13-10892-tmd Doc#1 Filed 05/06/13 Entered 05/06/13 17:47:57 Main Document Pg 1 of 14 B1 (Official Form 1) (04/13) **United States Bankruptcy Court WESTERN DISTRICT OF TEXAS** Voluntary Petition **AUSTIN DIVISION** Name of Debtor (if individual, enter Last, First, Middle): Name of Joint Debtor (Spouse) (Last, First, Middle): AcuTec Collision, LLC All Other Names used by the Joint Debtor in the last 8 years All Other Names used by the Debtor in the last 8 years (include married maiden and trade names): (include married, maiden, and trade names): dba Haas Collision 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): 26-3058323 than one, state all): Street Address of Debtor (No. and Street, City, and State): Street Address of Joint Debtor (No. and Street, City, and State): 10505 Burnet Road Austin, TX ZIP CODE ZIP CODE 78758 County of Residence or of the Principal Place of Business: County of Residence or of the Principal Place of Business: Travis Mailing Address of Debtor (if different from street address): Mailing Address of Joint Debtor (if different from street address): 10505 Burnet Road Austin, TX ZIP CODE ZIP CODE 78758 Location of Principal Assets of Business Debtor (if different from street address above): ZIP CODE Type of Debtor **Nature of Business** Chapter of Bankruptcy Code Under Which (Form of Organization) (Check one box.) (Check one box.) the Petition is Filed (Check one box.) Health Care Business Chapter 7 Chapter 15 Petition for Recognition Individual (includes Joint Debtors) Single Asset Real Estate as defined Chapter 9 in 11 U.S.C. § 101(51B) of a Foreign Main Proceeding See Exhibit D on page 2 of this form.  $\overline{\mathbf{V}}$ Chapter 11 Railroad Corporation (includes LLC and LLP)  $\sqrt{\phantom{a}}$ Chapter 15 Petition for Recognition Chapter 12 Stockbroker of a Foreign Nonmain Proceeding Partnership 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  $\square$ Other (Check one box.) **Chapter 15 Debtors** Tax-Exempt Entity ✓ Debts are primarily Debts are primarily consumer Country of debtor's center of main interests (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 individual primarily for a personal, family, or house-Each country in which a foreign proceeding by, regarding, or under title 26 of the United States against debtor is pending: Code (the Internal Revenue Code). hold purpose. Filing Fee (Check one box.) Check one box: Chapter 11 Debtors 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). Debto 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 insiders or affiliates) are less than \$2,490,925 (amount subject to adjustment on 4/01/16 and every three years thereafter). unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. Check all applicable boxes: Filing Fee waiver requested (applicable to chapter 7 individuals only). Must 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** 25,001 Over 5,001-10,001-50,001-200-999 1.000-**∐** 50-99 \_\_\_ 100-199 5 000 10.000 25.000 50.000 100.000 100.000

\$50,000,001

\$50,000,001

to \$100 million

to \$100 million

\$10,000,001

to \$50 million

\$10,000,001

to \$50 million

\$100,000,001

to \$500 million

\$100,000,001

to \$500 million

\$500,000,001

\$500,000,001

to \$1 billion

to \$1 billion

More than

\$1 billion

More than

\$1 billion

Estimated Assets

\$50,000 \$100,000

Estimated Liabilities

\$50,000 \$100,000

\$50,001 to

\$50,001 to

\$100,001 to

\$100,001 to \$500,001

\$500,000

\$500,000

\$500,001

to \$1 million

to \$1 million

\$1,000,001

\$1,000,001

to \$10 million

to \$10 million

#### 13-10892-tmd Doc#1 Filed 05/06/13 Entered 05/06/13 17:47:57 Main Document Pg 2 of 14

B1 (Official Form 1) (04/13) Name of Debtor(s): AcuTec Collision, LLC **Voluntary Petition** (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: Date Filed: None 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: Case Number: Date Filed: District: Relationship: Judae: **Exhibit B Exhibit A** (To be completed if debtor is an individual (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) I, the attorney for the petitioner named in the foregoing petition, declare that I have of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.) 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). **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.  $\sqrt{\phantom{a}}$ 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(I)).

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B1 (Official Form 1) (04/13)	Page 3
Voluntary Petition	Name of Debtor(s): AcuTec Collision, LLC
(This page must be completed and filed in every case)	
Sig	natures
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 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 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.	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)
Telephone Number (If not represented by attorney)	
Date	Date
Signature of Attorney*  X /s/ B. Weldon Ponder, Jr. B. Weldon Ponder, Jr. Bar No. 16110400  B. Weldon Ponder, Jr., Attorney at Law 9442 Capital of Texas Highway North Arboretum Plaza One, Suite 500 Austin, TX 78759  Phone No.(512) 342-8222 Fax No.(512) 342-8444  5/6/2013 Date	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
*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 the debtor.	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.  AcuTec Collision, LLC	Address X Date
X /s/ Michael S. Ombres Signature of Authorized Individual  Michael S. Ombres Printed Name of Authorized Individual	Signature of bankruptcy petiton 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.
Member and Manager  Title of Authorized Individual  5/6/2013	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.

# UNITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF TEXAS AUSTIN DIVISION

IN RE: AcuTec Collision, LLC 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).

Name of creditor and complete mailing address, including zip code	(2)  Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, goverment contract, etc.)	(4) Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured also state value of security]
Wells Fargo Bank, N.A. SBA Lending 4406 Piedras Dr. West, Ste. 100 San Antonio, TX 78228		Security interest (all assets)may be unperfected	Seto	\$374,072.69 Value: \$122,805.02
Internal Revenue Service Special Procedures Staff - Insolvency P.O. Box 7346 Philadelphia, PA 19101-7346		Payroll taxes		\$66,000.00
State Comptroller of Public Accts. Rev. Acct. DivBankr. Section P.O. Box 13528 Austin, Texas 78711		Sales Taxes		\$16,500.00
Gladwin Paint Company 2000 Broadway San Antonio, TX 78215		Goods purchased on account		\$14,331.08
Henna Chevrolet 8805 N. IH-35 Austin, TX 78761		Goods purchased on account		\$8,077.57
Capital Access (AdvanceMe) 3rd Floor, Ste. 302 414 W. 14th Street New York, NY 10014		Security interest		\$5,900.00 Value: \$0.00

# UNITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF TEXAS AUSTIN DIVISION

IN RE: AcuTec Collision, LLC Case No.

Chapter 11

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

Continuation Sheet No. 1

(1)	(2)	(3)	(4)	(5)
(1)	Name, telephone number and complete mailing address, including zip code, of		Indicate if claim is contingent,	(8)
Name of creditor and complete mailing address, including zip code	employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	unliquidated, disputed, or subject to setoff	Amount of claim [if secured also state value of security]
Roger Beasley Mazda 4506 S. IH-35 Austin, TX 78745	,	Goods purchased on account	,	\$5,103.49
Leif Johnson Ford 501 E. Koenig Lane Austin, TX 78751		Goods purchased on account		\$3,884.30
State Comptroller of Public		Sales Taxes		\$3,752.58
Accts. Rev. Accting Div Bankr. Section P.O. Box 13528 Austin, Texas 78711				Value: \$0.00
Ingram Park Nissan 6990 NW Loop 410 San Antonio, TX 78238		Goods purchased on account		\$3,123.06
Snyders 24549 State Hwy. 85 Holland, TX 76534		Goods purchased on account		\$2,920.00
City of Austin Utilities P.O. Box 2267 Austin, TX 78783-226		Electric utility services		\$2,571.51
KXAN-TV 908 W. Martin Luther King, Jr. Blvd. Austin, TX 78701		Advertising services		\$2,544.50

# UNITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF TEXAS AUSTIN DIVISION

IN RE: AcuTec Collision, LLC Case No.

Chapter 11

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

Continuation Sheet No. 2

(4)	/0\	(2)	(4)	(E)
(1)  Name of creditor and complete mailing address, including zip	(2) Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be	(3)  Nature of claim (trade debt, bank loan,	(4) Indicate if claim is contingent, unliquidated, disputed, or subject to	(5)  Amount of claim [if secured also state
code	contacted	goverment contract, etc.)	setoff	value of security]
Equipment Solutions P.O. Box 2287 Round Rock, TX 78680	•	Goods purchased on account		\$2,524.44
Wheel Technologies 13250 Valley Branch Ln Dallas, TX 75234		Goods purchased on account	Dispute	ed \$1,350.00
Zurich Insurance P.O. Box 968023 Schaumburg, II 60196		Insurance		\$1,300.00
CarQuest 1400 E. 5th Street Austin, TX 78702		Goods purchased on account		\$1,200.00
BMW of Austin 7011 McNeil Drive Austin, TX 78729		Goods purchased on account		\$1,200.00
Carlos Marin 805 Palitine Lane Pfluggerville, TX 78660		Services provided by employee		\$1,097.40
Jerry's Towing 5526 Hwy. 290 Austin, TX 78735		Towing services		\$1,000.00

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

IN RE: AcuTec Collision, LLC Case No.

Chapter 11

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

Continuation Sheet No. 3

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

Ι, Ι	ine	wember and wanager	0i the	Corporation	
named	as the debtor in this	case, declare under penalty of perjury	that I have read the	foregoing list and that it is true and corre	ect to the
best of	my information and	belief.			
Date:_	5/6/2013	Signature:	/s/ Michael S. Om	ores	
			Michael S. Ombre	s	
			Member and Man	ager	

# UNITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF TEXAS AUSTIN DIVISION

IN RE: AcuTec Collision, LLC CASE NO

CHAPTER 11

### **VERIFICATION OF CREDITOR MATRIX**

	The above named Debto	r hereby verifies	that the attached	d list of creditors	s is true and cor	rect to the best o	of his/her
know	ledge.						

