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United States Bankruptcy C District of New Jersey					Court	ourt			Voluntary Petition			
Name of D Air Pow	Debtor (if ind ver, Inc.	ividual, ent	er Last, Firs	t, 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 3 maiden, and		in the last 8 years ):		
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)						our digits or re than one, s		r Individual-'	Taxpayer I.D. (ITIN) N	No./Complete EIN		
22-2780299 Street Address of Debtor (No. and Street, City, and State): 25 Commerce Road, Unit N Fairfield, NJ  ZIP Code						Address of	f Joint Debtor	r (No. and St	reet, City, and State):	ZIP Code		
County of I	Residence or	of the Prin	cinal Place	of Rusines		07004	Count	v of Reside	ence or of the	Principal Pl	ace of Business:	
Essex  Mailing Ad  P.O. Bo	ldress of Deb	otor (if diffe	•		ss):	ZIP Code	Mailii	-		1	nt from street address)	: ZIP Code
	f Principal A t from street			or		<u>07007                                 </u>	<u> </u>					
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  Other (If debtor is not one of the above entities, check this box and state type of entity below.)  Tax-Exempt Entity  (Check one box)  Health Care Business  Single Asset Real Estate as dering 11 U.S.C. § 101 (51B)  Railroad  Stockbroker  Commodity Broker  Clearing Bank  Other  Tax-Exempt Entity  (Check box, if applicable)  Debtor is a tax-exempt organized			s defined	define	the 1 der 7 der 9 der 11 der 12	Petition is F	busi	Recognition eeding Recognition				
		F3010 F	. (6)	Cod		nal Revenu	e Code).	•	onal, family, or		•	
☐ Filing F attach si is unabl ☐ Filing F	ing Fee attace fee to be paid igned applicate le to pay fee fee waiver re igned applicate	thed  in installnation for the except in in	e court's constallments.	cable to inc sideration Rule 1006 chapter 7 i	certifying to (b). See Offindividuals	that the debicial Form 3A only). Must	tor Check	Debtor is c if: Debtor's to insider c all applica A plan is Acceptan	a small busin not a small b aggregate nor s or affiliates) able boxes: being filed w ces of the pla	ncontingent I ) are less that  with this petition were solicity	s defined in 11 U.S.C. or as defined in 11 U.S. diquidated debts (exclun \$2,190,000.	ding debts owed  ne or more
■ Debtor o	Administrates that estimates that estimates that ill be no fund	nt funds will nt, after any	l be availabl exempt pro	perty is ex	cluded and	administrat		es paid,		THIS	S SPACE IS FOR COURT	T USE ONLY
Estimated N	Number of C 50- 99	reditors  100- 199	200- 999	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  \$0 to \$50,000	Assets \$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion				
Estimated L  \$0 to \$50,000	Liabilities  \$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion				

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B1 (Official For	m 1)(1/08)	Page 2 01 12	Page 2
Voluntar	y Petition	Name of Debtor(s):	
(This page mu	st be completed and filed in every case)	Air Power, Inc.	
1 0	All Prior Bankruptcy Cases Filed Within Last	t 8 Years (If more than two, attach ad	lditional sheet)
Location Where Filed:	District of New Jersey	Case Number: <b>05-16092</b>	Date Filed: 3/02/05
Location Where Filed:		Case Number:	Date Filed:
Pe	nding Bankruptcy Case Filed by any Spouse, Partner, or	Affiliate of this Debtor (If more than	n one, attach additional sheet)
Name of Debt - None -	or:	Case Number:	Date Filed:
District:		Relationship:	Judge:
	Exhibit A		chibit B 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., and 10Q) with the Securities and Exchange Commission Section 13 or 15(d) of the Securities Exchange Act of 1934 sting relief under chapter 11.)	I, the attorney for the petitioner named have informed the petitioner that [he of 12, or 13 of title 11, United States Counder each such chapter. I further cert required by 11 U.S.C. §342(b).	d in the foregoing petition, declare that I or she] may proceed under chapter 7, 11, de, and have explained the relief available ify that I delivered to the debtor the notice
☐ Exhibit	A is attached and made a part of this petition.	XSignature of Attorney for Debtor(s	(Date)
	Fyh	l ibit C	
	or own or have possession of any property that poses or is alleged to Exhibit C is attached and made a part of this petition.	· · ·	e harm to public health or safety?
	Exh	ibit D	
☐ Exhibit  If this is a joi	-	a part of this petition.	a separate Exhibit D.)
L Exhibit	D also completed and signed by the joint debtor is attached a		
	Information Regardin (Check any ap	_	
	Debtor has been domiciled or has had a residence, principal days immediately preceding the date of this petition or for	al place of business, or principal asse	
	There is a bankruptcy case concerning debtor's affiliate, go	eneral partner, or partnership pending	in this District.
	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 defenda	nt in an action or
	Certification by a Debtor Who Reside		rty
	(Check all app Landlord has a judgment against the debtor for possession		complete the following.)
	(Name of landlord that obtained judgment)	<u> </u>	
	(Address of landlord)		
	Debtor claims that under applicable nonbankruptcy law, the entire monetary default that gave rise to the judgment is		
	Debtor has included in this petition the deposit with the coafter the filing of the petition.		•
	Debtor certifies that he/she has served the Landlord with the	his certification. (11 U.S.C. § 362(1)).	

