

**Fill in this information to identify the case:**

United States Bankruptcy Court for the:

**EASTERN DISTRICT OF TEXAS**

Case number (if known): \_\_\_\_\_ Chapter 11

Check if this is an amended filing

Official Form 201

**Voluntary Petition for Non-Individuals Filing for Bankruptcy**

12/15

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 the case number (if known). For more information, a separate document, Instructions for Bankruptcy Forms for Non-Individuals, is available.

1. Debtor's name AGAP LS 109, LLC

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) 2 6 - 4 0 6 9 6 2 8

4. Debtor's address **Principal place of business** **Mailing address, if different from principal place of business**

10567 Buccaneer Point  
Number Street

5605 FM 423  
Number Street

Suite 500-123  
P.O. Box

Frisco TX 75034  
City State ZIP Code

Frisco TX 75034  
City State ZIP Code

Denton  
County

**Location of principal assets, if different from principal place of business**

8880 West Sunset  
Number Street

Suite 250

Las Vegas NV 89148  
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 **AGAP LS 109, LLC**

Case number (if known) \_\_\_\_\_

**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.naics.com/search/>

\_\_\_\_\_

**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 \$2,490,925 (amount subject to adjustment on 4/01/16 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. District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_  
MM / DD / YYYY

District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_  
MM / DD / YYYY

District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_  
MM / DD / YYYY

If more than 2 cases, attach a separate list.

Debtor **AGAP LS 109, LLC**

Case number (if known) \_\_\_\_\_

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

No

Yes. Debtor **See attached list** Relationship \_\_\_\_\_

District \_\_\_\_\_ When \_\_\_\_\_  
MM / DD / YYYY

Case number, if known \_\_\_\_\_

Debtor \_\_\_\_\_ Relationship \_\_\_\_\_

District \_\_\_\_\_ When \_\_\_\_\_  
MM / DD / YYYY

Case number, if known \_\_\_\_\_

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

**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 for distribution to unsecured creditors.

Debtor **AGAP LS 109, LLC**

Case number (if known) \_\_\_\_\_

- |  |  |  |  |
|--|--|--|--|
| <b>14. Estimated number of creditors</b> | <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"/> 5,001-10,000                        | <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               |  |  |
| <b>15. Estimated assets</b>              | <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        |
| <b>16. Estimated liabilities</b>         | <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        |

**Part X: 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 03/25/2016  
MM / DD / YYYY

**X /s/ Jeffrey Madden**      **Jeffrey Madden**  
Signature of authorized representative of debtor      Printed name

Title Manager

**18. Signature of attorney**      **X /s/ Joyce Lindauer**      Date 03/25/2016  
Signature of Attorney for Debtor      MM / DD / YYYY

**Joyce Lindauer**  
Printed name

**Joyce W. Lindauer Attorney, PLLC**  
Firm Name

**12720 Hillcrest Road, Suite 625**  
Number      Street

**Dallas**      **TX**      **75230**  
City      State      ZIP Code

Contact phone (972) 503-4033      Email address \_\_\_\_\_

**2155700**  
Bar number      State

## **RELATED CASES**

### Chapter 7:

AGAP of Texas LLC  
Case No. 16-40101-btr

### Chapter 11:

AGAP Life Offerings, LLC  
Case No. 16-40520-btr

AGAP LS 309, LLC  
Case No. 16-40521-btr

AGAP LS 108, LLC  
Being filed concurrently

AGAP LS 109, LLC  
Being filed concurrently

AGAP LS 209, LLC  
Being filed concurrently

AGAP LS 509, LLC  
Being filed concurrently

B2030 (Form 2030) (12/15)

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

In re **AGAP LS 109, 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><b>\$10,000.00</b></u>
Prior to the filing of this statement I have received.....	<u><b>\$4,166.67</b></u>
Balance Due.....	<u><b>\$5,833.33</b></u>

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

- Debtor
- Other (specify)

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;

B2030 (Form 2030) (12/15)

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.

**03/25/2016**

*Date*

**/s/ Joyce Lindauer**

*Joyce Lindauer*

Joyce W. Lindauer Attorney, PLLC

12720 Hillcrest Road, Suite 625

Dallas, TX 75230

Phone: (972) 503-4033 / Fax: (972) 503-4034

Bar No. 21555700

**/s/ Jeffrey Madden**

**Jeffrey Madden**

**Manager**

**Fill in this information to identify the case:**

Debtor name AGAP LS 109, LLC

United States Bankruptcy Court for the: EASTERN DISTRICT OF TEXAS

Case number \_\_\_\_\_  
(if known)

Check if this is an amended filing

**Official Form 204**

**Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders**

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claims resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

	Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim		
					Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
1	Thomas W. Moore 10101 SW Freeway Suite 105 Houston, TX 77074		Investor				\$380,432.42
2	Gregory R. Heintz 3735 7th Avenue S.W. Naples, FL 34117		Investor				\$349,999.46
3	James P. Davitt 6659 Lakeridge Drive Texarkana, TX 75503		Investor				\$289,618.89
4	Thomas Moore Barbara Moore 35 Turtle Creek Sugarland, TX 77479		Investor				\$253,621.62
5	Billy Joe Ross 110 Cayuga Trail Lake Kiowa, TX 76240		Investor				\$214,646.22



