Case 09-71822-FJS Doc 1 Filed 05/04/09 Entered 05/04/09 10:31:08 Desc Main Document Page 1 of 43

B1 (Official Form 1)(1/08)
----------------------------

United States Bankruptcy Court Eastern District of Virginia							Voluntary Petition
Name of Debtor (if individual, enter Last, First,	,		Name	of Joint De	ebtor (Spouse) (Last	t, First, I	Middle):
Grigg Brothers Tree Service Incorp	orated						
All Other Names used by the Debtor in the last (include married, maiden, and trade names):			used by the Joint D maiden, and trade r		the last 8 years		
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) 20-0836227			N Last fo	our digits of e than one, s	f Soc. Sec. or Indivitate all)	idual-Ta	xpayer I.D. (ITIN) No./Complete EIN
Street Address of Debtor (No. and Street, City, a 121 Ocean Pebbles Way Virginia Beach, VA	und State):	ZIP Code	Street	Address of	f Joint Debtor (No. a	and Stre	et, City, and State): ZIP Code
		23451					
County of Residence or of the Principal Place o Virginia Beach Cit	f Business:		Count	y of Reside	ence or of the Princip	ipal Plac	e of Business:
Mailing Address of Debtor (if different from str	eet address):		Mailin	g Address	of Joint Debtor (if d	different	from street address):
		ZIP Code					ZIP Code
Location of Principal Assets of Business Debtor (if different from street address above):							
<b>Type of Debtor</b> (Form of Organization)		re of Business					cy Code Under Which d (Check one box)
<ul> <li>(Check one box)</li> <li>Individual (includes Joint Debtors) See Exhibit D on page 2 of this form.</li> <li>Corporation (includes LLC and LLP)</li> <li>Partnership</li> </ul>	(Check one box)  (Check one box)  (Health Care Business  Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B)  Railroad  Stockbroker  Commodity Broker  Clearing Bank		defined	<ul> <li>Chapt</li> <li>Chapt</li> <li>Chapt</li> <li>Chapt</li> <li>Chapt</li> <li>Chapt</li> </ul>	er 7 er 9 er 11 er 12	□ Cha of a □ Cha	pter 15 Petition for Recognition Foreign Main Proceeding pter 15 Petition for Recognition Foreign Nonmain Proceeding
Other (If debtor is not one of the above entities, check this box and state type of entity below.)	Other					Nature ( (Check (	of Debts
	Tax-Exempt Entity (Check box, if applicable)           □ Debtor is a tax-exempt organiz under Title 26 of the United St Code (the Internal Revenue Co			defined "incurr	are primarily consumer 1 in 11 U.S.C. § 101(8) ed by an individual pri- nal, family, or househo	) as rimarily f	
Filing Fee (Check or	ie box)			c one box: Chapter 11 Debtors Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D).			
<ul> <li>Full Filing Fee attached</li> <li>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.</li> </ul>			or Check	Debtor is if: Debtor's a	not a small business	s debtor 1gent liq	as defined in 11 U.S.C. § 101(51D). uidated debts (excluding debts owed
☐ Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.				Acceptant	being filed with this ces of the plan were	e solicite	n. d prepetition from one or more th 11 U.S.C. § 1126(b).
<ul> <li>Statistical/Administrative Information</li> <li>Debtor estimates that funds will be available for distribution to unsecured creditors</li> <li>Debtor estimates that, after any exempt property is excluded and administrative experiment will be no funds available for distribution to unsecured creditors.</li> </ul>				es paid,		THIS S	PACE IS FOR COURT USE ONLY
1- 50- 100- 200- 49 99 199 999				□ 50,001- 100,000	OVER 100,000		
\$0 to \$50,001 to \$100,001 to \$500,001 \$50,000 \$100,000 \$500,000 to \$1 million	\$1,000,001 \$10,000, to \$10 to \$50 million million	,001 \$50,000,001 to \$100	\$100,000,001 to \$500 million	5500,000,001 to \$1 billion			
\$0 to \$50,001 to \$100,001 to \$500,001 \$50,000 \$100,000 \$500,000 to \$1	\$1,000,001 \$10,000, to \$10 to \$50 million million	,001 \$50,000,001 to \$100	\$100,000,001 to \$500 million	5500,000,001 to \$1 billion			

