Case 1:13-bk-11807 Doc 1 Filed 04/15/13 Entered 04/15/13 14:10:08 Desc Main 4/15/13 2:08PM Form 1)(04/13) Document Page 1 of 21

D1 (0.00 + 1	-	1)(0.4/1.0)	
<b>B1</b> (Official	Form	1)(04/13)	

United S East	States B ern Distr							Volunta	ry Petition		
Name of Debtor (if individual, enter Last, First, ZAP Trucking, Inc.	Middle):			Name	of Joint De	ebtor (Spouse	) (Last, First,	, Middle):			
All Other Names used by the Debtor in the last 8 (include married, maiden, and trade names):	3 years			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	uar ID (ITI	N)/Compl	oto EIN	L act fo	ur digite of	f Soc Sec or	Individual	Favnavar I.D. (ITIN	I) No./Complete EIN		
(if more than one, state all) 48-1284532	yer I.D. (111	N)/Compi		(if more	than one, state	all)	individual-1	Taxpayer I.D. (ITIN	a) No./Complete EIN		
Street Address of Debtor (No. and Street, City, a 8814 Nelson Road	nd State):			Street	Address of	Joint Debtor	(No. and Str	reet, City, and State	e):		
Soddy Daisy, TN											
		37	ZIP Code 7379	_					ZIP Code		
County of Residence or of the Principal Place of Hamilton	Business:			Count	y of Reside	ence or of the	Principal Pla	ace of Business:			
Mailing Address of Debtor (if different from stre	et address):			Mailin	g Address	of Joint Debt	or (if differen	nt from street addre	ess):		
			ZIP Code	_					ZIP Code		
Location of Principal Assets of Business Debtor (if different from street address above):											
Type of Debtor	1	Nature of						otcy Code Under V			
<ul> <li>(Form of Organization) (Check one box)</li> <li>☐ Individual (includes Joint Debtors) See Exhibit D on page 2 of this form.</li> </ul>	☐ Health		ness	defined	the Petition is Filed (Check one box)  Chapter 7  fined Chapter 9 Chapter 15 Petition for Recognition						
<ul> <li>Corporation (includes LLC and LLP)</li> <li>Partnership</li> </ul>	in 11 U Railroa	l.S.C. § 10 d	1 (51B)		Chapter 11 of a Foreign Main Proceeding						
<ul> <li>Other (If debtor is not one of the above entities, check this box and state type of entity below.)</li> </ul>	☐ Stockbr ☐ Commo ☐ Clearing	odity Brok	er		Chapt			hapter 15 Petition for a Foreign Nonmain			
Chapter 15 Debtors	Other							e of Debts ( one box)			
Country of debtor's center of main interests:		Tax-Exem	f applicable			re primarily co in 11 U.S.C. §	onsumer debts,		Debts are primarily pusiness debts.		
Each country in which a foreign proceeding by, regarding, or against debtor is pending:	under Ti	itle 26 of the ne Internal R	e United St	ates	"incurr	ed by an indivi nal, family, or	dual primarily	for			
Filing Fee (Check one box	)			one box:		-	ter 11 Debto				
Full Filing Fee attached						debtor as defin ness debtor as d		C. § 101(51D). J.S.C. § 101(51D).			
Filing Fee to be paid in installments (applicable to attach signed application for the court's considerati debtor is unable to pay fee except in installments. I	on certifying t	that the		Debtor's aggr				luding debts owed to			
Form 3A.	xuie 1000(0).	See Official	a	re less than sail applicable		amount subject	to adjustment	on 4/01/16 and every	three years thereafter).		
Filing Fee waiver requested (applicable to chapter attach signed application for the court's considerati				A plan is bein	ng filed with of the plan w	this petition. vere solicited pr S.C. § 1126(b).	repetition from	one or more classes	of creditors,		
Statistical/Administrative Information			<b>_</b>				THIS	SPACE IS FOR COU	JRT USE ONLY		
<ul> <li>Debtor estimates that funds will be available</li> <li>Debtor estimates that, after any exempt prop there will be no funds available for distributi</li> </ul>	erty is exclud	ded and ad	lministrati		es paid,						
Estimated Number of Creditors							1				
1- 50- 100- 200-	1,000- 5	5,001- 1	] 10,001- 25,000	25,001- 50,000	□ 50,001- 100,000	OVER 100,000					
\$0 to \$50,001 to \$100,001 to \$500,001 \$50,000 \$100,000 \$500,000 to \$1	to \$10 to	10,000,001 \$ \$50 t	50,000,001 \$50,100 nillion	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion	More than \$1 billion					
\$0 to \$50,001 to \$100,001 to \$500,001 \$50,000 \$100,000 \$500,000 to \$1	to \$10 to	10,000,001 \$ \$50 t	50,000,001 \$50,000 nillion	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion						

