

B1 (Official Form 1) (1/08)

	ED STATES E SOUTHERN DIS HOUSTO		OF TEXAS Vol			oluntary Petition		
Name of Debtor (if individual, enter Last, First, Middle): Eversole, Gregory Dean				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-Taxpathan one, state all): xxx-xx-2485	yer I.D. (ITIN) No./C	Complete EIN (if	more		our digits of Soc. Sone, state all):	ec. or Individual-	Taxpayer I.D. (I	TIN) No./Complete EIN (if more
Street Address of Debtor (No. and Street, City, 311 Cedar Ridge Magnolia, TX	and State):			Street Address of Joint Debtor (No. and Street, City, and State):				
		ZIP CODE 77354						ZIP CODE
County of Residence or of the Principal Place of Montgomery	of Business:			Count	ty of Residence or o	of the Principal P	lace of Busines	ss:
Mailing Address of Debtor (if different from stre 311 Cedar Ridge Magnolia, TX	et address):			Mailin	g Address of Joint I	Debtor (if differer	nt from street ac	ddress):
		ZIP CODE 77354						ZIP CODE
Location of Principal Assets of Business Debto	r (if different from st	reet address ab	ove):					
								ZIP CODE
Type of Debtor (Form of Organization) (Check one box.) ✓ Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. ☐ Corporation (includes LLC and LLP) ☐ Partnership ☐ Other (If debtor is not one of the above entities, check this box and state type of entity below.)	(Che	Real Estate as o § 101(51B) Broker	defined) ization States			(Chec consumer U.S.C. ed by an or a house-	Check or Chap of a F Chap of a F Chap of a F e of Debts k one box.) Debts busin	ne box.) Inter 15 Petition for Recognition Foreign Main Proceeding Inter 15 Petition for Recognition Foreign Nonmain Proceeding Inter 15 Petition for Recognition Inter 15 Petition for Rec
Filing Fee (Check one box.) ✓ Full Filing Fee attached.				Check one box: Chapter 11 Debtors Debtor is a small business debtor as defined by 11 U.S.C. § 101(51D).				
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. Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.				☑ Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: ☐ Debtor's aggregate noncontigent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000. Check all applicable boxes: ☐ 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).				
Statistical/Administrative Information Debtor estimates that funds will be availat Debtor estimates that, after any exempt p there will be no funds available for distributions.	ole for distribution to roperty is excluded	and administrati		es paid	1,			THIS SPACE IS FOR COURT USE ONLY
Estimated Number of Creditors	1,000- 5,000	5,001- 10,000	10,001- 25,000			50,001- 100,000	Over 100,000	
Stimated Assets		\$10,000,001 to \$50 million	\$50,000 to \$100		\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion	More than \$1 billion	
Stimated Liabilities	\$1,000,001 on to \$10 million	\$10,000,001 to \$50 million	\$50,000 to \$100		\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion	More than \$1 billion	

B1 (Official Form 1) (1/08)			Page 2		
Voluntary Petition	Name of Debtor(s): Greg	ory Dean Eversole			
(This page must be completed and filed in every case.)					
All Prior Bankruptcy Cases Filed Within Last	8 Years (If more than two	o, attach additional sheet.)			
Location Where Filed:	Case Number:	Date Filed:			
None Location Where Filed:	Case Number:	Date Filed:			
Eddaton where riled.	Case Number.	Date i lieu.			
Pending Bankruptcy Case Filed by any Spouse, Partner of	Affiliate of this Debtor	(If more than one, attach additional sheet	t.)		
Name of Debtor:	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.	whos I, the attorney for the petition informed the petitioner that [of title 11, United States Cod	Exhibit B be completed if debtor is an individual e debts are primarily consumer debts.) her named in the foregoing petition, declare that I have he or she] may proceed under chapter 7, 11, 12, or de, and have explained the relief available under each y that I have delivered to the debtor the notice (b).	13		
	X				
	Λ	Date			
Does the debtor own or have possession of any property that poses or is alleged to pos	hibit C e a threat of imminent and ident	fiable harm to public health or safety?			
Yes, and Exhibit C is attached and made a part of this petition. ✓ No.					
	hibit D				
 (To be completed by every individual debtor. If a joint petition is filed, eac ☑ Exhibit D completed and signed by the debtor is attached and m If this is a joint petition: ☐ Exhibit D also completed and signed by the joint debtor is attached. 	ade a part of this petition.				
	ling the Debtor - Venue	pennon.			
	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 part	ner, 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 Resid		ntial Property			
(Check all applications) Landlord has a judgment against the debtor for possession of debtor'	oplicable boxes.) s residence (If box checks	ed complete the following)			
	o residence. (ii box oneoid	sa, complete the following.			
Ī	Name of landlord that obta	ined judgment)			
Ī	(Address of landlord)				
Debtor claims that under applicable nonbankruptcy law, there are circ monetary default that gave rise to the judgment for possession, after			е		
Debtor has included in this petition the deposit with the court of any repetition.	ent that would become due	during the 30-day period after the filing of th	ie		
Debtor certifies that he/she has served the Landlord with this certification.	tion. (11 U.S.C. § 362(I))				