B1 (Official For	m 1)(1/08)	Fage 2 01 43	Page 2		
Voluntar	y Petition	Name of Debtor(s): Grigg Brothers Tree Service Incorporated			
(This page mi	- ust be completed and filed in every case)	Grigg Brothers Tree Ser	vice incorporated		
( I I I I I I I I I I I I I I I I I I I	All Prior Bankruptcy Cases Filed Within Last	t 8 Years (If more than two, attac	ch additional sheet)		
Location Where Filed:	- None -	Case Number:	Date Filed:		
Location Where Filed:		Case Number:	Date Filed:		
Pe	ending Bankruptcy Case Filed by any Spouse, Partner, or	Affiliate of this Debtor (If more	e than one, attach additional sheet)		
Name of Debt - None -	tor:	Case Number:	Date Filed:		
District:		Relationship:	Judge:		
	Exhibit A	(To be completed if debtor is an indi	Exhibit B		
<ul> <li>(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.)</li> <li>Exhibit A is attached and made a part of this petition.</li> <li>(To be completed if debtor is an individual whose debts are primarily consumer of the petitioner named in the foregoing petition, declare have informed the petitioner that [he or she] may proceed under chapter 12, or 13 of title 11, United States Code, and have explained the relief a under each such chapter. I further certify that I delivered to the debtor the required by 11 U.S.C. §342(b).</li> <li>X</li></ul>					
		libit C			
	or own or have possession of any property that poses or is alleged to Exhibit C is attached and made a part of this petition.		fiable harm to public health or safety?		
☐ Exhibit If this is a jo	leted by every individual debtor. If a joint petition is filed, ea D completed and signed by the debtor is attached and made int petition: D also completed and signed by the joint debtor is attached a	a part of this petition.	ach a separate Exhibit D.)		
	Information Regardin	ng the Debtor - Venue			
	(Check any ap Debtor has been domiciled or has had a residence, princip days immediately preceding the date of this petition or for	al place of business, or principal			
	There is a bankruptcy case concerning debtor's affiliate, ge	eneral partner, or partnership pen	ding in this District.		
	<b>Certification by a Debtor Who Reside</b> (Check all app		operty		
	Landlord has a judgment against the debtor for possession		cked, complete the following.)		
	(Name of landlord that obtained judgment)				
		oro oro oiroumotor oc l l'	ah tha dahtan wasild ha name itted to an		
	Debtor claims that under applicable nonbankruptcy law, the the entire monetary default that gave rise to the judgment				
	Debtor has included in this petition the deposit with the co after the filing of the petition.	ourt of any rent that would becom	he due during the 30-day period		

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

Case 09	9-71822-FJS	Doc 1	F

B1 (Official Form 1)(1/08) Document	Page 3 of 43 Page Name of Debtor(s):
Voluntary Petition	Grigg Brothers Tree Service Incorporated
(This page must be completed and filed in every case)	
0	atures
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	<ul> <li>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.</li> <li>(Check only one box.)</li> <li>□ 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.</li> </ul>
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 title 11 specified in this petition. A certified copy of the order granting
specified in this petition.	recognition of the foreign main proceeding is attached.
X	X
X Signature of Debtor	Signature of Foreign Representative
	Printed Name of Foreign Representative
X	Printed Name of Foreign Representative
Signature of Joint Debior	Date
Telephone Number (If not represented by attorney)	
	Signature of Non-Attorney Bankruptcy Petition Preparer
Date	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
Signature of Attorney*	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
X /s/ Tom C. Smith	pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services
Signature of Attorney for Debtor(s)	chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a
_Tom C. Smith 14203	debtor or accepting any fee from the debtor, as required in that section.
Printed Name of Attorney for Debtor(s)	Official Form 19 is attached.
Law Offices of Tom C. Smith	Printed Name and title, if any, of Bankruptcy Petition Preparer
Firm Name 1600 Virginia Beach Blvd. Virginia Beach, VA 23454	Social-Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer,
Address	principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)
Email: office@tomcsmith.com 757-428-3481 Fax: 757-491-6174	
Telephone Number	
April 3, 2009	
Date	Address
*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.	X
Signature of Debtor (Corporation/Partnership)	Date
I declare under penalty of perjury that the information provided in this	Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.
petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.	Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is
The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.	not an individual:
X /s/ Brandon Grigg	
Signature of Authorized Individual	
Brandon Grigg	If more than one person prepared this document, attach additional sheets
Brandon Grigg Printed Name of Authorized Individual	conforming to the appropriate official form for each person.
President	A bankruptcy petition preparer's failure to comply with the provisions of
Title of Authorized Individual	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.
April 3, 2009	,
Date	