Case 1:13-bk-11807 Doc 1

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Filed 04/15/13	Entered 04/15/13 14:10:08	Desc Main 4/15/13 2:08PM
Document P	ane 2 of 21	

B1 (Official For	m 1)(04/13)	Paye 2 01 21	Page 2
Voluntary	y Petition	Name of Debtor(s): ZAP Trucking, Inc.	
(This page mu	st be completed and filed in every case)		
	All Prior Bankruptcy Cases Filed Within Last	t 8 Years (If more than two, attach ad	ditional sheet)
Location Where Filed:	- None -	Case Number:	Date Filed:
Location Where Filed:		Case Number:	Date Filed:
Per	nding Bankruptcy Case Filed by any Spouse, Partner, or	Affiliate of this Debtor (If more than	n one, attach additional sheet)
Name of Debto - None -	or:	Case Number:	Date Filed:
District:		Relationship:	Judge:
	Exhibit A		<b>hibit B</b> whose debts are primarily consumer debts.)
forms 10K and pursuant to S and is reques	A is attached and made a part of this petition.	I, the attorney for the petitioner named have informed the petitioner that [he o 12, or 13 of title 11, United States Cod	I 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
☐ Yes, and ■ No. (To be compl ☐ Exhibit ] If this is a join	leted by every individual debtor. If a joint petition is filed, eac D completed and signed by the debtor is attached and made a nt petition:	<b>hibit D</b> the spouse must complete and attach a a part of this petition.	
Exhibit	D also completed and signed by the joint debtor is attached a	and made a part of this petition.	
	Information Regardin (Check any ap Debtor has been domiciled or has had a residence, principa days immediately preceding the date of this petition or for There is a bankruptcy case concerning debtor's affiliate, ge 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.	opplicable box) al place of business, or principal asset a longer part of such 180 days than ir eneral partner, or partnership pending cipal place of business or principal ass s in the United States but is a defendar he interests of the parties will be serve	n any other District. in this District. sets in the United States in nt in an action or ed in regard to the relief
	Certification by a Debtor Who Reside (Check all appl		ty
	Landlord has a judgment against the debtor for possession		complete the following.)
	(Name of landlord that obtained judgment) (Address of landlord)		
	Debtor claims that under applicable nonbankruptcy law, th the entire monetary default that gave rise to the judgment f		
	Debtor has included with this petition the deposit with the after the filing of the petition.		-

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

Case 1:13-bk-11807	Doc 1	Filed 04/15/13	Entered 04/15/13 14:10:08	Desc Main 4/15/13 2