	r age v				
Voluntary Petition	Name of Debtor(s): Gregory Dean Eversole				
(This page must be completed and filed in every case)					
Sig	natures				
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).	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.				
I request relief in accordance with the chapter of title 11, United States Code, specified in this petition. X_/s/ Gregory Dean Eversole	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.				
Gregory Dean Eversole	X				
X	(Signature of Foreign Representative)				
Telephone Number (If not represented by attorney) 11/23/2009	(Printed Name of Foreign Representative)				
Date	Date				
Signature of Attorney* X /s/ Julie M. Koenig Bar No. 14217300 jkoenig@towkoenig.com Tow & Koenig PLLC 26219 Oak Ridge Drive The Woodlands, TX 77380 Phone No.(281) 681-9100 Fax No.(832) 482-3979 11/23/2009 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 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	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.)				
the debtor. The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.	Address X				
X	Date Signature of bankruptcy petiton preparer or officer, principal, responsible person, or partner whose Social-Security number is provided above.				
Printed Name of Authorized Individual	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.				
Title of Authorized Individual	If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.				
Date	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.				

B 201 (12/08)

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

IN RE: Gregory Dean Eversole

NOTICE TO INDIVIDUAL CONSUMER DEBTOR(S) UNDER § 342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order to ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a JOINT CASE (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a statement with the court requesting that each spouse receive a separate copy of all notices.

1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days BEFORE the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the course.

2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

<u>Chapter 7</u>: <u>Liquidation</u> (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total fee \$299)

1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

- 2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.
- 3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.
- 4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

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UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

IN RE: Gregory Dean Eversole

Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)

- 1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
- 2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.
- 3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

WARNING: Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

Certificate of Compliance with § 342(b) of the Bankruptcy Code						
I,Julie M. Koenig	_, counsel for Debtor(s), hereby certify that I delivered to the Debtor(s) the Notice					
required by § 342(b) of the Bankruptcy Code.						
/s/ Julie M. Koenig						
Julie M. Koenig, Attorney for Debtor(s)						
Bar No.: 14217300						
Tow & Koenig PLLC						

26219 Oak Ridge Drive The Woodlands, TX 77380 Phone: (281) 681-9100 Fax: (832) 482-3979

E-Mail: jkoenig@towkoenig.com

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UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

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IN RE: Gregory Dean Eversole

Certificate of the Debtor

I (We), the debtor(s), affirm that I (we) have received and read this notice.

