15-60381-rbk Doc#1-1 Filed 05/04/15 Entered 05/04/15 09:06:51 Voluntary Petition Pg 05/04/2015 04:04:08pm B1 (Official Form 1) (04/13)

United States Bankruptcy Court WESTERN DISTRICT OF TEXAS **Voluntary Petition WACO DIVISION** Name of Debtor (if individual, enter Last, First, Middle): Name of Joint Debtor (Spouse) (Last, First, Middle): Shivangi, Inc. All Other Names used by the Debtor in the last 8 years All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): (include married, maiden, and trade names): Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all): than one, state all): 20-2880150 Street Address of Debtor (No. and Street, City, and State): Street Address of Joint Debtor (No. and Street, City, and State): 4610 Mesa Drive Killleen, TX ZIP CODE ZIP CODE 76542 County of Residence or of the Principal Place of Business: County of Residence or of the Principal Place of Business: **Bell County Texas** Mailing Address of Debtor (if different from street address): Mailing Address of Joint Debtor (if different from street address): 4610 Mesa Drive Killeen TX 76542 ZIP CODE ZIP CODE Location of Principal Assets of Business Debtor (if different from street address above): ZIP CODE Type of Debtor (Form of Organization) **Nature of Business** Chapter of Bankruptcy Code Under Which (Check one box.) the Petition is Filed(Check one box.) (Check one box.) lealth Care Business Chapter 7 Single Asset Real Estate as defined Chapter 15 Petition for Recognition Individual (includes Joint Debtors) Chapter 9 in 11 U.S.C. § 101(51B) See Exhibit D on page 2 of this form. of a Foreign Main Proceeding Chapter 11 Railroad Corporation (includes LLC and LLP) Chapter 15 Petition for Recognition Chapter 12 Stockbroke Partnership of a Foreign Nonmain Proceeding Chapter 13 Commodity Broker Other (If debtor is not one of the above entities, check Clearing Bank this box and state type of entity below.) Nature of Debts Other (Check one box.) **Chapter 15 Debtors** Tax-Exempt Entity Debts are primarily consumer Debts are primarily Country of debtor's cente (Check box, if applicable.) debts, defined in 11 U.S.C. business debts. § 101(8) as "incurred by an Debtor is a tax-exempt organization Each country in which a foreign proceeding by, regarding, or individual primarily for a under title 26 of the United States personal, family, or houseagainst debtor is pending: Code (the Internal Revenue Code). hold purpose." Filing Fee (Check one box.) Chapter 11 Debtors Check one box: Debtor is a small business debtor as defined by 11 U.S.C. § 101(51D). Full Filing Fee attached. Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: Filing Fee to be paid in installments (applicable to individuals only). Must attach Debtor's aggregate noncontigent liquidated debts (excluding debts owed to 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. insiders or affiliates) are less than \$2,490,925 (amount subject to adjustment on 4/01/16 and every three years thereafter). Filing Fee waiver requested (applicable to chapter 7 individuals only). Must Check all applicable boxes: attach signed application for the court's consideration. See Official Form 3B. 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 THIS SPACE IS FOR COURT USE ONLY Debtor estimates that funds will be available for distribution to unsecured creditors. 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 ⊻ 199 5,000 10.000 50.000 100.000 100.000 25.000 Estimated Assets \$500,001 1.000,001 \$100,001 to \$10.000,001 \$100,000,001 500,000,001 50,001 to More than \$50,000,001 \$50,000 \$100,000 \$500,000 to \$1 million to \$10 million to \$50 million to \$100 million to \$500 million to \$1 billion \$1 billion Estimated Liabilities ,001 550,001 to More than \$100,001 to \$1.000.001 \$<del>10,</del>000,001 \$100,000,001 \$50 000 001 \$500.000.001

to \$500 million

to \$1 billion

\$1 billion

\$100,000

\$50,000

\$500,000

to \$1 million

to \$10 million

to \$50 million

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Page 2 B1 (Official Form 1) (04/13) Shivangi, Inc. **Voluntary Petition** Name of Debtor(s): (This page must be completed and filed in every case.) All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet.) Location Where Filed: Case Number 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.) Case Number: Name of Debtor District: Relationship: Judge Exhibit B Exhibit A (To be completed if debtor is required to file periodic reports (e.g., forms 10K and whose debts are primarily consumer debts.) 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. 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 Exhibit A is attached and made a part of this petition. required by 11 U.S.C. § 342(b). 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. **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 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 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 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

Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(I)).

