

**United States Bankruptcy Court
Eastern District of Tennessee**

Voluntary Petition

Name of Debtor (if individual, enter Last, First, Middle): Mountain Apartment, LLC	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): DBA Thrippence Apartments	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) 20-5916207	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): 1611 Ashley Mill Drive Chattanooga, TN ZIP Code 37421	Street Address of Joint Debtor (No. and Street, City, and State): ZIP Code
County of Residence or of the Principal Place of Business: Hamilton	County of Residence or of 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): 3623 Fountain Avenue Chattanooga, TN 37412	

Type of Debtor (Form of Organization) (Check one box) <input type="checkbox"/> Individual (includes 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.)	Nature of Business (Check one box) <input type="checkbox"/> Health Care Business <input checked="" type="checkbox"/> Single Asset 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 type="checkbox"/> Other <hr/> Tax-Exempt Entity (Check box, if applicable) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).	Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box) <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 Nature of Debts (Check one box) <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.
---	---	---

Filing Fee (Check one box) <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.	Chapter 11 Debtors Check one box: <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). Check if: <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). Check all applicable boxes: <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).
--	---

Statistical/Administrative Information <input type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input checked="" 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. Estimated Number of Creditors <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 Estimated Assets <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 Estimated Liabilities <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 \$50 million <input type="checkbox"/> \$10,000,001 to \$100 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	THIS SPACE IS FOR COURT USE ONLY
---	----------------------------------

Voluntary Petition <i>(This page must be completed and filed in every case)</i>	Name of Debtor(s): Mountain Apartment, LLC
---	--

All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet)

Location Where Filed: - None -	Case Number:	Date Filed:
Location Where Filed:	Case Number:	Date Filed:

Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet)

Name of Debtor: - None -	Case Number:	Date Filed:
District:	Relationship:	Judge:

<p style="text-align: center;">Exhibit A</p> <p>(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.)</p> <p><input type="checkbox"/> Exhibit A is attached and made a part of this petition.</p>	<p style="text-align: center;">Exhibit B</p> <p>(To be completed if debtor is an individual whose debts are primarily consumer debts.)</p> <p>I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b).</p> <p>X _____ Signature of Attorney for Debtor(s) (Date)</p>
---	--

Exhibit C

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

Yes, and Exhibit C is attached and made a part of this petition.

No.

Exhibit D

(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)

Exhibit D completed and signed by the debtor is attached and made a part of this petition.

If this is a joint petition:

Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.

Information Regarding the Debtor - Venue
(Check any applicable box)

Debtor has been domiciled or has had a residence, 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.

There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.

Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.

Certification by a Debtor Who Resides as a Tenant of Residential Property
(Check all applicable boxes)

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, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and

Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.

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

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

Name of Debtor(s):
Mountain Apartment, LLC

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/ David J. Fulton
Signature of Attorney for Debtor(s)

David J. Fulton 6102
Printed Name of Attorney for Debtor(s)

Scarborough, Fulton & Glass, P.C.
Firm Name

701 Market Street, Suite 1000
Chattanooga, TN 37402

Address

Email: DJF@sfglegal.com

(423) 648-1880 Fax: (423) 648-1881

Telephone Number

June 23, 2010

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 19 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 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.

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/ Niraj Sheth
Signature of Authorized Individual

Niraj Sheth
Printed Name of Authorized Individual

President
Title of Authorized Individual

June 23, 2010

Date

Aarons Pest Control
4105 Bennett Road
Chattanooga, TN 37412

AEG, Inc.
PO Box 789
Soddy Daisy, TN 37379

AFB Enterprise
PO Box 16017
Chattanooga, TN 37416

City Disposal
1387 Wisdom Street
Chattanooga, TN 37406

Hamilton County Trustee
Carl E. Levi
625 Georgia Ave, Room 210
Chattanooga, TN 37402

HD Supply
5611 Fallbrook Ave
Woodland Hills, CA 91367

Home Depot
C/O PRO Consulting Services, Inc.
Collection Division
PO Box 66768
Houston, TX 77266

Internal Revenue Service
Centralized Insolvency Operations
P.O. Box 21126
Philadelphia, PA 19114

Mayfield & Lester
P.O. Box 789
Chattanooga, TN 37401

Northwest Georgia Bank
c/o Chad Young, Esq.
PO Box 727
Ringgold, GA 30736

Northwest Georgia Bank
P.O. Box 789
Ringgold, GA 30736

Seagull Flooring
4005 Royal Dr, Suite 400
Kennesaw, GA 30144

Sherwin Williams
1164 Battlefield Parkway
Fort Oglethorpe, GA 30742

Tennessee Department of Revenue
500 Deaderick Street
Andrew Jackson State Office Bldg
Nashville, TN 37242

TNGA Property Services, Inc.
c/o Patrick, Beard, et al
537 Market St, Suite 202
Chattanooga, TN 37402

Tru Line Plumbing
1073 Thelmeta Ave
Chattanooga, TN 37421

Wagner, Nelson & Weeks
701 Market Street, Suite 1418
Chattanooga, TN 37402

**United States Bankruptcy Court
Eastern District of Tennessee**

In re **Mountain Apartment, LLC**

Debtor(s)

Case No.
Chapter

11

VERIFICATION OF CREDITOR MATRIX

The above Debtor(s) hereby verifies under the penalty of perjury under the laws of the United States of America that the attached list of creditors is true and correct to the best of his/her knowledge.