l (Official Form 1)(04/13) Document	Page 3 of 21 Pag
oluntary Petition	Name of Debtor(s): ZAP Trucking, Inc.
his page must be completed and filed in every case)	
	atures
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.	<ul> <li>I declare under penalty of perjury that the information provided in this petitio 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.</li> <li>(Check only one box.)</li> <li>□ I request relief in accordance with chapter 15 of title 11. United States Coor Certified copies of the documents required by 11 U.S.C. §1515 are attached</li> <li>□ 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.</li> </ul>
	X Signature of Foreign Representative
Signature of Debtor	Signature of Foreign Representative
Signature of Joint Debtor	Printed Name of Foreign Representative
Signature of Joint Debtor	
	Date
Telephone Number (If not represented by attorney)	Signature of Non-Attorney Bankruptcy Petition Preparer
Date	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),
/ /c/ Kulo P. Woomo	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
/s/ Kyle R. Weems           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 debtor or accepting any fee from the debtor, as required in that section.
Kyle R. Weems 1010 Printed Name of Attorney for Debtor(s)	Official Form 19 is attached.
•	
_ Weems & Ronan Firm Name	Printed Name and title, if any, of Bankruptcy Petition Preparer
744 McCallie Ave.	
Suite 520	
Chattanooga, TN 37403	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.)
423-624-1000 Fax: 423-624-5656	
Telephone Number	
April 15, 2013	Address
Date	
*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a	X
certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.	
	Date
Signature of Debtor (Corporation/Partnership)	
	Signature of bankruptcy petition preparer or officer, principal, responsible
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	person, or partner whose Social Security number is provided above.
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:
/s/ William F. Pioth, III	
Signature of Authorized Individual	
0	If more than one nerven prepared the decoursest attack additional that
William F. Pioth, III Printed Name of Authorized Individual	If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.
President	A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in
Title of Authorized Individual	fines or imprisonment or both. 11 U.S.C. §110; 18 U.S.C. §156.
April 15, 2013	
Date	

B6A (Official Form 6A) (12/07)

In re ZAF

ZAP Trucking, Inc.

Case No.

Debtor

# **SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim." If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption	Amount of Secured Claim
--------------------------------------	--	---	--	----------------------------

None

0.00

Total >

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B6D (Official Form 6D) (12/07)

In re

ZAP Trucking, Inc.

Case No.\_\_\_\_\_

### **SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

Debtor

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, gamishments, statutory liens, mortgages, deeds of trust, and other security interests.

other security interests. List creditors in alphabetical order to the extent practicable. If a minor child is a creditor, 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 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided. If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community". If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Disputed". (You may need to place an "X" in more than one of these three columns.) Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion" on the Statistical Summary of Certain Liabilities and Related Data. Check this box if debtor has no creditors holding secured claims to report on this Schedule D. Check this box if debtor has no creditors holding secured claims to report on this Schedule D. П

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HL H J C	sband, Wife, Joint, or Community DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	C O Z ⊢ _ Z G Ш Z	UNLLQULDA	D I SP UT E D	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No.			Purchase Money Security	Т	A T E D			
Crestmark TPG LLC P.O. Box 682348 Franklin, TN 37068	x	-	Cash Receivables		U			
			Value \$ 0.00				34,000.00	34,000.00
Account No.	-		Purchase Money Security					
First Tennessee Commercial Account P.O.31 Memphis, TN 38101		-	Trailers					
			Value \$ 0.00				2,609.51	2,609.51
Account No. xxxx-6320 First Tennessee HELOC P.O. Box 2351 Memphis, TN 38101		-	Secured by 8814 Nelson Rd., Soddy Daisy, TN 37379					
			Value \$ 150,000.00				69,980.42	0.00
Account No. xxxxxxx-xx/xxxxxxxxxxx/xx GE Capital P.O. Box 536447 Atlanta, GA 30353	x53	46 -	Purchase Money Security 5 Tractors					
			Value \$ 0.00	1			200,000.00	200,000.00
<b>1</b> continuation sheets attached	_		S (Total of t	Subt his p			306,589.93	236,609.51

B6D (Official Form 6D) (12/07) - Cont.