# B1 (Official Form 1)(1/08)

**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/ Daniel J. Yablonsky, Esquire

Signature of Attorney for Debtor(s)

#### Daniel J. Yablonsky, Esquire DY-0793

Printed Name of Attorney for Debtor(s)

#### Yablonsky & Associates, LLC

Firm Name

1430 Route 23 North Wayne, NJ 07470-5826

Address

#### (973) 686-3800 Fax: (973) 686-3801

Telephone Number

July 16, 2009

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/ Hugh P. Rooney, Jr.

Signature of Authorized Individual

#### Hugh P. Rooney, Jr.

Printed Name of Authorized Individual

#### President

Title of Authorized Individual

July 16, 2009

Date

Name of Debtor(s):

Air Power, Inc.

#### Signatures

#### Signature of a Foreign Representative

Page 3

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

- ☐ I request relief in accordance with chapter 15 of title 11. United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.
- ☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

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.)

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.

# Case 09-28451 Doc 1 Filed 07/16/09 Entered 07/16/09 15:53:54 Desc Main Document Page 4 of 12 IN THE UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY

In the Matter of:	}	
	}	No.
Air Power, Inc.	}	
	}	Chapter 11
	}	
	}	
Debtor	}	

#### STATEMENT REGARDING AUTHORITY TO SIGN AND FILE PETITION

I, <u>Hugh P. Rooney</u>, <u>Jr.</u>, declare under penalty of perjury that I am the PRESIDENT of <u>Air Power</u>, <u>Inc.</u>, and that the following is a true and correct copy of the resolutions adopted by the Board of Directors of said Corporation at a special meeting duly called and held on the 16th day of July, 2009.

"Whereas, it is in the best interest of this Corporation to file a voluntary petition in the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that <u>Hugh P. Rooney</u>, <u>Jr.</u>, PRESIDENT of this Corporation, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a Chapter 11 voluntary bankruptcy case on behalf of the Corporation; and

Be It Further Resolved, that <u>Hugh P. Rooney, Jr.</u>, PRESIDENT of this Corporation is authorized and directed to appear in all bankruptcy proceedings on behalf of the Corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the Corporation in connection with such bankruptcy case, and

Be It Further Resolved, that <u>Hugh P. Rooney, Jr.</u>, PRESIDENT of this Corporation is authorized and directed to employ Daniel J. Yablonsky, attorney and YABLONSKY & ASSOCIATES, LLC to represent the Corporation in such bankruptcy case."

Date	July 16, 2009	Signed /s/Hugh P. Rooney, Jr.	
		PRESIDENT	

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of
Air Power, Inc.

Whereas, it is in the best interest of this Corporation to file a voluntary petition in the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that <u>Hugh P. Rooney</u>, <u>Jr.</u>, PRESIDENT of this Corporation, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter 11 voluntary bankruptcy case on behalf of the Corporation; and

Be It Further Resolved, that <u>Hugh P. Rooney, Jr.</u>, PRESIDENT of this Corporation is authorized and directed to appear in all bankruptcy proceedings on behalf of the Corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the Corporation in connection with such bankruptcy case, and

Be It Further Resolved, that <u>Hugh P. Rooney, Jr.</u>, PRESIDENT of this Corporation is authorized and directed to employ Daniel J. Yablonsky, attorney and YABLONSKY & ASSOCIATES, LLC to represent the Corporation in such bankruptcy case.

