B1 (Official Form 1)(1/08)	B1 (Official Form 1)(1/08)							
United States Bankruptcy Court Western District of Pennsylvania - Johnstown Div				Division	L	Voluntary Petition		
Name of Debtor (if individual, enter Last, First, Middle): Spencer, Philip A.				of Joint De	ebtor (Spouse	e) (Last, First, M	iddle):	
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):			All Ot (inclue	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-Taxpa (if more than one, state all) xxx-xx-8181	ayer I.D. (ITIN) No./C	Complete EI		our digits o e than one, s		r Individual-Tax	payer I.D. (ITIN) No	o./Complete EIN
Street Address of Debtor (No. and Street, City, : 832 St. Rte 1018 Dayton, PA	and State):		Street	Street Address of Joint Debtor (No. and Street, City, and State):				
		ZIP Code	_					ZIP Code
County of Residence or of the Principal Place of		6222	Count	v of Reside	ence or of the	Principal Place	of Business:	
Armstrong						r		
Mailing Address of Debtor (if different from str	eet address).		Moilie	a Address	of Joint Dak	tor (if different f	rom street address):	
Maning Address of Deotor (if different from su	eet address):		Ivrailli	ig Address	of Joint Debi	tor (ii different i	rom street address):	
	Г	ZIP Code	_					ZIP Code
Location of Principal Assets of Business Debtor (if different from street address above):								1
Type of Debtor		of Business		Chapter of Bankruptcy Code Under Which				
(Form of Organization) (Check one box)		one box)		the Petition is Filed (Check one box)				
 Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. Corporation (includes LLC and LLP) Partnership 	 Health Care Business Single Asset Real Estate as defir in 11 U.S.C. § 101 (51B) Railroad Stockbroker Commodity Broker Clearing Bank 		defined	□ Chapt □ Chapt □ Chapt □ Chapt □ Chapt	er 9 er 11 er 12	of a F □ Chap	ter 15 Petition for R Foreign Main Procee ter 15 Petition for R Foreign Nonmain Pro	ding ecognition
\Box Other (If debtor is not one of the above entities,	Other			Nature of Debts				
check this box and state type of entity below.)	Tax-Exempt Entity (Check box, if applicable) □ Debtor is a tax-exempt organizat under Title 26 of the United Stat Code (the Internal Revenue Code)		nization States	ates "incurred by an individual primarily for				
Filing Fee (Check or	ne box)		Check	one box:		Chapter 11 De	btors	
 Full Filing Fee attached 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. Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B. 			or Check	 Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). heck if: Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000. 			C. § 101(51D).	
				Acceptant	being filed w ces of the pla	accordance with	prepetition from one 11 U.S.C. § 1126(b).
 Statistical/Administrative Information Debtor estimates that funds will be available Debtor estimates that, after any exempt prop there will be no funds available for distribut 	erty is excluded and a	administrativ		es paid,		THIS SP.	ACE IS FOR COURT	USE ONLY
1- 50- 100- 200- 49 99 199 999	1,000- 5,001- 5,000 10,000	□ 10,001- 25,000	□ 25,001- 50,000	□ 50,001- 100,000	OVER 100,000			
Estimated Assets Image: Stress of the system Image: Stress of the syste	\$1,000,001 \$10,000,001 to \$10 to \$50 million million	550,000,001 to \$100 million	\$100,000,001 to \$500 million	5500,000,001 to \$1 billion				
Estimated Liabilities Image: Stress of the stress	\$1,000,001 \$10,000,001 to \$10 to \$50 million million		\$100,000,001 to \$500 million	5500,000,001 to \$1 billion				