Date: **June 23, 2010**

/s/ Niraj Sheth

Niraj Sheth/President
Signer/Title

Date: **June 23, 2010**

/s/ David J. Fulton

Signature of Attorney
David J. Fulton 6102
Scarborough, Fulton & Glass, P.C.
701 Market Street, Suite 1000
Chattanooga, TN 37402
(423) 648-1880 Fax: (423) 648-1881

B4 (Official Form 4) (12/07)

**United States Bankruptcy Court
Eastern District of Tennessee**

In re **Mountain Apartment, LLC**

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)
<i>Name of creditor and complete mailing address including zip code</i>	<i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	<i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	<i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	<i>Amount of claim [if secured, also state value of security]</i>
Aarons Pest Control 4105 Bennett Road Chattanooga, TN 37412	Aarons Pest Control 4105 Bennett Road Chattanooga, TN 37412			1,499.00
AEG, Inc. PO Box 789 Soddy Daisy, TN 37379	AEG, Inc. PO Box 789 Soddy Daisy, TN 37379			958.00
AFB Enterprise PO Box 16017 Chattanooga, TN 37416	AFB Enterprise PO Box 16017 Chattanooga, TN 37416			1,200.00
City Disposal 1387 Wisdom Street Chattanooga, TN 37406	City Disposal 1387 Wisdom Street Chattanooga, TN 37406			1,239.00
Hamilton County Trustee Carl E. Levi 625 Georgia Ave, Room 210 Chattanooga, TN 37402	Hamilton County Trustee Carl E. Levi 625 Georgia Ave, Room 210 Chattanooga, TN 37402			40,672.00
Hamilton County Trustee Carl E. Levi 625 Georgia Ave, Room 210 Chattanooga, TN 37402	Hamilton County Trustee Carl E. Levi 625 Georgia Ave, Room 210 Chattanooga, TN 37402			39,842.00
HD Supply 5611 Fallbrook Ave Woodland Hills, CA 91367	HD Supply 5611 Fallbrook Ave Woodland Hills, CA 91367			15,091.00
Home Depot C/O PRO Consulting Services, Inc. Collection Division PO Box 66768 Houston, TX 77266	Home Depot C/O PRO Consulting Services, Inc. Collection Division Houston, TX 77266			3,040.00
Internal Revenue Service Centralized Insolvency Operations P.O. Box 21126 Philadelphia, PA 19114	Internal Revenue Service Centralized Insolvency Operations P.O. Box 21126 Philadelphia, PA 19114	940 & 941 taxes		17,255.00 (0.00 secured)
Mayfield & Lester P.O. Box 789 Chattanooga, TN 37401	Mayfield & Lester P.O. Box 789 Chattanooga, TN 37401			1,290.00

B4 (Official Form 4) (12/07) - Cont.
 In re **Mountain Apartment, LLC**

Case No. _____

Debtor(s) _____

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS
 (Continuation Sheet)

(1)	(2)	(3)	(4)	(5)
<i>Name of creditor and complete mailing address including zip code</i>	<i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	<i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	<i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	<i>Amount of claim [if secured, also state value of security]</i>
Northwest Georgia Bank c/o Chad Young, Esq. PO Box 727 Ringgold, GA 30736	Northwest Georgia Bank c/o Chad Young, Esq. PO Box 727 Ringgold, GA 30736	Apartment complex located at 3623 Fountain Ave, Chattanooga TN 37412		2,935,667.00 (3,039,680.00 secured)
Northwest Georgia Bank P.O. Box 789 Ringgold, GA 30736	Northwest Georgia Bank P.O. Box 789 Ringgold, GA 30736	Property located at 5311 -5327 Hwy 58, Chattanooga TN 37416		13,442.00 (0.00 secured)
Northwest Georgia Bank P.O. Box 789 Ringgold, GA 30736	Northwest Georgia Bank P.O. Box 789 Ringgold, GA 30736	Property located at 5311 -5327 Hwy 58, Chattanooga TN 37416		61,387.00 (0.00 secured)
Seagull Flooring 4005 Royal Dr, Suite 400 Kennesaw, GA 30144	Seagull Flooring 4005 Royal Dr, Suite 400 Kennesaw, GA 30144			1,502.00
Sherwin Williams 1164 Battlefield Parkway Fort Oglethorpe, GA 30742	Sherwin Williams 1164 Battlefield Parkway Fort Oglethorpe, GA 30742			2,231.00
Tennessee Department of Revenue 500 Deaderick Street Andrew Jackson State Office Bldg Nashville, TN 37242	Tennessee Department of Revenue 500 Deaderick Street Andrew Jackson State Office Bldg Nashville, TN 37242			1,700.00 (0.00 secured)
TNGA Property Services, Inc. c/o Patrick, Beard, et al 537 Market St, Suite 202 Chattanooga, TN 37402	TNGA Property Services, Inc. c/o Patrick, Beard, et al 537 Market St, Suite 202 Chattanooga, TN 37402			24,055.00 (0.00 secured)
Tru Line Plumbing 1073 Thelmeta Ave Chattanooga, TN 37421	Tru Line Plumbing 1073 Thelmeta Ave Chattanooga, TN 37421			6,000.00
Wagner, Nelson & Weeks 701 Market Street, Suite 1418 Chattanooga, TN 37402	Wagner, Nelson & Weeks 701 Market Street, Suite 1418 Chattanooga, TN 37402			1,088.00

B4 (Official Form 4) (12/07) - Cont.

In re **Mountain Apartment, LLC**

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 **June 23, 2010**

Signature **/s/ Niraj Sheth**

**Niraj Sheth
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.