

United States Bankruptcy Court EASTERN DISTRICT OF TEXAS SHERMAN DIVISION		Voluntary Petition
Name of Debtor (if individual, enter Last, First, Middle): Hartwell Farms, 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):		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)/Complete EIN (if more than one, state all): 27-3665524		Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all):
Street Address of Debtor (No. and Street, City, and State): 2600 FM 2815 Bonham, TX		Street Address of Joint Debtor (No. and Street, City, and State):
ZIP CODE 75418		ZIP CODE
County of Residence or of the Principal Place of Business: Fannin		County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address): 1600 FM 2815 Bonham, TX		Mailing Address of Joint Debtor (if different from street address):
ZIP CODE 75418		ZIP CODE
Location of Principal Assets of Business Debtor (if different from street address above):		ZIP CODE
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 type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.) Limited Liability Company	Nature of Business (Check one box.) <input type="checkbox"/> Health Care Business <input 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 checked="" type="checkbox"/> Other	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
Chapter 15 Debtors Country of debtor's center of main interests: Each country in which a foreign proceeding by, regarding, or against debtor is pending:	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).	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.		Check one box: Chapter 11 Debtors <input checked="" type="checkbox"/> Debtor is a small business debtor as defined by 11 U.S.C. § 101(51D). <input type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input checked="" type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,490,925 (amount subject to adjustment on 4/01/16 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 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
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 checked="" type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input 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 \$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): **Hartwell Farms, 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:

Exhibit A
 (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.)

Exhibit A is attached and made a part of this petition.

Exhibit B
 (To be completed if debtor is an individual whose debts are primarily consumer debts.)

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 have delivered to the debtor the notice required by 11 U.S.C. § 342(b).

X _____
 Date

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 with 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): **Hartwell Farms, 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 _____

X _____

 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 _____

X _____
 Signature of Attorney*
Robert T. DeMarco Bar No. **24014543**
DeMarco Mitchell, PLLC
1255 West 15th St., 805
Plano, TX 75075
 Phone No. **(972) 578-1400** Fax No. **(972) 346-6791**

 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.)

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.
Hartwell Farms, LLC
X _____
 Signature of Authorized Individual
Waymon Scott Hartwell
 Printed Name of Authorized Individual
President
 Title of Authorized Individual

 Date _____

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.

THE STATE OF TEXAS

CERTIFICATE OF RESOLUTION

COUNTY OF COLLIN

BEFORE ME, the undersigned authority, on this day personally appeared Waymon Scott Hartwell, known to me, who, being first by me duly sworn, did state that he was the duly elected and authorized President of Hartwell Farms, LLC, a Texas Corporation (the "Company"), and that the following is a correct excerpt of a resolution unanimously adopted by the members of the Company on May 7, 2015:

"BE IT RESOLVED: That in the judgment of the members, it is desirable and for the best interests of the Company, its creditors, and other interested parties, that a petition be filed by this Corporation under the provisions of Chapter 11 of the United States Bankruptcy Code; and

BE IT FURTHER RESOLVED: That by unanimous consent of each of the members of the Company, Waymon Scott Hartwell be and hereby is authorized and directed to take whatever action is necessary, specifically including, but not by way of limitation, the authority to enter into and execute any and all instruments or agreements necessary to secure for the Company the relief accorded under Chapter 11 of the United States Bankruptcy Code; the sole and full discretion concerning the time of filing of these bankruptcy proceedings to be left to the sole discretion of the members of the Company, who are further authorized, again at their sole discretion, to convert said proceedings into liquidation bankruptcy proceedings if the same, in their discretion, is appropriate and necessary.

BE IT FURTHER RESOLVED: That **DeMarco-Mitchell, PLLC, of Plano, Texas**, shall be retained as attorneys for the Company, for instituting such proceedings under the Bankruptcy Code and performing such services as counsel for the Company as the members of the Company may deem appropriate and, without limiting the generality of the foregoing, obtaining a successful reorganization of the Company's finances or an otherwise successful termination of bankruptcy proceedings.



Name: Waymon Scott Hartwell

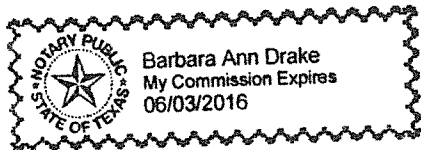
Title: President,
Hartwell Farms, LLC

THE STATE OF TEXAS

COUNTY OF COLLIN

BEFORE ME, the undersigned, a Notary Public in and for said State, on this day personally appeared Waymon Scott Hartwell, President of Hartwell Farms, LLC, known to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was the act of said Corporation, and that he executed the same as the act of such Corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 7th day of May, 2015.