Date	July 16, 2009	Signed/s/Hugh P. Rooney, Jr.	
	•		
		PRESIDENT	

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

# **United States Bankruptcy Court District of New Jersey**

In re	Air Power, Inc.		Case No.	
		Debtor(s)	Chapter	11

## LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

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

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
Asbestos Workers Local 870 Broadway Newark, NJ 07104	Asbestos Workers Local 870 Broadway Newark, NJ 07104			13,647.36
Bank of America 597 Passaic Avenue Caldwell, NJ 07006	Bank of America 597 Passaic Avenue Caldwell, NJ 07006			6,144.86
Bank of America P.O. Box 15019 Wilmington, DE 19886	Bank of America P.O. Box 15019 Wilmington, DE 19886			18,907.72
Bank of America 597 Passaic Avenue Caldwell, NJ 07006	Bank of America 597 Passaic Avenue Caldwell, NJ 07006			17,000.00
Bank of America P.O. Box 15726 Wilmington, DE 19886	Bank of America P.O. Box 15726 Wilmington, DE 19886			16,525.35
Beacon Consulting Assoc. P.O. Box 894 Matawan, NJ 07747	Beacon Consulting Assoc. P.O. Box 894 Matawan, NJ 07747			7,446.94
Best Insulation 20-57 Steinway Street Astoria, NY 11105	Best Insulation 20-57 Steinway Street Astoria, NY 11105			13,785.00
Distrib. Fund LCL 274 C/O Basil Castrovinci 3235 Kennedy Boulevard Jersey City, NJ 07306	Distrib. Fund LCL 274 C/O Basil Castrovinci 3235 Kennedy Boulevard Jersey City, NJ 07306			19,077.88
Distribution Fund LCL #14 150 Main Street Lodi, NJ 07644	Distribution Fund LCL #14 150 Main Street Lodi, NJ 07644			5,476.39
I.B.E.W. Local No. 102 C/O Shaffer & Co. P.O. Box 1028 830 Bear Tavern Road	I.B.E.W. Local No. 102 C/O Shaffer & Co. P.O. Box 1028 Trenton, NJ 08628			22,104.20
Trenton, NJ 08628 N.J. CBT P.O. Box 257 Trenton, NJ 08646	N.J. CBT P.O. Box 257 Trenton, NJ 08646			10,186.59

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In re	Air Power, Inc.	Case No.	
	Debtor(s)		

# LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
N.J. Div of Taxation - Sales and Use Tax P.O. Box 999 Trenton, NJ 08646	N.J. Div of Taxation - Sales and Use Tax P.O. Box 999 Trenton, NJ 08646			85,895.40
Refrigeration & A/C Div. US NJ Distr. Fu C/O I.E Shaffer P.O. Box 1028 Trenton, NJ 08628	Refrigeration & A/C Div. US NJ Distr. Fu C/O I.E Shaffer P.O. Box 1028 Trenton, NJ 08628			127,492.55
S M W Asso./Smacna Ind. 1100 East Hector Street, Suite 185 Conshohocken, PA 19428	S M W Asso./Smacna Ind. 1100 East Hector Street, Suite 185 Conshohocken, PA 19428			5,400.83
Sasco Insurance Services P.O. Box 400 Hackettstown, NJ 07840	Sasco Insurance Services P.O. Box 400 Hackettstown, NJ 07840			21,048.00
Sheet Metal Workers National Benefits Fu 601 North Faifax Street, Suite 500 Alexandria, VA 22314	Sheet Metal Workers National Benefits Fu 601 North Faifax Street, Suite 500 Alexandria, VA 22314			133,187.54
Siemans Building 7850 Collections Center Drive Chicago, IL 60693	Siemans Building 7850 Collections Center Drive Chicago, IL 60693			14,202.00
SMW L#25 N.J. Benefit Fund 440 Barell Avenue Carlstadt, NJ 07072	SMW L#25 N.J. Benefit Fund 440 Barell Avenue Carlstadt, NJ 07072			60,691.63
The Sattiraju Law Firm, P.C. 116 Village Boulevard, Suite 200 Princeton, NJ 08540	The Sattiraju Law Firm, P.C. 116 Village Boulevard, Suite 200 Princeton, NJ 08540			5,675.00
The Travelers One Tower Square Rem. Box 96596 Hartford, CT 06183	The Travelers One Tower Square Rem. Box 96596 Hartford, CT 06183			6,954.00