Debtor

**AGAP LS 109, LLC**

Case number (if known) \_\_\_\_\_

Name

Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
6 C. Duane Bryan 10070 Winchester Wood Naples, FL 34109		Investor				\$185,291.18
7 Barbara Copeland 5455 La Sierra Drive Dallas, TX 75231		Investor				\$172,283.22
8 Paul Lyon 506 CR 441 Greenwood, MS 38930		Investor				\$170,282.51
9 Nell Lyon 120 King Richard Rd. Starkville, MS 39759		Investor				\$125,290.81
10 Charles Madden 10567 Buccaneer Point Frisco, TX 75324		Investor				\$125,193.72
11 Roy Clark 6106 CR 437 Princeton, TX 75407		Investor				\$96,108.00
12 John Mahlenkamp, Jr. 3409 Apple Blossom Lane McKinney, TX 75070		Investor				\$85,378.78
13 SuAnn Boles 6704 Springwood Circle Texarkana, TX 75503		Investor				\$81,439.13

Debtor

**AGAP LS 109, LLC**

Case number (if known) \_\_\_\_\_

Name

	Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
					Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
14	Terry Shear 564 Trust Drive Bayfield, CA 81122		Investor				\$80,096.87
15	Edward Ables 643 North Main Street Paris, TX 75460		Investor				\$77,748.10
16	Dennis Renfro 5017 Hopewell Drive Garland, TX 75043		Investor				\$77,699.69
17	Gary Hughes 2906 Queens Way Thousand Oaks, CA 91362		Investor				\$77,583.89
18	Kim Lopez 4220 Stanford Dallas, TX 75225		Investor				\$76,447.18
19	John E. Delhagen 1304 Glenfield Court Round Rock, TX 78665		Investor				\$72,673.04
20	Henry Willis Choate P.O. Box 507 Marietta, OK 73448		Investor				\$66,766.68

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

IN RE: **AGAP LS 109, 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 3/25/2016

Signature /s/ Jeffrey Madden  
*Jeffrey Madden*  
*Manager*

Date \_\_\_\_\_

Signature \_\_\_\_\_

3:10 Capital Investments  
P.O. Box 2525  
Fort Worth, TX 76113

AGAP Life Offerings, LLC  
10567 Buccaneer Point  
Frisco, TX 75034

Attorney General of Texas  
Bankruptcy Division  
PO Box 12548  
Austin, TX 78711-2548

Barbara Copeland  
5455 La Sierra Drive  
Dallas, TX 75231

Billy Joe Ross  
110 Cayuga Trail  
Lake Kiowa, TX 76240

C. Duane Bryan  
10070 Winchester Wood  
Naples, FL 34109

Charles D. Madden  
10567 Buccaneer Point  
Frisco, TX 75034

Charles Madden  
10567 Buccaneer Point  
Frisco, TX 75324

Charles McWilliams

Comptroller of Public Accts  
Rev Acctg Div/Bankruptcy Dept  
PO BOX 13528  
Austin, TX 78711

Darrell Campbell  
2102 Hickory Hills Road  
Florence, AL 35630

Dennis Renfro  
5017 Hopewell Drive  
Garland, TX 75043

Edward Ables  
643 North Main Street  
Paris, TX 75460

Edward Ables  
643 North Main Street  
Paris, X 75460

Gary Hughes  
2906 Queens Way  
Thousand Oaks, CA 91362

Green Bank  
4000 Green Briar  
Houston, TX 77098

Gregory R. Heintz  
3735 7th Avenue S.W.  
Naples, FL 34117

Heather Weisz  
8662 County Road 133  
Celina, TX 75009

Henry Willis Choate  
P.O. Box 507  
Marietta, OK 73448

Internal Revenue Service  
Mail Code DAL-5020  
1100 Commerce Street  
Dallas, Texas 75242

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

James P. Davitt  
6659 Lakeridge Drive  
Texarkana, TX 75503

Jared LeClair  
P.O. Box 84  
Tioga, TX 76271

Jeffrey N. Madden  
11180 Windjammer Drive  
Frisco, TX 75034

John E. Delhagen  
1304 Glenfield Court  
Round Rock, TX 78665

John Mahlenkamp, Jr.  
3409 Apple Blossom Lane  
McKinney, TX 75070

Judith (Chris) Cleminson (Hill)  
2385 Davis Blvd.  
Naples, FL 34104

Judith Campbell  
2102 Hickory Hills Road  
Florence, AL 35630

Kim Lopez  
4220 Stanford  
Dallas, TX 75225

Leon Levin  
5007 Forest Bend Rd.  
Dallas, TX 75244

Linebarger Goggan Blair & Sampson  
2777 N. Stemmons Freeway  
Suite 1000  
Dallas, TX 75207

Luis Quiroga  
6830 Lee Meadow Drive  
Frisco, TX 75035

Nancy Kennedy  
15851 Big Horn Trail  
Frisco, TX 75035

Nell Lyon  
120 King Richard Rd.  
Starkville, MS 39759

Paul Lyon  
506 CR 441  
Greenwood, MS 38930

Roy Clark  
6106 CR 437  
Princeton, TX 75407

SuAnn Boles  
6704 Springwood Circle  
Texarkana, TX 75503

Susan Choate  
P.O. Box 507  
Marietta, OK 73448

Terry Shear  
564 Trust Drive  
Bayfield, CA 81122

Texas Workforce Commission  
101 East 15th Street  
Austin, TX 78778-0001

Thomas Moore  
Barbara Moore  
35 Turtle Creek  
Sugarland, TX 77479

Thomas W. Moore  
10101 SW Freeway  
Suite 105  
Houston, TX 77074

U. S. Attorney  
110 N. College Ave.  
Suite 700  
Tyler, TX 75702-0204

U. S. Trustee's Office  
110 N. College Street  
Suite 300  
Tyler, TX 75702-7231

William Roberson  
7266 Kenny Lane  
Dallas, TX 75230