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B4 (Official Form 4) (12/07)

# United States Bankruptcy Court Eastern District of Virginia

In re Grigg Brothers Tree Service Incorporated

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)
Name of creditor and complete mailing address including zip code	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, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
BB&T Finance P.O. Box 580155 Charlotte, NC 28258	BB&T Finance P.O. Box 580155 Charlotte, NC 28258	Loan		70,000.00
City of Virginia Beach c/o City Treasurer Municipal Center, Bldg. 1 2401 Courthouse Drive Virginia Beach, VA 23450- 9018	City of Virginia Beach c/o City Treasurer Municipal Center, Bldg. 1 Virginia Beach, VA 23450-9018	Business License		3,000.00
Cliff's Equipment 1400Old Atlantic Avenue Chesapeake, VA 23324	Cliff's Equipment 1400Old Atlantic Avenue Chesapeake, VA 23324	Repairs to stump grinder		6,821.00
Internal Revenue Service Insolvency Groups 400 North 8th Street, Box 76 Stop Room 898 Richmond, VA 23240	Internal Revenue Service Insolvency Groups 400 North 8th Street, Box 76 Richmond, VA 23240	Back Taxes		42,000.00
L.N.C. 1341 Crossways Blvd. Chesapeake, VA 23320	L.N.C. 1341 Crossways Blvd. Chesapeake, VA 23320	Advertising		3,500.00
OIA Inc. Tidewater Builders Assoc. 2117 Smith Avenue Chesapeake, VA 23320	OIA Inc. Tidewater Builders Assoc. 2117 Smith Avenue Chesapeake, VA 23320	Audit		4,000.00
Travelers Indemnity Company 2420 Lakemont Avenue Orlando, FL 32814	Travelers Indemnity Company 2420 Lakemont Avenue Orlando, FL 32814	Workers Comp		14,690.00
Virginia Employment Commission P. O. Box 1358 Richmond, VA 23218	Virginia Employment Commission P. O. Box 1358 Richmond, VA 23218	Unemployment Tax		1,200.00
Virginia State Income Tax 2401 Courthouse Drive Municipal Center Bldg. 1 Virginia Beach, VA 23456- 9018	Virginia State Income Tax 2401 Courthouse Drive Municipal Center Bldg. 1 Virginia Beach, VA 23456-9018	Income Taxes		5,000.00

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B4 (Official Form 4) (12/07) - Cont.

In re Grigg Brothers Tree Service Incorporated

Debtor(s)

Case No.

# LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	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, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
Yellow Book 6300 C. Street Cedar Rapids, IA 52404	Yellow Book 6300 C. Street Cedar Rapids, IA 52404	Advertising		40,000.00

# 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 April 3, 2009

Signature /s/ Brandon Grigg Brandon Grigg 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.

