

Fill in this information to identify your case:

United States Bankruptcy Court for the:

EASTERN DISTRICT OF TEXAS

Case number (if known) _____ Chapter 11

Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

4/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name The David Winston Early Cabell Family Limited Partnership, Ltd.

2. All other names debtor used in the last 8 years
Include any assumed names, trade names and doing business as names

3. Debtor's federal Employer Identification Number (EIN) 76-0633120

4. Debtor's address	Principal place of business	Mailing address, if different from principal place of business
	<u>6875 Phelan Blvd</u> <u>Beaumont, TX 77706</u> Number, Street, City, State & ZIP Code	_____
	<u>Jefferson</u> County	<u>Location of principal assets, if different from principal place of business</u> _____
		Number, Street, City, State & ZIP Code

5. Debtor's website (URL) _____

6. Type of debtor

Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

Partnership (excluding LLP)

Other. Specify: _____

Debtor **The David Winston Early Cabell Family Limited Partnership, Ltd.**

Case number (if known)

Name

7. Describe debtor's business

A. Check one:

- Health Care Business (as defined in 11 U.S.C. § 101(27A))
- Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- Railroad (as defined in 11 U.S.C. § 101(44))
- Stockbroker (as defined in 11 U.S.C. § 101(53A))
- Commodity Broker (as defined in 11 U.S.C. § 101(6))
- Clearing Bank (as defined in 11 U.S.C. § 781(3))
- None of the above

B. Check all that apply

- Tax-exempt entity (as described in 26 U.S.C. §501)
- Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
- Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- Chapter 7
- Chapter 9

Chapter 11. Check all that apply:

- Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
- The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- A plan is being filed with this petition.
- Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11 (Official Form 201A) with this form.
- The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

- No.
- Yes.

If more than 2 cases, attach a separate list.

District _____	When _____	Case number _____
District _____	When _____	Case number _____

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

- No
- Yes.

List all cases. If more than 1, attach a separate list

Debtor _____	Relationship _____
District _____	When _____ Case number, if known _____

Debtor **The David Winston Early Cabell Family Limited**

Case number (if known)

Partnership, Ltd.

Name

11. Why is the case filed in this district?

Check all that apply:

- Debtor has had its domicile, 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.
- A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

No

Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

- It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.
What is the hazard? _____
- It needs to be physically secured or protected from the weather.
- It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
- Other _____

Where is the property? _____

Number, Street, City, State & ZIP Code

Is the property insured?

- No
- Yes. Insurance agency _____

Contact name _____

Phone _____

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

- Funds will be available for distribution to unsecured creditors.
- After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> 1-49 | <input type="checkbox"/> 1,000-5,000 | <input type="checkbox"/> 25,001-50,000 |
| <input type="checkbox"/> 50-99 | <input type="checkbox"/> 5001-10,000 | <input type="checkbox"/> 50,001-100,000 |
| <input type="checkbox"/> 100-199 | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input type="checkbox"/> 200-999 | | |

15. Estimated Assets

- | | | |
|--|--|--|
| <input type="checkbox"/> \$0 - \$50,000 | <input checked="" type="checkbox"/> \$1,000,001 - \$10 million | <input type="checkbox"/> \$500,000,001 - \$1 billion |
| <input type="checkbox"/> \$50,001 - \$100,000 | <input type="checkbox"/> \$10,000,001 - \$50 million | <input type="checkbox"/> \$1,000,000,001 - \$10 billion |
| <input type="checkbox"/> \$100,001 - \$500,000 | <input type="checkbox"/> \$50,000,001 - \$100 million | <input type="checkbox"/> \$10,000,000,001 - \$50 billion |
| <input type="checkbox"/> \$500,001 - \$1 million | <input type="checkbox"/> \$100,000,001 - \$500 million | <input type="checkbox"/> More than \$50 billion |