ZAP Trucking, Inc. In re

Debtor

# SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS (Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B T O R	Hu H J C	ISBAND, Wife, Joint, or Community DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGEN	U N L I Q U I D A	S P U T E	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No. xxxxxxxxx/xx8/C28			Purchase Money Security	T	D A T E D			
Navistar P.O. Box 96070 Chicago, IL 60693		-	2 - 2007 International Tractor/ 1 - 2009 International Tractor					
			Value \$ 0.00				36,907.35	36,907.35
Account No.			Purchase Money Security					
Paul Brakebill 966 Lakeside Road Madisonville, TN 37354		-	8 Utility Trailers & 1 2006 Freightliner Truck					
			Value \$ 0.00	1			42,100.00	42,100.00
Account No.			Purchase Money Security					·
Robert Beard d/b/a RB Enterprises 3404 Jerome Ave Chattanooga, TN 37402		-	2007 International Truck - Navistar holds title					
			Value \$ 0.00				20,500.00	20,500.00
Account No.			Purchase Money Security					
Wells Fargo NW-8178 P.O. Box 1450 Minneapolis, MN 55485		-	2 - 2007 International Tractors					
			Value \$ 0.00				17,000.00	17,000.00
Account No.			Value \$					
Sheet $\underline{1}$ of $\underline{1}$ continuation sheets attac		d to	)	Sub			116,507.35	116,507.35
Schedule of Creditors Holding Secured Claims			(Total of t (Report on Summary of So	Т	ota	ıl	423,097.28	353,116.86

B6E (Official Form 6E) (4/13)

In re

ZAP Trucking, Inc.

Case No.

# SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

Debtor

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, 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 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts <u>not</u> entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)

#### □ Domestic support obligations

Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).

#### **Extensions of credit in an involuntary case**

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).

#### □ Wages, salaries, and commissions

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$12,475\* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

#### **Contributions to employee benefit plans**

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).

### □ Certain farmers and fishermen

Claims of certain farmers and fishermen, up to \$6,150\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).

#### Deposits by individuals

Claims of individuals up to \$2,775\* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).

#### Taxes and certain other debts owed to governmental units

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

#### Commitments to maintain the capital of an insured depository institution

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).

#### □ Claims for death or personal injury while debtor was intoxicated

Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. 507(a)(10).

\* Amount subject to adjustment on 4/01/16, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

**3** continuation sheets attached

B6E (Official Form 6E) (4/13) - Cont.

In re

ZAP Trucking, Inc.

Case No.

### **SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS**

Debtor

(Continuation Sheet)

**Taxes and Certain Other Debts Owed to Governmental Units** 

							TYPE OF PRIORITY	7
CREDITOR'S NAME, AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	CODEBTOR	н W	sband, Wife, Joint, or Community DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM	CONT I NGEN		D I S P U T E D	AMOUNT OF CLAIM	AMOUNT NOT ENTITLED TO PRIORITY, IF ANY AMOUNT ENTITLED TO PRIORITY
Account No.				T	D A T E D			
Arkansas Public Service Division Tax Commission P.O. Box 80021 Little Rock, AR 72203		-					0.00	0.00
Account No.								
Hamilton County Tax 625 Georgia Ave, Room 210 Chattanooga, TN 37402		-						0.00
							514.74	514.74
Account No. Internal Revenue Service c/o Special Procedures 801 Broadway-MDP 14 Nashville, TN 37203		-					0.00	0.00
Account No. Internal Revenue Service P.O. Box 7346 Philadelphia, PA 19101-7346		-					0.00	0.00
Account No.				$\vdash$	-		0.00	5.00
Kansas Dept of Revenue Division of Property Evaluation 915 SW Harrison St Topeka, KS 66612		-					0.00	0.00
Sheet <u>1</u> of <u>3</u> continuation sheets	attache	d to		Subt				0.00
Schedule of Creditors Holding Unsecured				his j	pag	e)	514.74	514.74

B6E (Official Form 6E) (4/13) - Cont.

In re

ZAP Trucking, Inc.

Case No.

