	
	P.O. Box 357		
	New Boston, NH 03070-0357		
	603-459-9965 Fax:603-250-0822 WeAreLaw@me.com	2	