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B6 Summary (Official Form 6 - Summ

**Grigg Brothers Tree Service Incorporated** 

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In re

# **United States Bankruptcy Court**

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		Document Pa	age 6 of 43	
(Official Form 6 - Summary) (12/07)			5	

# **Eastern District of Virginia**

SUMMARY OF SCHEDULES

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A,

B, D, E, F, I, and J in the boxes provid Add the amounts of all claims from Sc also complete the "Statistical Summary	chedules D, E, and	I F to determine	e the total amount of the deb	otor's liabilities. Individual	
NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	0.00		
B - Personal Property	Yes	4	66,701.00		
C - Property Claimed as Exempt	Yes	1			
D - Creditors Holding Secured Claims	Yes	1		0.00	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	Yes	2		51,200.00	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	2		139,011.00	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	Yes	1			0.00
J - Current Expenditures of Individual Debtor(s)	Yes	1			0.00
Total Number of Sheets of ALL Schedu	ıles	15			
	Т	otal Assets	66,701.00		
		E	Total Liabilities	190,211.00	

Debtor	

Case No.

Chapter\_\_\_\_\_11\_\_\_\_

Case 09-71822-FJS

Form 6 - Statistical Summary (12/07)

# United States Bankruptcy Court

Eastern District of Virginia

In	re

Grigg Brothers Tree Service Incorporated

Debtor

Case No.		

Chapter\_\_\_\_\_11

# STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C.§ 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below.

□ Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

This information is for statistical purposes only under 28 U.S.C. § 159.

#### Summarize the following types of liabilities, as reported in the Schedules, and total them.

Type of Liability	Amount
Domestic Support Obligations (from Schedule E)	
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)	
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)	
Student Loan Obligations (from Schedule F)	
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E	
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)	
TOTAL	

#### State the following:

Average Income (from Schedule I, Line 16)	
Average Expenses (from Schedule J, Line 18)	
Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20)	

#### State the following:

8	
1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column	
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column	
4. Total from Schedule F	
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)	

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B6A (Official Form 6A) (12/07)

In re

#### **Grigg Brothers Tree Service Incorporated**

Case No.

Debtor

# **SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim." If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption	Amount of Secured Claim
--------------------------------------	--	---	--	----------------------------

None

Sub-Total >	0.00	(Total of this page)

(Report also on Summary of Schedules)

Total >

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B6B (Official Form 6B) (12/07)

In re

#### **Grigg Brothers Tree Service Incorporated**

Case No.

Debtor

# **SCHEDULE B - PERSONAL PROPERTY**

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

# Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply 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 and Fed. R. Bankr. P. 1007(m).

	Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
1.	Cash on hand	х			
2.	Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.	De	posits with BB&T (checking account closed)	-	1.00
3.	Security deposits with public utilities, telephone companies, landlords, and others.	х			
4.	Household goods and furnishings, including audio, video, and computer equipment.	х			
5.	Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	X			
6.	Wearing apparel.	x			
7.	Furs and jewelry.	х			
8.	Firearms and sports, photographic, and other hobby equipment.	X			
9.	Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	X			
10.	Annuities. Itemize and name each issuer.	x			

1.00

**3** continuation sheets attached to the Schedule of Personal Property

B6B (Official Form 6B) (12/07) - Cont.

**Grigg Brothers Tree Service Incorporated** In re

Case No.

# **SCHEDULE B - PERSONAL PROPERTY**

Debtor

(Continuation Sheet)

	Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
11.	Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	X			
12.	Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.	X			
13.	Stock and interests in incorporated and unincorporated businesses. Itemize.	x			
14.	Interests in partnerships or joint ventures. Itemize.	X			
15.	Government and corporate bonds and other negotiable and nonnegotiable instruments.	x			
16.	Accounts receivable.	x			
17.	Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	x			
18.	Other liquidated debts owed to debtor including tax refunds. Give particulars.	X			
19.	Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	x			
	Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	x			
21.	Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	x			

Sheet <u>1</u> of <u>3</u> continuation sheets attached to the Schedule of Personal Property

0.00

Sub-Total >

(Total of this page)

B6B (Official Form 6B) (12/07) - Cont.

