

UNITED STATES BANKRUPTCY COURT  
**NORTHERN DISTRICT OF TEXAS** Document Page 1 of 8  
**VOLUNTARY PETITION**

Name of Debtor (if individual, enter Last, First, Middle): <b>M/121 L.P., a Texas limited partnership</b> All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): <b>(SOS No. 12544010 and/or sucesor general partnership)</b> 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): <b>1411 S. Goliad Street</b> <b>Rockwall, Texas</b> ZIP CODE <b>75087</b> County of Residence or of the Principal Place of Business: <b>Rockwall County</b> Mailing Address of Debtor (if different from street address): <b>POB 339</b> <b>Rockwall, TX</b> ZIP CODE <b>75087</b> Location of Principal Assets of Business Debtor (if different from street address above): <b>5745 N. Hwy 121, The Colony, TX</b> ZIP CODE <b>75056</b>	Name of Joint Debtor (Spouse) (Last, First, Middle): 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): Street Address of Joint Debtor (No. and Street, City, and State): ZIP CODE County of Residence or of the Principal Place of Business: Mailing Address of Joint Debtor (if different from street address): ZIP CODE
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<b>Type of Debtor</b> (Form of Organization) (Check <b>one</b> 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 checked="" type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)	<b>Nature of Business</b> (Check <b>one</b> 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 <b>Convenience Store</b>	<b>Chapter of Bankruptcy Code Under Which the Petition is Filed</b> (Check <b>one</b> 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
<b>Chapter 15 Debtors</b> Country of debtor's center of main interests:  Each country in which a foreign proceeding by, regarding, or against debtor is pending:	<b>Tax-Exempt Entity</b> (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).	<b>Nature of Debts</b> (Check <b>one</b> 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.

<b>Filing Fee</b> (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.	<b>Chapter 11 Debtors</b> <b>Check one box:</b> <input checked="" type="checkbox"/> Debtor is a small business debtor as defined in 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).  <b>Check if:</b> <input checked="" type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,343,300 (amount subject to adjustment on 4/01/13 and every three years thereafter). ----- <b>Check all applicable boxes:</b> <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).
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<b>Statistical/Administrative Information</b>  <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.  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 checked="" 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 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 checked="" 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 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	<b>THIS SPACE IS FOR COURT USE ONLY</b>
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<b>Voluntary Petition</b> <i>(This page must be completed and filed in every case.)</i>	<b>Document</b> <b>Page 2 of 8</b> <b>Case 12-35934-sgj11 Doc 1 Filed 09/13/12 Entered 09/13/12 14:43:16 Desc Main Page 2</b>
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**All Prior Bankruptcy Cases Filed Within Last 8 Years** (If more than two, attach additional sheet.)

Location Where Filed: <b>NONE</b>	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: <b>See Attachment 2</b>	Case Number:	Date Filed:
District:	Relationship:	Judge:

<p style="text-align: center;"><b>Exhibit A</b></p> <p>(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)</p> <p><input type="checkbox"/> Exhibit A is attached and made a part of this petition.</p>	<p style="text-align: center;"><b>Exhibit B</b></p> <p>(To be completed if debtor is an individual whose debts are primarily consumer debts.)</p> <p>I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I have delivered to the debtor the notice required by 11 U.S.C. § 342(b).</p> <p>X _____ Signature of Attorney for Debtor(s)      (Date)</p>
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**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** Document Page 3 of 8  
*(This page must be completed and filed in every case.)* **Richard G. Grant PC, a Texas limited partnership**

**Signatures**

**Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.  
 [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.  
 [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X \_\_\_\_\_  
 Signature of Debtor **See Attachment 1**

X \_\_\_\_\_  
 Signature of Joint Debtor

\_\_\_\_\_  
 Telephone Number (if not represented by attorney)

\_\_\_\_\_  
 Date

**Signature of a Foreign Representative**

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only **one** box.)

I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached.

Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

X \_\_\_\_\_  
 (Signature of Foreign Representative)

\_\_\_\_\_  
 (Printed Name of Foreign Representative)

\_\_\_\_\_  
 Date

**Signature of Attorney\***

X **/s//s/ Richard G. Grant** \_\_\_\_\_  
 Signature of Attorney for Debtor(s)  
**Richard G. Grant** \_\_\_\_\_  
 Printed Name of Attorney for Debtor(s)  
**Richard G. Grant PC** \_\_\_\_\_  
 Firm Name

**The Crescent, 7th Floor, 100 Crescent Court, Suite 700** \_\_\_\_\_  
**Dallas, Texas 75201** \_\_\_\_\_  
 Address  
**(214) 210-2929** \_\_\_\_\_  
 Telephone Number  
**September 13, 2012** \_\_\_\_\_  
 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 the relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X **/s/Tony E. Arterburn, Jr.** \_\_\_\_\_  
 Signature of Authorized Individual  
**Tony E. Arterburn, Jr.** \_\_\_\_\_  
 Printed Name of Authorized Individual  
**President of General Partner** \_\_\_\_\_  
 Title of Authorized Individual  
**September 13, 2012** \_\_\_\_\_  
 Date

