

**United States Bankruptcy Court
Eastern District of Virginia**

Voluntary Petition

Name of Debtor (if individual, enter Last, First, Middle): Colonial Paving & Concrete Co.	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-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) 26-0106370	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)
Street Address of Debtor (No. and Street, City, and State): 44081 Pipeline Plaza Ashburn, VA <div style="text-align: right; font-size: small;">ZIP Code 20148</div>	Street Address of Joint Debtor (No. and Street, City, and State): <div style="text-align: right; font-size: small;">ZIP Code</div>
County of Residence or of the Principal Place of Business: Loudoun	County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address): 43150 Broadlands Center Plaza Suite 152/120 Ashburn, VA <div style="text-align: right; font-size: small;">ZIP Code 20148-3800</div>	Mailing Address of Joint Debtor (if different from street address): <div style="text-align: right; font-size: small;">ZIP Code</div>
Location of Principal Assets of Business Debtor (if different from street address above):	

Type of Debtor (Form of Organization) (Check one box) <input type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input checked="" type="checkbox"/> Corporation (includes LLC and LLP) <input 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.)	Nature of Business (Check one 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 <hr/> Tax-Exempt Entity (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).	Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one 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 Nature of Debts (Check one 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.
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Filing Fee (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.	Chapter 11 Debtors Check one box: <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). Check if: <input checked="" type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000. Check all applicable boxes: <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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Statistical/Administrative Information <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 type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input checked="" 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 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 checked="" type="checkbox"/> \$1,000,001 to \$50 million <input type="checkbox"/> \$10,000,001 to \$100 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									

THIS SPACE IS FOR COURT USE ONLY

Voluntary Petition <i>(This page must be completed and filed in every case)</i>	Name of Debtor(s): Colonial Paving & Concrete Co.
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All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet)

Location Where Filed: - None -	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: - None -	Case Number:	Date Filed:
District:	Relationship:	Judge:

<p style="text-align: center;">Exhibit A</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;">Exhibit 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 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 in 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
(This page must be completed and filed in every case)

Name of Debtor(s):
Colonial Paving & Concrete Co.

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

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/ Ann E. Schmitt
Signature of Attorney for Debtor(s)

Ann E. Schmitt 22030
Printed Name of Attorney for Debtor(s)

Culbert & Schmitt, PLLC
Firm Name

30C Catoctin Circle, SE
Leesburg, VA 20175

Address

Email: aschmitt@culbert-schmitt.com
703-737-6377 Fax: 703-737-6370

Telephone Number

November 9, 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 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.)

Address

X _____
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.

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

X /s/ Dianne Bennett
Signature of Authorized Individual

Dianne Bennett
Printed Name of Authorized Individual

President
Title of Authorized Individual

November 9, 2009
Date

United States Bankruptcy Court
Eastern District of Virginia

In re Colonial Paving & Concrete Co.

Debtor(s)

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)
<i>Name of creditor and complete mailing address including zip code</i>	<i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	<i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	<i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	<i>Amount of claim [if secured, also state value of security]</i>
ACME Parking Lot Striping, Inc 3238 Molly Hill Drive Falls Church, VA 22042	ACME Parking Lot Striping, Inc 3238 Molly Hill Drive Falls Church, VA 22042	striping	Disputed	45,000.00
American Paving Fabrics, Inc. 6910 O'Connor Rd. Hanover, MD 21076	American Paving Fabrics, Inc. 6910 O'Connor Rd. Hanover, MD 21076	paving fabric		15,786.60
Campbell Miller & Zimmerman 19 East Market St. Leesburg, VA 20176	Campbell Miller & Zimmerman 19 East Market St. Leesburg, VA 20176	legal services		17,357.12
Capital Rentals, Inc. 44232 Mercure Circle Sterling, VA 20166	Capital Rentals, Inc. 44232 Mercure Circle Sterling, VA 20166	equipment rental		4,862.19
CitiCapital Commercial Corp. 90 Matawan Rd., Ste. 102 Matawan, NJ 07747	CitiCapital Commercial Corp. 90 Matawan Rd., Ste. 102 Matawan, NJ 07747	2007 Roadtec Milling Machine RS400	Disputed	355,511.00 (0.00 secured)
CNH Capital America LLC PO Box 0507 Carol Stream, IL 60132-0507	CNH Capital America LLC PO Box 0507 Carol Stream, IL 60132-0507	Model 265 Vibramax roller, serial number JKC5308800		6,992.00 (0.00 secured)
Dominion Concrete & Masonery 43053 Pemberton Square Suite 120, #301 Chantilly, VA 20152	Dominion Concrete & Masonery 43053 Pemberton Square Suite 120, #301 Chantilly, VA 20152			98,686.00
First Comp 43150 Broadland Center Plaza Ashburn, VA 20148	First Comp 43150 Broadland Center Plaza Ashburn, VA 20148	Workmen's comp premiums	Disputed	2,669.00
GE Capital Solutions Att: Yvette Cedeno 1010 Thomas Edison Blvd. SW Cedar Rapids, IA 52404	GE Capital Solutions Att: Yvette Cedeno 1010 Thomas Edison Blvd. SW Cedar Rapids, IA 52404	equipment lease for milling machine	Disputed	355,511.03

