

**United States Bankruptcy Court  
Northern District of Ohio**

**Voluntary Petition**

Name of Debtor (if individual, enter Last, First, Middle) <b>The Hugo Sand Company</b>	Name of Joint Debtor (Spouse) (Last, First, Middle)
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):
Last four digits of Soc. Sec or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all): <b>34-0302430</b>	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, City, and State): <b>7055 State Route 43 Kent, OH</b>	Street Address of Joint Debtor (No. and Street, City, and State):
ZIP CODE: <b>44240</b>	ZIP CODE:
County of Residence or of the Principal Place of Business: <b>Portage</b>	County of Residence or the Principal Place of Business:
Mailing Address of Debtor (if different from street address):  ZIP CODE:	Mailing Address of Joint Debtor (if different from street address):  ZIP CODE:

Location of Principal Assets of Business Debtor (if different from street address above):

ZIP CODE:

<p align="center"><b>Type of Debtor</b> (Form of Organization) (Check <b>one</b> box)</p> <input type="checkbox"/> Individual (include Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input checked="" type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)	<p align="center"><b>Nature of Business</b> (Check <b>one</b> box.)</p> <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Assets Real Estate as defined in 11 U.S.C. § 101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other	<p align="center"><b>Chapter of Bankruptcy Code Under Which the Petition is Filed</b> (Check <b>one</b> box)</p> <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding
<p align="center"><b>Tax-Exempt Entity</b> (Check box, if applicable.)</p> <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).		<p align="center"><b>Nature of Debts</b> (Check one Box)</p> <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input checked="" type="checkbox"/> Debts are primarily business debts.

<p align="center"><b>Filing Fee</b> (Check one box)</p> <input checked="" type="checkbox"/> Full Filing Fee attached  <input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A.  <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.	<p align="center"><b>Chapter 11 Debtors</b></p> <p><b>Check one box:</b></p> <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D).  <p><b>Check if:</b></p> <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,343,300 (amount subject to adjustment on 4/01/13 and every three years thereafter)..  <p><b>Check all applicable boxes:</b></p> <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
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<p><b>Statistical/Administrative Information</b></p> <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.	This Space is For Court Use Only
<p>Estimated Number of Creditors</p> <input checked="" type="checkbox"/> 1-49 <input type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5,001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> Over 100,000	
<p>Estimated Assets</p> <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input checked="" type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion	
<p>Estimated Liabilities</p> <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input checked="" type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion	



**Voluntary Petition**  
*(This page must be completed and filed in every case)*

Name of Debtor(s):  
**The Hugo Sand Company**

**Signatures**

**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

X \_\_\_\_\_  
Signature of Joint Debtor

\_\_\_\_\_  
Telephone Number (If not represented by attorney)

\_\_\_\_\_  
Date

**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.

X \_\_\_\_\_  
(Signature of Foreign Representative)

\_\_\_\_\_  
(Printed Name of Foreign Representative)

\_\_\_\_\_  
Date

**Signature of Attorney\***

X /s/ Sean D. Malloy \_\_\_\_\_  
Signature of Attorney for Debtor(s)

Sean D. Malloy (0073157)  
Printed Name of Attorney for Debtor(s)

McDonald Hopkins LLC  
Firm Name

600 Superior Avenue, East  
Address  
Suite 2100

Cleveland, OH 44114

216-348-5400  
Telephone Number

February 14, 2011  
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 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 19B is attached..

\_\_\_\_\_  
Printed Name and title, if any, of Bankruptcy Petition Preparer

\_\_\_\_\_  
Social Security Number (If the bankruptcy 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)

\_\_\_\_\_  
Address

X \_\_\_\_\_

\_\_\_\_\_  
Date

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

X /s/ Scott R. Terhune \_\_\_\_\_  
Signature of Authorized Individual

Scott R. Terhune  
Printed Name of Authorized Individual

Vice President  
Title of Authorized Individual

February 14, 2011  
Date

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.*

**United States Bankruptcy Court  
Northern District of Ohio  
Eastern Division**

In re The Hugo Sand Company  
Debtor.

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 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 Joe Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

