

Fill in this information to identify your case:

United States Bankruptcy Court for the:

WESTERN DISTRICT OF NEW YORK

Case number (if known) Chapter 11

☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

4/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name Beaver's Trucking Co., LLC

2. All other names debtor used in the last 8 years
Include any assumed names, trade names and doing business as names

3. Debtor's federal Employer Identification Number (EIN) 16-1588285

4. Debtor's address	Principal place of business	Mailing address, if different from principal place of business
	3786 Kirk Road Randolph, NY 14772 Number, Street, City, State & ZIP Code	P.O. Box, Number, Street, City, State & ZIP Code
	Cattaraugus County	Location of principal assets, if different from principal place of business Number, Street, City, State & ZIP Code

5. Debtor's website (URL)

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

☐ Partnership (excluding LLP)

☐ Other. Specify:

7. Describe debtor's business

A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

B. Check all that apply

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

4842

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- ☐ Chapter 7
- ☐ Chapter 9

☒ Chapter 11. Check all that apply:

- ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11 (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

☒ No.

☐ Yes.

If more than 2 cases, attach a separate list.

District	_____	When	_____	Case number	_____
District	_____	When	_____	Case number	_____

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

☐ No

☒ Yes.

List all cases. If more than 1, attach a separate list

Debtor	<u>See Attachment</u>	Relationship	_____
District	_____	When	_____
		Case number, if known	_____

11. Why is the case filed in this district?

Check all that apply:

- ☒ Debtor has had its domicile, 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.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

☒ No

☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard? _____

☐ It needs to be physically secured or protected from the weather.

☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

☐ Other _____

Where is the property? _____

Number, Street, City, State & ZIP Code

Is the property insured?

☐ No

☐ Yes. Insurance agency _____

Contact name _____

Phone _____

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

- ☐ Funds will be available for distribution to unsecured creditors.
- ☒ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors

☒ 1-49

☐ 50-99

☐ 100-199

☐ 200-999

☐ 1,000-5,000

☐ 5001-10,000

☐ 10,001-25,000

☐ 25,001-50,000

☐ 50,001-100,000

☐ More than 100,000

15. Estimated Assets

☐ \$0 - \$50,000

☐ \$50,001 - \$100,000

☒ \$100,001 - \$500,000

☐ \$500,001 - \$1 million

☐ \$1,000,001 - \$10 million

☐ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$500,000,001 - \$1 billion

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

16. Estimated liabilities

☐ \$0 - \$50,000

☒ \$50,001 - \$100,000

☐ \$100,001 - \$500,000

☐ \$500,001 - \$1 million

☐ \$1,000,001 - \$10 million

☐ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$500,000,001 - \$1 billion

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

Debtor Beaver's Trucking Co., LLC
Name

Case number (if known) _____

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature
of authorized
representative of debtor**

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

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 16, 2018
MM / DD / YYYY

X /s/ Dale Beaver
Signature of authorized representative of debtor

Title Owner

Dale Beaver
Printed name

18. Signature of attorney

X /s/ Garry M. Graber, Esq.
Signature of attorney for debtor

Date November 16, 2018
MM / DD / YYYY

Garry M. Graber, Esq.
Printed name

Hodgson Russ LLP
Firm name

140 Pearl Street
Suite 100
Buffalo, NY 14202
Number, Street, City, State & ZIP Code

Contact phone (716) 856-4000 Email address ggrab@hodgsonruss.com

1344159 NY
Bar number and State

Debtor Beaver's Trucking Co., LLC
Name

Case number (if known) _____

Fill in this information to identify your case:

United States Bankruptcy Court for the:
WESTERN DISTRICT OF NEW YORK

Case number (if known) _____ Chapter 11

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FORM 201. VOLUNTARY PETITION
Pending Bankruptcy Cases Attachment

Debtor	<u>Beaver Dairy Farm, LLC</u>	Relationship to you	<u>Affiliate</u>
District	<u>Western District of New York</u>	When	<u>Case number, if known</u>
Debtor	<u>Dale Beaver</u>	Relationship to you	<u>Owner</u>
District	<u>Western District of New York</u>	When	<u>Case number, if known</u>