B1 (Official For	m 1)(1/08)		Page 2		
Voluntar	y Petition	Name of Debtor(s): Spencer, Philip A.			
(This page must be completed and filed in every case)		Spencer, Finip A.			
	All Prior Bankruptcy Cases Filed Within Last	t 8 Years (If more than two	o, attach additional sheet)		
Location Where Filed:		Case Number:	Date Filed:		
Location Where Filed:		Case Number:	Date Filed:		
Pe	ending Bankruptcy Case Filed by any Spouse, Partner, or	Affiliate of this Debtor (If	f more than one, attach additional sheet)		
Name of Debt - None -	tor:	Case Number:	Date Filed:		
District:		Relationship:	Judge:		
	Exhibit A	(To be completed if debtor is	Exhibit B an individual whose debts are primarily consumer debts.)		
forms 10K a pursuant to S and is reques	pleted 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.) A is attached and made a part of this petition.	I, the attorney for the petiti have informed the petition 12, or 13 of title 11, United	ioner named in the foregoing petition, declare that I er that [he or she] may proceed under chapter 7, 11, d States Code, and have explained the relief available further certify that I delivered to the debtor the notice 2(b).		
	Evt	l nibit 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. Exh	pose a threat of imminent and	identifiable harm to public health or safety?		
Exhibit If this is a joi	bleted by every individual debtor. If a joint petition is filed, ea D completed and signed by the debtor is attached and made int petition: D also completed and signed by the joint debtor is attached a	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	al place of business, or prin			
	There is a bankruptcy case concerning debtor's affiliate, ge	eneral partner, or partnershi	p pending in this District.		
	Debtor is a debtor in a foreign proceeding and has its print 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.	s in the United States but is	a defendant in an action or		
	Certification by a Debtor Who Reside (Check all app		ial Property		
	Landlord has a judgment against the debtor for possession		ox checked, 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 in this petition the deposit with the co after the filing of the petition.				

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

7 - 1 D-4*4*	Pag Name of Debtor(s):			
oluntary Petition	Spencer, Philip A.			
his page must be completed and filed in every case)				
	natures			
Signature(s) of Debtor(s) (Individual/Joint)	Signature of a Foreign Representative			
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.	 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 Concertified 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. 			
🗶 /s/ Philip A. Spencer	X			
Is/ Philip A. Spencer Signature of Debtor Philip A. Spencer	Signature of Foreign Representative			
Signature of Joint Debtor	Printed Name of Foreign Representative			
Signature of John Debtor	Date			
Telephone Number (If not represented by attorney)				
	Signature of Non-Attorney Bankruptcy Petition Preparer			
November 6, 2009	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			
Signature of Attorney*	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			
🗴 /s/ James R. Walsh	pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services			
Signature of Attorney for Debtor(s)	chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a			
James R. Walsh PA 27901	debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.			
Printed Name of Attorney for Debtor(s)	Official Form 19 is attached.			
Spence, Custer, Saylor, Wolfe & Rose, LLC	Printed Name and title, if any, of Bankruptcy Petition Preparer			
Firm Name P.O.Box 280	······································			
400 Ameriserv Financial Building Johnstown, PA 15907-0280	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			
Address	preparer.)(Required by 11 U.S.C. § 110.)			
Email: jwalsh@spencecuster.com 814 536-0735 Fax: 1-814-539-1423				
Telephone Number				
November 6, 2009	Address			
Date	2 441035			
*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	X			
information in the schedules is incorrect.				
Signature of Debtor (Corporation/Partnership)	Date			
I declare under penalty of perjury that the information provided in this	Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.			
petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.	Names and Social-Security numbers of all other individuals who prepared assisted in preparing this document unless the bankruptcy petition preparer			
The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.	not an individual:			
X				
X				
	If more than one person prepared this document, attach additional sheets			
Printed Name of Authorized Individual	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.			
Title of Authorized Individual	finan an imprisonment of bath 11 HCC \$110, 10 HCC \$156			

United States Bankruptcy Court Western District of Pennsylvania - Johnstown Division

In re **Philip A. Spencer**

Debtor(s)

Case No. Chapter

11

EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

■ 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency*.

 \Box 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.*

 \Box 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.]