(1)  Name of creditor and complete mailing address, including zip code	(2)  Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	(3)  Nature of claim (trade debt, bank loan, government contract, etc.)	(4)  Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	(5)  Amount of claim (if secured, also state value of security)
1. Central States, Southeast and Southwest Areas Pension Fund and Howard McDougall, as Trustee c/o Edward H. Bogle, Brad R. Berliner, John J. Franczyk, Jr., Timothy C. Reuter 9377 W. Higgins Road 10 <sup>th</sup> Floor Rosemont, IL 60018	Email: bberliner@centralstates.org jfranczyk@centralstates.org treuter@centralstatesfund.org ebogle@centralstatesfunds.org Telephone: 847-518-9800 Fax: 847-518-9797	Litigation (Pension)	Disputed Contingent	\$5,491,777.73
2. Pension Benefit Guaranty Corporation 1200 K Street NW Ste 340 Washington, DC 20005-4026	Telephone: 202-326-4000 Fax: 202-326-4042	Pension	Disputed Unliquidated Contingent	Unliquidated
3. Bruce's Equipment Repair 1181 Bellflower Road, NW Minerva, Ohio 44657		Trade Debt	Disputed	\$28,000.00
4. Caterpillar Financial Customer Relations P.O. Box 340001 Nashville, TN 37203	Telephone: 800-651-0567	Contract		\$17,647.14
5. Ohio Cat 3993 E. Royalton Road Broadview Hts., Ohio 44147	Telephone: 440-526-6200 Fax 440-526-9513	Trade Debt		\$17,000.00
6. Ohio Edison 76 South Main Street Akron, OH 44308	Telephone: 800-736-3402 Fax: 330-384-3866	Utility		\$16,000.00

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(1) Name of creditor and complete mailing address, including zip code	(2) Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	(3) Nature of claim (trade debt, bank loan, government contract, etc.)	(4) Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	(5) Amount of claim (if secured, also state value of security)
7. Ready to Haul, LLC 9001 State Route 14 Streetsboro, Ohio 44241	Telephone: 330-422-1577	Trade Debt		\$11,445.24
8. Belden & Blake Corp. (Envernest) 300 Capitol Street, Suite 200 Charleston, WV 25301	Telephone: 304-343-5505	Utility		\$9,550.50
9. Norfolk Southern Corporation 1600 Marietta Road NW Gate 6 Atlanta, GA 30318	Contact: Sherry Poss, Office Manger Telephone: 404-792-5147 Fax: 404-351-4542	Trade Debt		\$7,200.74
10. Diversified Credit Service, Inc. c/o Airgas Great Lakes P.O. Box 21726 Cleveland, OH 44121	Contact: Donald Rapposelli Telephone: 440-442-6722 Fax: 440-442-6059	Trade Debt		\$3,861.37
11. Wilkof Industrial Supply Co. 314 Cherry Ave., S.D. P.O. Box 20750 Canton, Ohio 44701	Telephone: 330-455-4851 Fax: 330-455-8317	Trade Debt		\$2,689.55
12. Caterpillar Access Account Corp. c/o Alternative Collections, LLC 3842 Harlem Rd., Ste 341 Buffalo, New York 14215	Telephone: 800-349-7998 Fax: 866-936-0613	Trade Debt		\$1,795.06
13. Quick Service Welding & Machine Co. 117 E. Summit St. Kent, Ohio 44240	Telephone: 330-673-3818 Fax: 330-673-4178	Trade Debt		\$1,700.00
14. J. F. Good Co. Famous Enterprises 109 N. Union Street Akron, OH 44309	Telephone: 330-762-9621 Fax: 330-762-2265	Trade Debt		\$944.51
15. Samsel Supply Co. 1285 Old River Road Cleveland, Ohio 44113	Telephone: 216-241-0333 Fax: 216-241-3426	Trade Debt		\$626.07
16. Careworks Consultants, Inc. 5500 Glendon Court Dublin, Ohio 43016	Telephone: 800-837-3200 Fax: 888-837-3288	Trade Debt		\$619.00
17. County Fire Protection, Inc. 4620 Crystal Parkway Kent, Ohio 44240	Telephone: 330-633-1014 Fax: 330-633-2779	Trade Debt		\$417.49
18. Barron, Inc. 2015 Great Trails Drive P.O. Box 62 Wooster, Ohio 44691	Telephone: 330-262-4222 Fax: 330-262-4223	Trade Debt		\$119.60

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(1) Name of creditor and complete mailing address, including zip code	(2) Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	(3) Nature of claim (trade debt, bank loan, government contract, etc.)	(4) Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	(5) Amount of claim (if secured, also state value of security)
19. Electronic Merchant Systems 5005 Rockside Road, PH 100 Independence, OH 44131	Telephone: 800-726-2117 Fax: 216-524-9582	Trade Debt		\$44.50
20. IUOE & Pipeline Employers Health & Welfare Fund 1125 17 <sup>th</sup> Street NW FL 7 Washington, DC 20036	Telephone: 202-293-8060 Fax: 989-733-8117	Pension	Disputed	Unknown

United States Bankruptcy Court  
Northern District of Ohio  
Eastern Division

In re The Hugo Sand Company  
Debtor.

Case No. \_\_\_\_\_  
Chapter 11

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

I, the Vice President of the company named as debtor in this case, declare under penalty of perjury that I have read the foregoing List of Creditors Holding 20 Largest Unsecured Claims and that it is true and correct to the best of my information and belief.

Date: February 14, 2011

Signature /s/Scott R. Terhune  
Printed Name: Scott R. Terhune  
Title: Vice 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.