### **SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS**

Debtor

(Continuation Sheet)

**Taxes and Certain Other Debts Owed to Governmental Units** 

							TYPE OF PRIORITY	7
CREDITOR'S NAME,	C O	Ηι	sband, Wife, Joint, or Community	C O	U N L I	D I		AMOUNT NOT
AND MAILING ADDRESS INCLUDING ZIP CODE,	C O D E B T	н w	DATE CLAIM WAS INCURRED	N T		S P	AMOUNT	ENTITLED TO PRIORITY, IF ANY
AND ACCOUNT NUMBER (See instructions.)	T O R	J U	AND CONSIDERATION FOR CLAIM	NGEN	QUIDA	U T E D	OF CLAIM	AMOUNT ENTITLED TC PRIORITY
Account No.				T	D A T E D			
Kentucky Div of Motor Carriers P.O. Box 2007 Frankfort, KY 40602		-						0.00
							0.00	0.00
Account No.								
New York Use Tax P.O. Box 26824 New York, NY 10087								0.00
							0.00	0.00
Account No.								
New York Use Tax P.O. Box 15166 Albany, NY 12212			Representing: New York Use Tax				Notice Only	
Account No.								
Tenn. Dept. of Revenue TN Atty Gen Off Bkr Unit 426 Fifth Ave., 2nd Floor Nashville, TN 37203		-						0.00
							0.00	0.00
Account No.				[				
Tennessee Dept of Revenue Andrew Jackson State Office Bldg 500 Deaderick Street Nashville, TN 37242			Representing: Tenn. Dept. of Revenue				Notice Only	
a . 9		Ļ		Subt	ota			0.00
Sheet <u>2</u> of <u>3</u> continuation sheets a Schedule of Creditors Holding Unsecured P			)				0.00	0.00

B6E (Official Form 6E) (4/13) - Cont.

In re

ZAP Trucking, Inc.

Case No.

Debtor

### **SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS**

(Continuation Sheet)

**Taxes and Certain Other Debts Owed to Governmental Units** 

							TYPE OF PRIORITY	7
CREDITOR'S NAME, AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B T O R	Hu H W J C	ISBAND, Wife, Joint, or Community DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM	CONFINGEN	UNLLQULDA	E	AMOUNT OF CLAIM	AMOUNT NOT ENTITLED TO PRIORITY, IF ANY AMOUNT ENTITLED TO PRIORITY
Account No. TN Dept of Labor & Workforce Development 220 French Landing Drive Nashville, TN 37243		-		Ť	- DATED			0.00
Account No. TN Dept of Labor Empl Sec Div P.O. Box 101 Nashville, TN 37202		-					0.00	0.00
Account No.							0.00	0.00
Account No.								
Account No.								
Sheet <u>3</u> of <u>3</u> continuation sheets attac Schedule of Creditors Holding Unsecured Prio			)	ubt			0.00	0.00
			(Report on Summary of Sc		`ota lule		514.74	0.00 514.74

**B6F (Official Form 6F) (12/07)** 

In re

ZAP Trucking, Inc.

\_\_\_\_\_,

# SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

Debtor

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, 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 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	H V J C	CONSIDERATION FOR CLAIM IS SUBJECT TO SETOFE SO STATE			D I S P U T E D	AMOUNT OF CLAIM
Account No.				T	D A T E D		
AT&T Mobility P.O. Box 1809 Paramus, NJ 07653		-					
							762.85
Account No. <b>xxxx-8275</b>							
Capital One P.O. Box 71083 Charlotte, NC 28272		-					
							5,027.44
Account No. <b>xxxx-4566</b>							
Capital One P.O. Box 71083 Charlotte, NC 28272		-					
							15,311.38
Account No.							
Chattem 1406 E. 42nd St Chattanooga, TN 37409		-					
							1,800.00
<b>2</b> continuation sheets attached	sheets attached Subtotal (Total of this page)						22,901.67

B6F (Official Form 6F) (12/07) - Cont.

In re

ZAP Trucking, Inc.