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

□ 4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.] Software Copyright (c) 1996-2009 Best Case Solutions - Evanston, IL - (800) 492-8037 Best

Best Case Bankruptcy

B 1D(Official Form 1, Exhibit D) (12/08) - Cont.

□ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);

 \Box Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);

□ Active military duty in a military combat zone.

□ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

I certify under penalty of perjury that the information provided above is true and correct.

Signature of Debtor: /s/ Philip A. Spencer Philip A. Spencer

Date: November 6, 2009

United States Bankruptcy Court Western District of Pennsylvania - Johnstown Division

In re Philip A. Spencer

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]
Bank of America	Bank of America			4,374.34
P.O. Box 15726	P.O. Box 15726			
Wilmington, DE 19886-5726	Wilmington, DE 19886-5726			40.044.00
Cargill Animal Nutrition	Cargill Animal Nutrition			19,211.82
8 Southwoods Blvd.	8 Southwoods Blvd.			
4th Floor	4th Floor			
Albany, NY 12211	Albany, NY 12211			10.170.00
CNH Capital	CNH Capital			12,470.00
P.O. Box 7247-0170	P.O. Box 7247-0170			
Philadelphia, PA 19170-0170	Philadelphia, PA 19170-0170			
Elderton State Bank	Elderton State Bank			946,000.00
143 N. Main Street	143 N. Main Street			
Elderton, PA 15736	Elderton, PA 15736			_
Elderton State Bank	Elderton State Bank			673,591.84
143 N. Main Street	143 N. Main Street			
Elderton, PA 15736	Elderton, PA 15736			
Elderton State Bank	Elderton State Bank			200,000.00
143 N. Main Street	143 N. Main Street			
Elderton, PA 15736	Elderton, PA 15736			
Elderton State Bank	Elderton State Bank			120,000.00
143 N. Main Street	143 N. Main Street			
Elderton, PA 15736	Elderton, PA 15736			
Elderton State Bank	Elderton State Bank			100,000.00
143 N. Main Street	143 N. Main Street			
Elderton, PA 15736	Elderton, PA 15736			
Elderton State Bank	Elderton State Bank			65,000.00
143 N. Main Street	143 N. Main Street			
Elderton, PA 15736	Elderton, PA 15736			
Elderton State Bank	Elderton State Bank			48,000.00
143 N. Main Street	143 N. Main Street			
Elderton, PA 15736	Elderton, PA 15736			
Ford Motor Co.	Ford Motor Co.			19,577.10
Box 220564	Box 220564			
Pittsburgh, PA 15257-2564	Pittsburgh, PA 15257-2564			
Graham Dairy Supply	Graham Dairy Supply			8,741.89
1581 Business Rt. 66	1581 Business Rt. 66			
Greensburg, PA 15601	Greensburg, PA 15601			

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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]
Hetrick's Farm Supply	Hetrick's Farm Supply			21,954.68
772 Olean Trail	772 Olean Trail			
New Bethlehem, PA 16242	New Bethlehem, PA 16242			
Manor Motors	Manor Motors			14,511.04
3655 Rte. 553	3655 Rte. 553			
Penn Run, PA 15765	Penn Run, PA 15765			
Nationwide Agri-Business	Nationwide Agri-Business			11,213.00
Shellhammer Atwood Agency	Shellhammer Atwood Agency			
31 Arthur Street	31 Arthur Street			
Kittanning, PA 16201-2178	Kittanning, PA 16201-2178			
Nationwide Agri-Business	Nationwide Agri-Business			3,661.95
Shellhammer Atwood Agency	Shellhammer Atwood Agency			
31 Arthur Street	31 Arthur Street			
Kittanning, PA 16201-2178	Kittanning, PA 16201-2178			
Rain and Hail, LLC	Rain and Hail, LLC			7,475.52
c/o Kodak and Imblum, P.C.	c/o Kodak and Imblum, P.C.			
Cameron Mansion, 407 North	Cameron Mansion, 407 North Front St.			
Front St.	Harrisburg, PA 17108-1848			
P.O. Box 11848				
Harrisburg, PA 17108-1848 Randall and Linda Quinn	Randall and Linda Quinn			10,000.00
				10,000.00
1835 Mission Ridge Road	1835 Mission Ridge Road			
Santa Barbara, CA 93103 S&T Bank	Santa Barbara, CA 93103 S&T Bank			15,000.00
P.O. Box 190	P.O. Box 190			13,000.00
Indiana, PA 15701	Indiana, PA 15701			
Witmer's Feed and Grain	Witmer's Feed and Grain			37,223.16
P.O. Box 7	P.O. Box 7			51,223.10
3770 Renkenburger Road	3770 Renkenburger Road			
Columbiana, OH 44408	Columbiana, OH 44408			
	DECI ARATION UNDER PER			I