\_\_\_\_\_  
 Address

X \_\_\_\_\_  
 Signature

\_\_\_\_\_  
 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.*

## **Attachment**

### **Attachment 1**

**M/121 L.P., a Texas limited partnership**

***Attachment 2***  
***Listing of Affiliate Bankruptcies:***

Elam Road, L.P., Skirmish, L.L.C., Universal Metro Holdings, Inc., Azle, L.P.; BTCMC, Ltd.; and One Stop III L.P., Jointly Administered under Case No. 09-32164 (Hale) (Chapter 7), United States Bankruptcy Court, Northern District of Texas, Dallas Division

TRock, L.P., Case No. 12-35785-BJH-11 (Houser), United States Bankruptcy Court, Northern District of Texas, Dallas Division

Metro-Arterburn Holdings 1, L.P., Case No. 12-35793-HDH-11 (Hale), United States Bankruptcy Court, Northern District of Texas, Dallas Division

Texron Energy, LLC, Case No. 12-40193 (Rhodes), United States Bankruptcy Court, Eastern District of Texas, Sherman Division

**M/121 L.P. RESOLUTION**  
**APPROVING BANKRUPTCY FILING**

Be it hereby known that, at the Meeting of the Board of Directors of Montego Corporation, a Texas corporation, (the "Company"), the general partner of M/121 L.P., a Texas limited partnership or its successor, M/121 LP, a Texas general partnership (the "Partnership"), held on September 13, 2012, the following resolutions were presented and approved by a majority vote of the members in accordance with the bylaws of the Company, as the general partner of the Partnership:

NOW, THEREFORE, IT IS HEREBY RESOLVED, on behalf of the Partnership, as follows:

RESOLVED, that in the judgment of the Directors of the Company, it is desirable and in the best interest of the Partnership, its creditors, employees, and other interested parties that a petition be filed by the Partnership seeking relief under the provisions of chapter 11 of Title 11, United States Code (the "Bankruptcy Code"); and be it further

RESOLVED, that the Officers of the Company, including, without limitation, the President, any Vice President, Treasurer, Secretary and other officers of the Company, are hereby authorized on behalf of, and in the name of, the Partnership to execute and verify or certify a petition under chapter 11 of the Bankruptcy Code and to cause the same to be filed in the United States Bankruptcy Court for the Northern District of Texas at such time as said officer executing the same shall determine; and be it further

RESOLVED, that Richard G. Grant, P.C. be, and it hereby is, retained and employed as bankruptcy counsel for the Partnership in the Partnership's chapter 11 case by depositing a retainer by or on behalf of the Partnership with the firm in the amount of [REDACTED] and be it further

RESOLVED, that the appropriate officers of the Company be, and each of them hereby is, authorized to execute and file all petitions, schedules, motions, lists, applications, pleadings, and other papers, and in that conjunction, to employ and retain all assistance by legal counsel, accountants, and other professionals, and to take and perform any and all further acts and deeds which they deem necessary, proper and desirable in connection with the chapter 11 case, with a view to the successful prosecution of the case.

RESOLVED, that the principal place of business of the Partnership shall be 1411 S. Goliad Street, Rockwall, TX 75087 until otherwise designated by the Company, as general partner of the Partnership.

RESOLVED, that all prior resolutions, or any part thereof, in conflict with any or all of the foregoing resolutions are hereby repealed to the extent of such conflict.

I certify that the adoption of the above resolutions is duly within the authority of the Directors of the Company and that no further action is necessary for the efficacy of these resolutions.

I further certify that said resolutions are still in force and effect and have not been amended or revoked, and that the signature appearing below is the signature of the officer authorized to sign for the Company.

The above resolutions are true and correct and are part of the recorded minutes of the aforementioned meeting of the Directors of the Company.

IN WITNESS WHEREOF, I have hereunto subscribed my name on Thursday, September 13, 2012

/s/ Tony E. Arterburn Sr.  
Tony E. Arterburn, Sr.  
Sole Director of the Company

/s/ Tony E. Arterburn Jr.  
Tony E. Arterburn, Jr.  
President of the Company

I further certify that said resolutions are still in force and effect and have not been amended or revoked, and that the signature appearing below is the signature of the officer authorized to sign for the Company.

The above resolutions are true and correct and are part of the recorded minutes of the aforementioned meeting of the Directors of the Company.

IN WITNESS WHEREOF, I have hereunto subscribed my name on Wednesday, September 12, 2012

Tony E. Arterburn, Sr.  
Tony E. Arterburn, Sr.  
Sole Director of the Company

Tony E. Arterburn, Jr.  
Tony E. Arterburn, Jr.  
President of the Company