In re **Grigg Brothers Tree Service Incorporated** Case No. Debtor **SCHEDULE B - PERSONAL PROPERTY** (Continuation Sheet) Current Value of Debtor's Interest in Property, Husband, N O N E Wife, Type of Property Description and Location of Property Joint, or without Deducting any Secured Claim or Exemption Community 22. Patents, copyrights, and other Х intellectual property. Give particulars. 23. Licenses, franchises, and other Х general intangibles. Give particulars. 24. Customer lists or other compilations Х containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes. 2003 Ford F350 15,000.00 25. Automobiles, trucks, trailers, and other vehicles and accessories. 2004 International Dump Truck 12,000.00 2002 International Dump Truck 12,000.00 2004 Brush Bandit Chipper 10,000.00 2004 Bri-Mar Trailer 16 foot 500.00 Х 26. Boats, motors, and accessories. Х 27. Aircraft and accessories. **Office Equipment** 200.00 28. Office equipment, furnishings, and supplies. **Tools & Equipment** 2,000.00 29. Machinery, fixtures, equipment, and supplies used in business. Stump Grinder 5,000.00 **Rubber Tire Loader (tractor)** 10,000.00 Х 30. Inventory. Х 31. Animals. Х 32. Crops - growing or harvested. Give particulars. Х 33. Farming equipment and implements.

Sheet **2** of **3** continuation sheets attached to the Schedule of Personal Property

66,700.00

B6B (Official Form 6B) (12/07) - Cont.

In re	Grigg Brothers Tree Service Incorporated
-------	--

Case No.

#### Debtor

# **SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
34. Farm supplies, chemicals, and feed.	х			

35. Other personal property of any kind **X** not already listed. Itemize.

Sub-Total > (Total of this page) Total > **6**  0.00

66,701.00

(Report also on Summary of Schedules)

Sheet 3 of 3 continuation sheets attached to the Schedule of Personal Property

B6C (Officia	Case 09-71822-FJS al Form 6C) (12/07)			Entered 05/04 age 13 of 43	4/09 10:31:08	Desc Main
In re	Grigg Brothers Tree Servi	ce Incorporated			Case No.	
-			Deb	tor,		
	SCHE	DULE C - PH	ROPERTY	CLAIMED AS	S EXEMPT	
(Check on	aims the exemptions to which debt ne box) S.C. §522(b)(2) S.C. §522(b)(3)	tor is entitled under:		☐ Check if debtor \$136,875.	claims a homestead e	exemption that exceeds
	Description of Property		Specify Law Each Exer	Providing nption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemption

NONE.

B6D (Official Form 6D) (12/07)

In re

#### **Grigg Brothers Tree Service Incorporated**

Case No.

# SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

Debtor

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

other security interests. List creditors in alphabetical order to the extent practicable. If a minor child is a creditor, 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 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided. If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community". If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Disputed". (You may need to place an "X" in more than one of these three columns.) Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion" on the Statistical Summary of Certain Liabilities and Related Data. Check this box if debtor has no creditors holding secured claims to report on this Schedule D. Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.) Account No.	CODEBTOR	Hu H ≫ J C	sband, Wife, Joint, or Community DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	DAHADACOLZC	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
			Value \$					
Account No.								
			Value \$					
Account No.								
			Value \$					
Account No.								
	L		Value \$					
<b>0</b> continuation sheets attached			S (Total of th	ubto nis p				
			(Report on Summary of Scl		ota ule		0.00	0.00

**B6E (Official Form 6E) (12/07)** 

In re

**Grigg Brothers Tree Service Incorporated** 

Case No.

#### Debtor

# SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, 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 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)

#### □ Domestic support obligations

Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).

#### **Extensions of credit in an involuntary case**

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).

#### □ Wages, salaries, and commissions

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,950\* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

#### **Contributions to employee benefit plans**

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).

#### □ Certain farmers and fishermen

Claims of certain farmers and fishermen, up to \$5,400\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).

#### Deposits by individuals

Claims of individuals up to 2,425 for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).

#### Taxes and certain other debts owed to governmental units

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

#### Commitments to maintain the capital of an insured depository institution

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).