Debtor

### **SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS** (Continuation Sheet)

CDEDITOD'S NAME	С	н	usband, Wife, Joint, or Community		U	D	
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	C H	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM			D	AMOUNT OF CLAIM
Account No.				Т	T E D		
Comcast P.O. Box 182249 Atlanta, GA 30348		-					404.69
Account No.				╈			
Cummins Power South P.O. Box 403896 Atlanta, GA 30384		-					
Account No.			Melanie Pioth				914.53
Discover Card P.O. Box 71084 Charlotte, NC 28272		-					5,043.97
Account No. <b>xxxx-2701</b>							5,040.07
First Tennessee c/o Bankcard Center P.O. Box 385 Memphis, TN 38101		-					67,705.60
Account No.				+			
Frontier Truck Wash P.O. Box 25034 Columbia, SC 29224		-					222.10
Sheet no1 of _2 sheets attached to Schedule of	f			Sut			222.10
Creditors Holding Unsecured Nonpriority Claims	1		(Total of				74,290.89

B6F (Official Form 6F) (12/07) - Cont.

In re

ZAP Trucking, Inc.

Debtor

### **SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS** (Continuation Sheet)

ΟΡΕΝΙΤΟΡ'ς ΝΑΜΕ	c	ŀ	Husband, Wife, Joint, or Community		; L	D	
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	H V J	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	N T I N G E N			AMOUNT OF CLAIM
Account No.				Ť			
Hoyt Automotive 3320 Lightfoot Mill Rd Chattanooga, TN 37406		-					3,500.02
Account No.	┢						
Lee Smith Inc. P.O. Box 72843 Chattanooga, TN 37407		-					1,828.95
Account No.							1,020.00
Madex P.O. Box 576 Tennga, GA 30751		-					0.500.00
Account No.							8,500.00
Reliance Partners 2515 E. 43rd Street, Ste G Chattanooga, TN 37407		-					15,859.00
Account No.							13,839.00
Truck Tire Center 2036 Polymer Dr. Chattanooga, TN 37421		-					
							9,573.00
Sheet no. <b>2</b> of <b>2</b> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims			(Total c	Sut f this			39,260.97
					Tot	al	426 452 52

(Report on Summary of Schedules)

136,453.53

B6G (Official Form 6G) (12/07)

In re

0

ZAP Trucking, Inc.

Case No.

Debtor

# SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser", "Agent", etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, 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 and Fed. R. Bankr. P. 1007(m).

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract Description of Contract or Lease and Nature of Debtor's Interest. State whether lease is for nonresidential real property. State contract number of any government contract.

Action Trailer Lease P.O. Box 4027 Dalton, GA 30719 Month to Month Lease - 4 Utility Vans

Month to Month Lease - 1 Utility Van

Bowman Trailer Leasing 2395 Rossville Rd. Chattanooga, TN 37408 B6H (Official Form 6H) (12/07)

In re

.

ZAP Trucking, Inc.

Case No.

Debtor

# **SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, 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 and Fed. R. Bankr. P. 1007(m).

□ Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR

William and Melanie Pioth 8814 Nelson Road Soddy Daisy, TN 37379 NAME AND ADDRESS OF CREDITOR

Crestmark TPG LLC P.O. Box 682348 Franklin, TN 37068 Case 1:13-bk-11807

B6 Declaration (Official Form 6 - Declaration). (12/07)

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4/15/13 2:08PM

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

ZAP Trucking, Inc. In re

Debtor(s)

Case No. Chapter

11

### **DECLARATION CONCERNING DEBTOR'S SCHEDULES**

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the President of the corporation named as debtor in this case, declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of **19** sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date April 15, 2013

/s/ William F. Pioth, III Signature William F. Pioth, III 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.