Debtor(s)

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
General Electric Capital Corp. PO Box 802585 Chicago, IL 60680-2585	General Electric Capital Corp. PO Box 802585 Chicago, IL 60680-2585	PP Paver purchase price \$91,000		64,000.00 (0.00 secured)
General Electric Capital Corp. PO Box 802585 Chicago, IL 60680-2585	General Electric Capital Corp. PO Box 802585 Chicago, IL 60680-2585	2007 2 bobcat s250 Serial number 530916140t purchase price \$50,000		33,000.00 (0.00 secured)
Luck Stone PO Box 29871 Richmond, VA 23229	Luck Stone PO Box 29871 Richmond, VA 23229			3,652.00
M&T Bank 25 South Charles Street Baltimore, MD 21201	M&T Bank 25 South Charles Street Baltimore, MD 21201	All assets of the debtor		100,000.00 (0.00 secured)
National Asphalt PO Box 327 Merrifield, VA 22116	National Asphalt PO Box 327 Merrifield, VA 22116			70,776.00
R&B Trucking 5594 Jarist Drive Clifton, VA 20124	R&B Trucking 5594 Jarist Drive Clifton, VA 20124			36,903.75
Roadtec, Inc.	Roadtec, Inc.			2,600.56
Superior Paving Corp. Box 900 Gainesville, VA 20156-0900	Superior Paving Corp. Box 900 Gainesville, VA 20156-0900			31,936.00
Triad Engineering PO Box 2397 Winchester, VA 22602	Triad Engineering PO Box 2397 Winchester, VA 22602			1,450.60
Virginia Paving Co. PO Box 1235 Sterling, VA 20167	Virginia Paving Co. PO Box 1235 Sterling, VA 20167	Trailer		209,000.00 (18,000.00 secured)
Yellowbook 2201 Renaissance Blvd. King Of Prussia, PA 19406	Yellowbook 2201 Renaissance Blvd. King Of Prussia, PA 19406			4,036.48

In re Colonial Paving & Concrete Co.
Debtor(s)

Case No. _____

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS
(Continuation Sheet)

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

I, the President of 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 correct to the best of my information and belief.

Date November 9, 2009

Signature /s/ Dianne Bennett
Dianne Bennett
President

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.
18 U.S.C. §§ 152 and 3571.

ACME Parking Lot Striping, Inc
3238 Molly Hill Drive
Falls Church, VA 22042

American Paving Fabrics, Inc.
6910 O'Connor Rd.
Hanover, MD 21076

Campbell Miller & Zimmerman
19 East Market St.
Leesburg, VA 20176

Capital Rentals, Inc.
44232 Mercure Circle
Sterling, VA 20166

Chrysler Financial
PO Box 9001921
Louisville, KY 40290-1921

CitiCapital Commercial Corp.
90 Matawan Rd., Ste. 102
Matawan, NJ 07747

CNH Capital America LLC
PO Box 0507
Carol Stream, IL 60132-0507

Diversified Financial Services
PO Box 95662
Chicago, IL 60694-5662

Dominion Concrete & Masonery
43053 Pemberton Square
Suite 120, #301
Chantilly, VA 20152

First Comp
43150 Broadland Center Plaza
Ashburn, VA 20148

Ford Motor Credit Corporation
PO Box 94380
Palatine, IL 60094-4380

GE Capital Solutions
Att: Yvette Cedeno
1010 Thomas Edison Blvd. SW
Cedar Rapids, IA 52404

General Electric Capital Corp.
PO Box 802585
Chicago, IL 60680-2585

General Electric Capital Corp.
3000 Lakeside Drive
Suite 200N
Deerfield, IL 60015

H. Joseph Pierce
Kasimer & Annino PC
Falls Church, VA 22043

James R. Lewis
Morgan Stone & Associates
1005 Veterans Memorial Blvd.
Kenner, LA 70062

John H. Kasimer
Kasimer & Annino, PC
7653 Leesburg Pike
Falls Church, VA 22043

John Purdy
Fullerton & Knowles, PC
12642 Chapel Rd.
Clifton, VA 20124

Loudoun Water
PO Box 4000
Ashburn, VA 20145-2591

Luck Stone
PO Box 29871
Richmond, VA 23229

M&T Bank
25 South Charles Street
Baltimore, MD 21201

Mark Bennett
44139 Arundel Ct.
Ashburn, VA 20148

National Asphalt
PO Box 327
Merrifield, VA 22116

R&B Trucking
5594 Jarist Drive
Clifton, VA 20124

Roadtec, Inc.

Robert Nicoli
Dain Walker Sobhani & Nicoli
1810 Michael Faraday Dr.
Reston, VA 20190

Rosalyn Busman
Busman & Busman
PO Box 7514
Fairfax Station, VA 22039-7514

Six Bees, LLC
44081 Pipeline Plaza
Ashburn, VA

Sprint

Superior Paving Corp.
Box 900
Gainesville, VA 20156-0900

Triad Engineering
PO Box 2397
Winchester, VA 22602

Virginia Paving Co.
PO Box 1235
Sterling, VA 20167

William Polk

Yellowbook
2201 Renaissance Blvd.
King Of Prussia, PA 19406