Fill in this information to identify the case:Debtor name Beaver's Trucking Co., LLCUnited States Bankruptcy Court for the: WESTERN DISTRICT OF NEW YORK

Case number (if known): _____

☐ Check if this is an
amended filing**Official Form 204****Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders****12/15**

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Farm Credit East 28 E. Chautauqua Street P. O. Box 163 Mayville, NY 14757			Unliquidated	\$15,000.00	\$0.00	\$15,000.00
Boyle's Motor Sales 2955 Strunk Road Jamestown, NY 14701		Repairs	Unliquidated			\$12,930.00
NOCO 2440 Sheridan Drive Tonawanda, NY 14150		Fuel	Unliquidated			\$11,160.28
Randolph Auto Supply 18 Jamestown Street Randolph, NY 14772		Repairs	Unliquidated			\$11,118.86
Internal Revenue Service 1111 Constitution Avenue Washington, DC 20224		Employer's Quarterly Federal Taxes (941)	Unliquidated			\$10,635.67
Certified Auto Repair 1436 Foote Avenue Jamestown, NY 14701		Repairs	Unliquidated			\$8,251.45
Barmore Trucking 14-3 East 2nd Street Jamestown, NY 14701		Repairs	Unliquidated			\$2,890.87
Aim National Lease 4944 Belmont Avenue Youngstown, OH 44505		Lease	Contingent			\$2,811.78

Debtor Beaver's Trucking Co., LLC
Name

Case number (if known) _____

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
M.A.C. 2463 Peck-Settlement Road Jamestown, NY 14701		Repairs	Unliquidated			\$2,638.70
Lunser 417 Quaker Road P.O. Box 339 East Aurora, NY 14052		Insurance	Unliquidated			\$2,532.00
Northwest Savings Bank 7 West Third Street Jamestown, NY 14701			Unliquidated	\$2,200.00	\$0.00	\$2,200.00
AT&T Mobility P.O. Box 6463 Carol Stream, IL 60197		Phone	Unliquidated			\$852.38
Ally Payment Processing Center P.O. Box 78252 Phoenix, AZ 85062		Car Payment	Unliquidated			\$790.38
Chrysler Capital P.O. Box 660647 Dallas, TX 75266		Truck Payment	Unliquidated			\$358.10
Strate Welding Supply 101 Comet Street Buffalo, NY 14216		Repairs	Unliquidated			\$51.05
Biehl & Biehl 325 E. Fullerton Avenue Carol Stream, IL 60188		Collection Agency for Car Payment	Unliquidated			\$0.00

**United States Bankruptcy Court
Western District of New York**

In re Beaver's Trucking Co., LLC

Debtor(s)

Case No.

Chapter

11

VERIFICATION OF CREDITOR MATRIX

I, the Owner of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: November 16, 2018

/s/ Dale Beaver

Dale Beaver/Owner
Signer/Title

Aim National Lease
4944 Belmont Avenue
Youngstown, OH 44505

Ally
Payment Processing Center
P.O. Box 78252
Phoenix, AZ 85062

AT&T Mobility
P.O. Box 6463
Carol Stream, IL 60197

Barmore Trucking
14-3 East 2nd Street
Jamestown, NY 14701

Biehl & Biehl
325 E. Fullerton Avenue
Carol Stream, IL 60188

Boyle's Motor Sales
2955 Strunk Road
Jamestown, NY 14701

Certified Auto Repair
1436 Foote Avenue
Jamestown, NY 14701

Chrysler Capital
P.O. Box 660647
Dallas, TX 75266

Dale Beaver
3786 Kirk Road
Randolph, NY 14772

Farm Credit East
28 E. Chautauqua Street
P. O. Box 163
Mayville, NY 14757

Internal Revenue Service
1111 Constitution Avenue
Washington, DC 20224

Lunser
417 Quaker Road
P.O. Box 339
East Aurora, NY 14052

M.A.C.
2463 Peck-Settlement Road
Jamestown, NY 14701

NOCO
2440 Sheridan Drive
Tonawanda, NY 14150

Northwest Savings Bank
7 West Third Street
Jamestown, NY 14701

Randolph Auto Supply
18 Jamestown Street
Randolph, NY 14772

Strate Welding Supply
101 Comet Street
Buffalo, NY 14216