### United States Bankruptcy Court Eastern District of Tennessee

Debtor(s)

In re **ZAP Trucking, Inc.** 

# **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:	April 15, 2013	/s/ William F. Pioth, III	
		William F. Pioth, III/President	
		Signer/Title	
Date:	April 15, 2013	/s/ Kyle R. Weems	
		Signature of Attorney	
		Kyle R. Weems	
		Weems & Ronan	
		744 McCallie Ave.	
		Suite 520	
		Chattanooga, TN 37403	
		423-624-1000 Fax: 423-624-5656	

Case No. Chapter

11

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Action Trailer Lease P.O. Box 4027 Dalton, GA 30719

Arkansas Public Service Division Tax Commission P.O. Box 80021 Little Rock, AR 72203

AT&T Mobility P.O. Box 1809 Paramus, NJ 07653

Bowman Trailer Leasing 2395 Rossville Rd. Chattanooga, TN 37408

Capital One P.O. Box 71083 Charlotte, NC 28272

Chattem 1406 E. 42nd St Chattanooga, TN 37409

Comcast P.O. Box 182249 Atlanta, GA 30348

Crestmark TPG LLC P.O. Box 682348 Franklin, TN 37068

Cummins Power South P.O. Box 403896 Atlanta, GA 30384

Discover Card P.O. Box 71084 Charlotte, NC 28272

First Tennessee Commercial Account P.O.31 Memphis, TN 38101

First Tennessee c/o Bankcard Center P.O. Box 385 Memphis, TN 38101

First Tennessee HELOC P.O. Box 2351 Memphis, TN 38101 Frontier Truck Wash P.O. Box 25034 Columbia, SC 29224

GE Capital P.O. Box 536447 Atlanta, GA 30353

Hamilton County Tax 625 Georgia Ave, Room 210 Chattanooga, TN 37402

Hoyt Automotive 3320 Lightfoot Mill Rd Chattanooga, TN 37406

Internal Revenue Service c/o Special Procedures 801 Broadway-MDP 14 Nashville, TN 37203

Internal Revenue Service P.O. Box 7346 Philadelphia, PA 19101-7346

Kansas Dept of Revenue Division of Property Evaluation 915 SW Harrison St Topeka, KS 66612

Kentucky Div of Motor Carriers P.O. Box 2007 Frankfort, KY 40602

Lee Smith Inc. P.O. Box 72843 Chattanooga, TN 37407

Madex P.O. Box 576 Tennga, GA 30751

Navistar P.O. Box 96070 Chicago, IL 60693

New York Use Tax P.O. Box 26824 New York, NY 10087

New York Use Tax P.O. Box 15166 Albany, NY 12212 Paul Brakebill 966 Lakeside Road Madisonville, TN 37354

Reliance Partners 2515 E. 43rd Street, Ste G Chattanooga, TN 37407

Robert Beard d/b/a RB Enterprises 3404 Jerome Ave Chattanooga, TN 37402

Tenn. Dept. of Revenue TN Atty Gen Off Bkr Unit 426 Fifth Ave., 2nd Floor Nashville, TN 37203

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

TN Dept of Labor & Workforce Development 220 French Landing Drive Nashville, TN 37243

TN Dept of Labor Empl Sec Div P.O. Box 101 Nashville, TN 37202

Truck Tire Center 2036 Polymer Dr. Chattanooga, TN 37421

Wells Fargo NW-8178 P.O. Box 1450 Minneapolis, MN 55485

William and Melanie Pioth 8814 Nelson Road Soddy Daisy, TN 37379

### Best Case Bankruptcy

### United States Bankruptcy Court Eastern District of Tennessee

In re **ZAP Trucking, Inc.** 

Debtor(s)

Case No. Chapter

11

### CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for <u>ZAP Trucking, Inc.</u> in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

■ None [*Check if applicable*]

April 15, 2013

Date

### /s/ Kyle R. Weems

Kyle R. Weems Signature of Attorney or Litigant Counsel for ZAP Trucking, Inc. Weems & Ronan 744 McCallie Ave. Suite 520 Chattanooga, TN 37403 423-624-1000 Fax:423-624-5656

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