Date	5/6/2013	Signature /s/ Michael S. Ombres Michael S. Ombres Member and Manager	
Date		Signature	

AdvanceMe, Inc. 600 Town Park Lane, Ste. 500 Kennesaw, GA 30144

Allied Insurance 1100 Locust Street Des Moines, IA 50391-1100

Barnett & Garcia (File 21051.001) 3821 Juniper Trace, Ste. 108 Austin, TX 78738

BMW of Austin 7011 McNeil Drive Austin, TX 78729

Browning Auto Parts 3212 E Cesar Chavez St Austin, TX 78702

Capital Access (AdvanceMe) 3rd Floor, Ste. 302 414 W. 14th Street New York, NY 10014

Carlos Marin 805 Palitine Lane Pfluggerville, TX 78660

CarQuest 1400 E. 5th Street Austin, TX 78702

CCC Info Services 8059 Innovation Way Chicago, IL 60682-0080 Central Texas Refuse P.O. Box 18685 Austin, TX 78760

Central Texas Time Warner Cable P.O. Box 85100 Austin, TX 78708

City of Austin Utilities P.O. Box 2267 Austin, TX 78783-226

Custom Business Computers P.O. Box 150292 Austin, TX 78715

Donald F. Miller, Jr. 4903 Sandalia Court Katy, TX 77494

Donald F. Miller, Jr. 4905 Sandalia Court Katy, TX 77494

Elite Import 9800 Beck Circle Austin, TX 78758

Equipment Solutions P.O. Box 2287 Round Rock, TX 78680

Gladwin Paint Company 2000 Broadway San Antonio, TX 78215 Henna Chevrolet 8805 N. IH-35 Austin, TX 78761

Hipolito Martinez 7001 Frontera Trail Austin, TX 78741

Ingram Park Nissan 6990 NW Loop 410 San Antonio, TX 78238

Internal Revenue Service Special Procedures Staff - Insolvency P.O. Box 7346 Philadelphia, PA 19101-7346

James L. Crandall 8527 Oakwood Drive Magnolia, TX 77355

Jerry's Towing 5526 Hwy. 290 Austin, TX 78735

Jordan Ford 13010 IH-35 North San Antonio, TX 78233

KXAN-TV 908 W. Martin Luther King, Jr. Blvd. Austin, TX 78701

Leif Johnson Ford 501 E. Koenig Lane Austin, TX 78751 Michael S. Ombres 16206 Copper Leaf Lane Leander, TX 78641

Michelle R. Ombres 16206 Copper Leaf Lane Leander, TX 78641

PDR Contractor The Re-Con Shop 3520 Chalkstone Lane Round Rock, TX 78681

RMS Collections P.O. Box 4647 Timonium, MD 21094-4647

Roger Beasley Mazda 4506 S. IH-35 Austin, TX 78745

Salvador Rios-Sandoval 7713 Village Creek Circle Austin, TX 78744

Service Lloyds Insurance P.O. Box 26850 Austin, TX 78755

Sherman L. Phillips 16205 Glorious Lane Pfluggerville, TX 78660

Small Business Administration 17319 San Pedro, Suite 200 San Antonio, TX 78232 Snyders 24549 State Hwy. 85 Holland, TX 76534

Sound Garden P.O. Box 2028 Woodstock, GA 30188

Sprint KSOPHTO-24300 6391 Spring Pkwy. Overland Park, KS 66251-4300

State Comptroller of Public Accts. Rev. Accting Div. - Bankr. Section P.O. Box 13528 Austin, Texas 78711

State Comptroller of Public Accts. Rev. Acct. Div.--Bankr. Section P.O. Box 13528 Austin, Texas 78711

State Farm Insurance One State Farm Plaza Bloomington, IL 61710

Stephanie Tonche 4600 E. Cesar Chavez St., # 6 Austin, TX 78702

Tony Barrientes 2211 Santa Rita Street Austin, TX 78702

Travis County Tax Assessor 5501 Airport Blvd. Austin, TX 78751 Vincent E. Aubrey AdvanceMe, Inc. 2015 Vaughn Road, Bldg. 500 Kennesaw, GA 30144

Wells Fargo Bank, N.A. SBA Lending 4406 Piedras Dr. West, Ste. 100 San Antonio, TX 78228

Wheel Technologies 13250 Valley Branch Ln Dallas, TX 75234

Zurich Insurance P.O. Box 968023 Schaumburg, Il 60196