16. Estimated liabilities

- | | | |
|--|--|--|
| <input type="checkbox"/> \$0 - \$50,000 | <input checked="" type="checkbox"/> \$1,000,001 - \$10 million | <input type="checkbox"/> \$500,000,001 - \$1 billion |
| <input type="checkbox"/> \$50,001 - \$100,000 | <input type="checkbox"/> \$10,000,001 - \$50 million | <input type="checkbox"/> \$1,000,000,001 - \$10 billion |
| <input type="checkbox"/> \$100,001 - \$500,000 | <input type="checkbox"/> \$50,000,001 - \$100 million | <input type="checkbox"/> \$10,000,000,001 - \$50 billion |
| <input type="checkbox"/> \$500,001 - \$1 million | <input type="checkbox"/> \$100,000,001 - \$500 million | <input type="checkbox"/> More than \$50 billion |

Debtor **The David Winston Early Cabell Family Limited**

Case number (if known)

Partnership, Ltd.

Name

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor

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

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **November 22, 2016**

MM / DD / YYYY

X /s/ David W.E. Cabell

Signature of authorized representative of debtor

David W.E. Cabell

Printed name

Title **Manager**

18. Signature of attorney X /s/ Brian A. Kilmer

Signature of attorney for debtor

Date **November 22, 2016**

MM / DD / YYYY

Brian A. Kilmer

Printed name

Kilmer Crosby & Walker PLLC

Firm name

**1004 Prairie Street, Ste. 300
Houston, TX 77002**

Number, Street, City, State & ZIP Code

Contact phone **713-300-9662**

Email address **bkilmer@kcw-lawfirm.com**

24012963

Bar number and State

RESOLUTION

THE DAVID WINSTON EARLY CABELL FAMILY LIMITED PARTNERSHIP, LTD. is a Texas Limited Partnership. DAVID WINSTON EARLY CABELL and wife, DEBORAH LOUISE ENGLISH CABELL are all the limited partners.

DWEC, L.L.C. is a Texas limited liability company. DWEC, L.L.C. is the General Partner of THE DAVID WINSTON EARLY CABELL FAMILY LIMITED PARTNERSHIP, LTD. DAVID WINSTON EARLY CABELL and DEBORAH LOUISE ENGLISH CABELL own all of the membership interests in DWEC, L.L.C. DWEC, L.L.C. owns a one percent (1%) general partner interest in THE DAVID WINSTON EARLY CABELL FAMILY LIMITED PARTNERSHIP, LTD.

DAVID WINSTON EARLY CABELL is the sole Manager of DWEC, L.L.C.

A meeting of the General Partner was held on November 21, 2016. At the meeting,

It was RESOLVED that it is in the best interests of the THE DAVID WINSTON EARLY CABELL FAMILY LIMITED PARTNERSHIP, LTD, its creditors, employees and other interested parties that a petition be filed by THE DAVID WINSTON EARLY CABELL FAMILY LIMITED PARTNERSHIP, LTD seeking relief under the provisions of Chapter 11 of Title 11 of the United States Code (the "Bankruptcy Code") in the Eastern District of Texas; and

It was RESOLVED that DAVID WINSTON EARLY CABELL as the Manager of DWEC, L.L.C. as general partner of THE DAVID WINSTON EARLY CABELL FAMILY LIMITED PARTNERSHIP, LTD. is authorized to file a Petition in bankruptcy on behalf of THE DAVID WINSTON EARLY CABELL FAMILY LIMITED PARTNERSHIP, LTD. and is authorized to take such action he deems necessary, proper or appropriate with

respect to such filing, including, but not limited to, selling some or all of the assets, filing a plan of reorganization and retaining professionals; and

It was RESOLVED that the law firm of Kilmer Crosby & Walker be employed as counsel for THE DAVID WINSTON EARLY CABELL FAMILY LIMITED PARTNERSHIP, LTD in the Chapter 11 case under a general retainer, the previously approved engagement of Kilmer Crosby & Walker as legal counsel in connection with the Chapter 11 filing being hereby acknowledged and affirmed; and

EXECUTED this 21st day of November, 2016.



DAVID WINSTON EARLY CABELL

THE STATE OF TEXAS §

COUNTY OF JEFFERSON §

This instrument was acknowledged BEFORE ME on the 21st day of November, 2016, by DAVID WINSTON EARLY CABELL.



NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