#### □ Claims for death or personal injury while debtor was intoxicated

Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. 507(a)(10).

\* Amounts are subject to adjustment on April 1, 2010, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

1 continuation sheets attached

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B6E (Official Form 6E) (12/07) - Cont.

**Grigg Brothers Tree Service Incorporated** In re

Case No.

Debtor

# **SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS**

(Continuation Sheet)

**Taxes and Certain Other Debts Owed to Governmental Units** 

							TYPE OF PRIORITY	7
CREDITOR'S NAME, AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B T O R	Hu H W J C	sband, Wife, Joint, or Community DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM	CONTINGEN	U N L I Q U I D A	U T E D	AMOUNT OF CLAIM	AMOUNT NOT ENTITLED TO PRIORITY, IF ANY AMOUNT ENTITLED TO PRIORITY
Account No.			Business License	Т	A T E D			
City of Virginia Beach c/o City Treasurer Municipal Center, Bldg. 1 2401 Courthouse Drive Virginia Beach, VA 23450-9018		-					3,000.00	0.00 3,000.00
Account No.			Back Taxes					
Internal Revenue Service Insolvency Groups 400 North 8th Street, Box 76 Stop Room 898 Richmond, VA 23240		-						0.00
							42,000.00	42,000.00
Account No. Virginia Employment Commission P. O. Box 1358 Richmond, VA 23218		-	Unemployment Tax				1,200.00	0.00
Account No.		┢	Income Taxes	+		$\vdash$	1,200.00	1,200.00
Virginia State Income Tax 2401 Courthouse Drive Municipal Center Bldg. 1 Virginia Beach, VA 23456-9018		-					5 000 00	0.00
Account No.	+	┝		+		$\vdash$	5,000.00	5,000.00
Sheet <u>1</u> of <u>1</u> continuation sheets at				Sub				0.00
Schedule of Creditors Holding Unsecured Pr	iority	' Cl	aims (Total of		pag Tota		51,200.00	51,200.00 0.00
			(Report on Summary of S				51,200.00	51,200.00

In re

B6F (Official Form 6F) (12/07)

**Grigg Brothers Tree Service Incorporated** 

Case No.\_\_\_\_\_

# SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

Debtor

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, 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 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Hu H W J C			LIQ	DISPUTED	AMOUNT OF CLAIM
Account No.			Loan	T	A T E D		
BB&T Finance P.O. Box 580155 Charlotte, NC 28258	x	-					
Account No.			Repairs to stump grinder				70,000.00
Cliff's Equipment 1400Old Atlantic Avenue Chesapeake, VA 23324		-					
Account No.			Advertising				6,821.00
L.N.C. 1341 Crossways Blvd. Chesapeake, VA 23320		-					
Account No.		$\vdash$	Audit		╞		3,500.00
OIA Inc. Tidewater Builders Assoc. 2117 Smith Avenue Chesapeake, VA 23320		-					4 000 00
							4,000.00
continuation sheets attached			(Total o	Sub Sub			84,321.00

(Total of this page)

B6F (Official Form 6F) (12/07) - Cont.

**Grigg Brothers Tree Service Incorporated** In re

Case No.\_\_\_\_\_

Debtor

#### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS (Continuation Sheet)

Husband, Wife, Joint, or Community CODEBTOR UNLLQULDATED D I S P CONTINGENT CREDITOR'S NAME, MAILING ADDRESS н DATE CLAIM WAS INCURRED AND INCLUDING ZIP CODE. W U T E D CONSIDERATION FOR CLAIM. IF CLAIM AND ACCOUNT NUMBER J AMOUNT OF CLAIM IS SUBJECT TO SETOFF, SO STATE. С (See instructions above.) Workers Comp Account No. **Travelers Indemnity Company** 2420 Lakemont Avenue Orlando, FL 32814 14,690.00 Account No. Advertising Yellow Book 6300 C. Street Cedar Rapids, IA 52404 40,000.00 Account No. Account No. Account No. Sheet no. 1 of 1 sheets attached to Schedule of Subtotal 54,690.00 Creditors Holding Unsecured Nonpriority Claims (Total of this page) Total

(Report on Summary of Schedules)

139,011.00

**B6G (Official Form 6G) (12/07)** 

In re

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#### **Grigg Brothers Tree Service Incorporated**

Case No.