Gregory Dean Eversole	X /s/ Gregory Dean Eversole	11/23/2009	
	Signature of Debtor	Date	
Printed Name(s) of Debtor(s)	x		
Case No. (if known)	Signature of Joint Debtor (if any)	Date	

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

IN RE: Gregory Dean Eversole CASE NO

CHAPTER 11

DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR

	DISCLOSURE	OI COMIFEINS	ATION OF ATTORNE	. I I ON DEBION
1.	that compensation paid to me withi	n one year before the	filing of the petition in bankru	rney for the above-named debtor(s) and uptcy, or agreed to be paid to me, for in connection with the bankruptcy case
	For legal services, I have agreed to	accept:	Hourly: Estimated Total	\$20,000.00
	Prior to the filing of this statement I	have received:	-	\$15,000.00
	Balance Due:		Hourly: Approximately	\$5,000.00
2.	The source of the compensation pa	aid to me was:		
	. Debtor	Other (specify)		
3	The source of compensation to be	naid to me is:		
Ο.	☑ Debtor	Other (specify)		
4.	I have not agreed to share the associates of my law firm.	above-disclosed com	pensation with any other per	son unless they are members and
				r persons who are not members or mes of the people sharing in the
5.	a. Analysis of the debtor's financia bankruptcy;b. Preparation and filing of any pet	situation, and render	ing advice to the debtor in de	ects of the bankruptcy case, including: etermining whether to file a petition in ich may be required; and any adjourned hearings thereof;
6.	By agreement with the debtor(s), the	e above-disclosed fee	e does not include the followi	ng services:
		CF	ERTIFICATION	
	I certify that the foregoing is a corepresentation of the debtor(s) in the	emplete statement of a	any agreement or arrangeme	ent for payment to me for
	11/23/2009	/s/ Ju	ılie M. Koenig	
	Date	Julie Tow 8 26219 The V	M. Koenig & Koenig PLLC 9 Oak Ridge Drive Voodlands, TX 77380 e: (281) 681-9100 / Fax: (83	Bar No. 14217300 2) 482-3979
	/s/ Gregory Dean Eversole			
	Gregory Dean Eversole			
	J. Jgory Douri Eversore			

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UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

IN RE: Gregory Dean Eversole CASE NO

CHAPTER 11

VERIFICATION OF CREDITOR MATRIX

	The above named I	Debtor hereby ver	ifies that the a	attached list of	creditors is tru	e and correct to th	e best of h	iis/her
know	rledge.							

Date 11/23/2009	Signature _/s/ Gregory Dean Eversole Gregory Dean Eversole	
Date	Signature	

Attorney General
Department of Justice
10th and Constitution Ave N.W.
Rm. 400
Washington, D.C. 20530

ATTORNEY GENERAL
TAX DIV. - BANKRUPTCY
POB 12548
AUSTIN, TX 78711

CNH Capital
P.O. Box 1700
New Holland, PA 17557

Internal Revenue Service 1919 Smith St. Stop 5022 HOU Houston, TX 77002

Internal Revenue Service Insolvency Department PO Box 21126 Philadelphia, PA 19114

Internal Revenue Service Office of Chief Counsel 8701 S. Gessner Suite 710 Houston, TX 77074

Internal Revenue Service Centralized Insolvency Processing PO Box 21126 Philadelphia, PA 19114

Internal Revenue Service 1919 Smith St. Stop 5025 HOU Houston, TX 77002

Julie M. Koenig 26219 Oak Ridge Drive The Woodlands, Texas 77380 Komatsu Financial L.P. One Continental Towers 1701 W. Golf Road, Ste. 300 P.O. Box 5050 Rolling Meadows, IL 60008

Midsouth Bank P.O. Box 3745 Lafayette, LA 70502

SECURITIES AND EXCHANGE COMMISSION 450 FIFTH STREET NW WASHINGTON, DC 20549

Sundance Fuels, Ltd. 27528 E. Hardy Rd. Spring, Texas 77373-8425

Texas Community Bank 16610 I-45 The Woodlands, Texas 77384

TEXAS COMPTROLLER OF PUBLIC ACCOUNTS COLLECTION DIVISION-BANKRUPTCY PO BOX 12548
AUSTIN, TX 78711-2548

United States Trustee 515 Rusk Avenue, Ste. 3516 Houston, TX 77002

Waukesha-Pearce Industries, Inc. P.O. Box 35068 Houston, Texas 77235-5068

WELLS FARGO EQUIPMENT FINANCE, INC. 733 MARQUETTE, Ste 700 MINNEAPOLIS, MN 55402