A handwritten signature in black ink, appearing to be "BA Drake", written over a horizontal line.

Notary Public in and for
The State of Texas

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

IN RE: Hartwell Farms, LLC

CASE NO

CHAPTER 11

DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above-named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept:	<u>\$5,000.00</u>
Prior to the filing of this statement I have received:	<u>\$5,000.00</u>
Balance Due:	<u>\$0.00</u>

2. The source of the compensation paid to me was:

- Debtor Other (specify)
Waymon Scott Hartwell

3. The source of compensation to be paid to me is:

- Debtor Other (specify)

4. I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

I have agreed to share the above-disclosed compensation with another person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation, is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
- b. Preparation and filing of any petition, schedules, statements of affairs and plan which may be required;
- c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;

6. By agreement with the debtor(s), the above-disclosed fee does not include the following services:

CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

5/7/15
Date

Robert T. DeMarco
DeMarco Mitchell, PLLC
1255 West 15th St., 805
Plano, TX 75075
Phone: (972) 578-1400 / Fax: (972) 346-6791

Bar No. 24014543

Waymon Scott Hartwell
President

**UNITED STATES BANKRUPTCY COURT
 EASTERN DISTRICT OF TEXAS
 SHERMAN DIVISION**

IN RE: **Hartwell Farms, LLC**

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]
Fannin Bank 230 E. 3rd Bonham, TX 75418		Line of Credit	<i>Disputed</i>	\$750,000.00 Value: \$200,000.00
Martinek Grain & Bins, Inc. P.O. Box 430 Gunter, TX 75058		Fertilizer		\$226,908.00
FSA 2504 N. Center Bonham, TX 75418		Equipment Lien		\$165,000.00 Value: \$22,000.00
Fannin Bank 230 E. 3rd Bonham, TX 75418		Equipment Lien		\$129,445.00 Value: \$5,800.00

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

I, the President of the Limited Liability Company 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: 5-7-15

Signature: 
Waymon Scott Hartwell
 President

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

IN RE: Hartwell Farms, LLC


CASE NO

CHAPTER 11

VERIFICATION OF CREDITOR MATRIX

The above named Debtor hereby verifies that the attached list of creditors is true and correct to the best of his/her knowledge.

Date 5-7-15

Signature 
Waymon Scott Hartwell
President

Date _____

Signature _____

Attorney General of Texas
Taxation Division - Bankruptcy
Box 12548 Capitol Station
Austin, TX 78711

Texas Comptroller of Public Acc
Revenue Accounting DIV
Bankruptcy Section
PO Box 13528
Austin, TX 78711-3528

Attorney General of Texas
Bankruptcy Reporting Cont.
OAG/CSD/Mail Code 38
PO Box 12017
Austin, TX 78711-2017

Texas Comptroller of Public Acc
C/O Office of the Attorney Gene
Bankruptcy - Collections Divisi
P.O. Box 12548
Austin, TX 78711-2548

Attorney General of Texas
Bankruptcy Reporting Contact
OAG/CSD/Mail Code 38
P.O. Box 12017
Austin, TX 78711-2017

Texas Workforce Commission
TEC Building Tax Dept.
101 E. 15th Street
Austin, TX 78778

Fannin Bank
230 E. 3rd
Bonham, TX 75418

United States Attorney
110 North College Ave., Ste. 70
Tyler, TX 75702-0204

FSA
2504 N. Center
Bonham, TX 75418

United States Trustee
110 North College
Suite 300
Tyler, TX 75702

Internal Revenue Service -
Centralized Insolvency Operatio
PO Box 7346
Philadelphia, PA 19101-7346

United States Trustee
110 North College Ave., Ste. 30
Tyler, TX 75702-7231

Internal Revenue Service - ED
Centralized Insolvency Operatio
PO Box 7346
Philadelphia, PA 19101-7346

Waymon Scott Hartwell
2600 FM 2815 South
Bonham, TX 75418

Martinek Grain & Bins, Inc.
P.O. Box 430
Gunter, TX 75058

SEC
100 F Street, NE
Washington, DC 20549

Steven E. Aldous
Forshey & Prostock, LLP
500 Crescent Court, Suite 240
Dallas, TX 75201

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

IN RE:
Hartwell Farms, LLC

CHAPTER 11

DEBTOR(S)

CASE NO

LIST OF EQUITY SECURITY HOLDERS

Registered Name of Holder of Security Last Known Address or Place of Business	Class of Security	Number Registered	Kind of Interest Registered
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Waymon Scott Hartwell
2600 FM 2815 South
Bonham, TX 75418

Sole Member

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

I, the President of the Limited Liability Company
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: 5-7-15

Signature: 
Waymon Scott Hartwell
President