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

I, **Philip A. Spencer**, 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 November 6, 2009

Signature /s/ Philip A. Spencer

Philip A. Spencer Debtor

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-K Pest Control P.O. Box 402 Butler, PA 16003

Agri-King 401N. Michigan Avenue Suite 1200 Chicago, IL 60611

Allegheny Power 800 Cabin Hill Drive Greensburg, PA 15606-0001

Alliance 1 Recievables Mgt. Co. P.O. Box 3101 Southeastern, PA 19398-3101

Arrow Financial Services 21031 Network Place Chicago, IL 60678-1031

Bank of America P.O. Box 15726 Wilmington, DE 19886-5726

Cargill Animal Nutrition 8 Southwoods Blvd. 4th Floor Albany, NY 12211

Citi-Card Sears Gold M.C. P.O. Box 45129 Jacksonville, FL 32232

CNH Capital P.O. Box 7247-0170 Philadelphia, PA 19170-0170

COBA/Select Sires Inc. 1224 Allon Darby Crk Road Columbus, OH 43228

Direct Merchants Bank- HSBC Payment Center P.O. Box 17313 Baltimore, MD 21297

Direct TV P.O. Box 11732 Newark, NJ 07101-4732

Drummond Animal Hospital 22 Leasure Road New Bethlehem, PA 16242 Elderton State Bank 143 N. Main Street Elderton, PA 15736

FMC-Omaha Service CT P.O Box 54200 Omaha, NE 68154-8000

Ford Motor Co. Box 220564 Pittsburgh, PA 15257-2564

Graham Dairy Supply 1581 Business Rt. 66 Greensburg, PA 15601

Growmark FS, LLC 308 N.E. Front Street Milford, DE 19963

Hetrick's Farm Supply 772 Olean Trail New Bethlehem, PA 16242

Manor Motors 3655 Rte. 553 Penn Run, PA 15765

Nationwide Agri-Business Shellhammer Atwood Agency 31 Arthur Street Kittanning, PA 16201-2178

PA Collection Service Punxysutawney Hospital P.O. Box 893 Washington, PA 15301

Rain and Hail, LLC c/o Kodak and Imblum, P.C. Cameron Mansion, 407 North Front St. P.O. Box 11848 Harrisburg, PA 17108-1848

Randall and Linda Quinn 1835 Mission Ridge Road Santa Barbara, CA 93103

REA Energy Co-Op P.O. Box 70 Indiana, PA 15701

Ross Grooms RD #1 Dayton, PA 16222 S&T Bank P.O. Box 190 Indiana, PA 15701

State Farm Insurance Co. P.O. Box 830854 Birmingham, AL 35283-0854

State Worker's Insurance Fund 100 Lackawanna Avenue P.O. Box 5100 Scranton, PA 18505-5100

The Dayton Feed Mill 125 Main Street Dayton, PA 16222

Verizon Wireless 700 Cranberry Woods Drive Cranberry Twp, PA 16066

Waste Management 625 Cherrington Parkway Coraopolis, PA 15108

Witmer's Feed and Grain P.O. Box 7 3770 Renkenburger Road Columbiana, OH 44408