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05/04/2015 04:04:08pm
Page 3 B1 (Official Form 1) (04/13) Shivangi, Inc. **Voluntary Petition** Name of Debtor(s): (This page must be completed and filed in every case) **Signatures** Signature(s) of Debtor(s) (Individual/Joint) Signature of a Foreign Representative I declare under penalty of perjury that the information provided in this petition is I declare under penalty of perjury that the information provided in this petition is true true and correct. and correct, that I am the foreign representative of a debtor in a foreign proceeding, [If petitioner is an individual whose debts are primarily consumer debts and has and that I am authorized to file this petition. chosen to file under chapter 71 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 (Check only one box.) each such chapter, and choose to proceed under chapter 7. request relief in accordance with chapter 15 of title 11, United States Code. [If no attorney represents me and no bankruptcy petition preparer signs the Certified copies of the documents required by 11 U.S.C. § 1515 are attached. 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. Pursuant to 11 U.S.C. § 1511. I request relief in accordance with the chapter of specified in this petition. title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached. (Signature of Foreign Representative) (Printed Name of Foreign Representative) Telephone Number (If not represented by attorney) Date Signature of Attorney\* Signature of Non-Attorney Bankruptcy Petition Preparer I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer X /s/ John A. Montez defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and Bar No.14285000 John A. Montez 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 Montez & Williams, P.C. maximum fee for services chargeable by bankruptcy petition preparers, I have 3809 W. Waco Drive given the debtor notice of the maximum amount before preparing any document Waco, TX 76710 for filing for a debtor or accepting any fee from the debtor, as required in that Phone No(254) 759-8600 Fax(254) 759-8700 Printed Name and title, if any, of Bankruptcy Petition Preparer 5/4/2015 Date Social-Security number (If the bankruptcy petition preparer is not an individual, \*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a state the Social-Security number of the officer, principal, responsible person or certification that the attorney has no knowledge after an inquiry that the partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.) 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 the debtor Address The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition X Shivangi, Inc. Signature of bankruptcy petiton preparer or officer, principal, responsible person, or X /s/ Vinayak K. Patel partner whose Social-Security number is provided above. Signature of Authorized Individual Names and Social-Security numbers of all other individuals who prepared or Vinayak K. Patel assisted in preparing this document unless the bankruptcy petition preparer is not Printed Name of Authorized Individual an individual. **Presiident** Title of Authorized 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.

5/4/2015

Date

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# UNITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF TEXAS WACO DIVISION

IN RE: Shivangi, Inc. CASE NO

CHAPTER 11

#### DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR

	DISCLUSURE	OF COMPENSATION OF A	TITORNET FOR DEBT	UR		
t s	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:					
F	For legal services, I have agreed to	accept:	\$0.00			
Prior to the filing of this statement I have recei		nave received:	\$26,000.00			
E	Balance Due:		(\$26,000.00)			
2.	The source of the compensation pai	d to me was:				
	<b>☑</b> Debtor	Other (specify)				
3. <sup>-</sup>	The source of compensation to be p	paid to me is:				
	Debtor [	Other (specify)				
<sup>1.</sup>	I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.					
l		sed compensation with another person or person agreement, together with a list of the names of				
a b	a. Analysis of the debtor's financial situation, bankruptcy;	greed to render legal service for all aspects of t and rendering advice to the debtor in determining dules, statements of affairs and plan which may	ng whether to file a petition in			
6. I	By agreement with the debtor(s), the	e above-disclosed fee does not include	le the following services:			
		CERTIFICATION				
r	I certify that the foregoing is a complete sta representation of the debtor(s) in this bankrup	ntement of any agreement or arrangement for particle proceeding.	ayment to me for			
	5/4/2015	/s/ John A. Montez				
-	Date	John A. Montez  Montez & Williams, P.C.	Bar No.	. 14285000		
		3809 W. Waco Drive				
		Waco, TX 76710				
		Phone: (254) 759-8600 / Fa	ax: (254) 759-8700			
	/a/Vinavalv K. Detel					
-	/s/ Vinayak K. Patel					

Vinayak K. Patel Presiident B4 (Official Form 4) (12/07)

### UNITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF TEXAS WACO DIVISION

IN RE: Shivangi, Inc. 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)
(1)	Name, telephone number	(3)	Indicate if	(3)
	and		claim is	
	complete mailing address,		contingent,	
	including zip code, of		unliquidate	
Name of creditor and				Amount of claim [if
complete	employee, agent, or	Nature of claim (trade debt, bank	d,	secured also state
mailing address, including	department of creditor		disputed, or	value of security]
mailing address, including	familiar	loan,	subject to	value of security]
Southwestern National Bank		Promissory note	Contingen	t \$630,000.00
6901 Corporate Drive			Unliquidated	
Houston TX 77036			Disputed	y Value: \$80,000.00
Vijay Mehta and Vinoo Mehta		Contract		\$105,000.00
4101 Hickory Road				
Temple, TX 76502				
Tiwari & Bell PLLC		legal fees		\$24,500.00
12002 Bandera Rd., Ste. 102				Ψ2-1,000.00
Helotes, TX 78023				
Robert Hindman		legal fees		\$3,000.00
5620 Old Bullard Road Suite				
105				
Tyler, TX 75703				
Leyh & Payne LLP		represents Southwestern		\$0.00
B. Seth Payne		National Bank		φυ.υυ
9545 Katy Freeway, Suite		. Isaa ii aa ii		
200				
Houston TX 77024				

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### UNITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF TEXAS WACO DIVISION

IN RE: Shivangi, Inc. Case No.

Chapter 11

#### LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Continuation Sheet No. 1

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

I, the	Presiident	(	of the	Corporation	
named as the debtor	r in this case, declare under penalty of perjury	that I have read the fo	oregoing list and that it is true	and correct to the	
best of my information	on and belief.				
Date: 5/4/2015	5	Signature: /s	/ Vinayak K. Patel		
		•	inayak K. Patel		
		Pr	esiident		

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## UNITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF TEXAS WACO DIVISION

IN RE: Shivangi, Inc. CASE NO

CHAPTER 11

#### **VERIFICATION OF CREDITOR MATRIX**

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

Date <u>5/4/2015</u>	Signature <u>Is/ Vinayak K. Patel</u> Vinayak K. Patel Presiident	
Date	Signature	