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B4 (Offi	cial Form 4) (12/07) - Cont.		
In re	Air Power, Inc.	Case No.	
	Debtor(s)	-	

## LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

# 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	July 16, 2009	Signature	/s/ Hugh P. Rooney, Jr.	
			Hugh P. Rooney, Jr.	
			President	

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

A.M.E. Inc 9 Whippany Road, Suite B1 Whippany, NJ 07981

Asbestos Workers Local 870 Broadway Newark, NJ 07104

Bank of America P.O. Box 15019 Wilmington, DE 19886

Bank of America 597 Passaic Avenue Caldwell, NJ 07006

Bank of America P.O. Box 15726 Wilmington, DE 19886

Beacon Consulting Assoc. P.O. Box 894 Matawan, NJ 07747

Best Insulation 20-57 Steinway Street Astoria, NY 11105

Coolenheat, Inc. P.O. Box 1368 Linden, NJ 07036

Criger Services, Inc. 79 Lane Road Fairfield, NJ 07004

Distrib. Fund LCL 274 C/O Basil Castrovinci 3235 Kennedy Boulevard Jersey City, NJ 07306

Distribution Fund LCL #14 150 Main Street Lodi, NJ 07644 Environmental Devices, Inc. 15 Mount Prospect Avenue Clifton, NJ 07013

Fairfield Commercial Properties, Inc. 105 West Dewey Avenue Building B, Suite 220 Wharton, NJ 07885

GE Capital P.O. Box 642111 Pittsburgh, PA 15264

Glacier Mountain Spring Water Co. 6 Evans Street Fairfield, NJ 07004

HAB Equipment 20 Shores Road Randolph, NJ 07869

Health Plan Services P.O. Box 740518 Atlanta, GA 30374

Healthplan Services P.O. Box 740518 Atlanta, GA 30374

I.B.E.W. Local No. 102 C/O Shaffer & Co. P.O. Box 1028 830 Bear Tavern Road Trenton, NJ 08628

M A P Communications, Inc. P.O. Box 791397 Baltimore, MD 21279

Marvair, A Division of Airxcel, Inc. 14192 Collections Center Drive Chicago, IL 60693

N.J. CBT P.O. Box 257 Trenton, NJ 08646

N.J. Div of Taxation - Sales and Use Tax
P.O. Box 999
Trenton, NJ 08646

Plan IT Networks P.O. Box 502 Blairstown, NJ 07825

Plumbers & Pipefitters National Pension P.O. Box 692031 Baltimore, MD 21264

Refrigeration & A/C Div. US NJ Distr. Fu C/O I.E Shaffer P.O. Box 1028 Trenton, NJ 08628

S M W Asso./Smacna Ind. 1100 East Hector Street, Suite 185 Conshohocken, PA 19428

Sasco Insurance Services P.O. Box 400 Hackettstown, NJ 07840

Sheet Metal Workers National Benefits Fu 601 North Faifax Street, Suite 500 Alexandria, VA 22314

Siemans Building 7850 Collections Center Drive Chicago, IL 60693

SMW L#25 N.J. Benefit Fund 440 Barell Avenue Carlstadt, NJ 07072

State of New Jersey Department of Labor Division of Employment Security Bankruptcy Unit CN-077 Trenton, NJ 08625

The Sattiraju Law Firm, P.C. 116 Village Boulevard, Suite 200 Princeton, NJ 08540

The Travelers
One Tower Square
Rem. Box 96596
Hartford, CT 06183

Township of Fairfield 230 Fairfield Road Fairfield, NJ 07004

Verizon P.O. Box 4833 Trenton, NJ 08650

W.W. Grainger, Inc. Dept 520 - 807017926 Palatine, IL 60038

Waste Mangement of New Jersey, Inc. P.O. Box 13648 Philadelphia, PA 19101