Debtor

# SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser", "Agent", etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, 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 and Fed. R. Bankr. P. 1007(m).

Check this box if debtor has no executory contracts or unexpired leases.

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract Description of Contract or Lease and Nature of Debtor's Interest. State whether lease is for nonresidential real property. State contract number of any government contract.

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**B6H (Official Form 6H) (12/07)** 

In re

#### **Grigg Brothers Tree Service Incorporated**

Case No.

Debtor

# **SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, 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 and Fed. R. Bankr. P. 1007(m).

□ Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR

Brandon Grigg 121 Ocean Pebbles Way Virginia Beach, VA 23451 NAME AND ADDRESS OF CREDITOR

BB&T Finance P.O. Box 580155 Charlotte, NC 28258 Case 09-71822-FJS [

B6 Declaration (Official Form 6 - Declaration). (12/07)

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United States Bankruptcy Court

Eastern District of Virginia

In re Grigg Brothers Tree Service Incorporated

Debtor(s)

Case No. Chapter

11

# DECLARATION CONCERNING DEBTOR'S SCHEDULES

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the President of the corporation named as debtor in this case, declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of <u>15</u> sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date April 3, 2009

Signature /s/ Brandon Grigg Brandon Grigg 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.

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Filed 05/04/09

B7 (Official Form 7) (12/07)

# United States Bankruptcy Court Eastern District of Virginia

In re Grigg Brothers Tree Service Incorporated

Doc 1

Case 09-71822-FJS

Debtor(s)

Case No. Chapter

11

Entered 05/04/09 10:31:08 Desc Main

# STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, 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).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. If the answer to an applicable question is "None," mark the box labeled "None." If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

#### DEFINITIONS

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

*"Insider."* The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

#### 1. Income from employment or operation of business

None State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE
\$20,000.00	2009 Year to date
\$179,512.00	2008 Income
\$214,473.00	2007 Income

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#### 2. Income other than from employment or operation of business

None

State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT SOURCE

#### 3. Payments to creditors

None Complete a. or b., as appropriate, and c.

a. *Individual or joint debtor(s) with primarily consumer debts.* List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within **90 days** immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS	DATES OF		AMOUNT STILL
OF CREDITOR	PAYMENTS	AMOUNT PAID	OWING

None b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within 90 days immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,475. If the debtor is an individual, indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

		AMOUNT	
	DATES OF	PAID OR	
	PAYMENTS/	VALUE OF	AMOUNT STILL
NAME AND ADDRESS OF CREDITOR	TRANSFERS	TRANSFERS	OWING

None c. *All debtors:* List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR AND<br/>RELATIONSHIP TO DEBTORAMOUNT STILL<br/>OATE OF PAYMENTAMOUNT PAIDOWING

4. Suits and administrative proceedings, executions, garnishments and attachments

None a. List all suits and administrative proceedings to which the debtor is or was a party within **one year** immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT		COURT OR AGENCY	STATUS OR
AND CASE NUMBER	NATURE OF PROCEEDING	AND LOCATION	DISPOSITION

None b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON FOR WHOSE BENEFIT PROPERTY WAS SEIZED DATE OF SEIZURE DESCRIPTION AND VALUE OF PROPERTY 2

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#### 5. Repossessions, foreclosures and returns

None 

NAME AND ADDRESS OF

CREDITOR OR SELLER

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DESCRIPTION AND VALUE OF

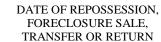
PROPERTY

	inance x 580155 e, NC 28258		2002 Internation Bandit Chipper. of the vehicles in	2004 International Dump Truck; al Dump Truck; 2004 Brush The debtor regained possession n July 2008 after payment of e debtor to BB&T.
	6. Assignments and receivership	ps		
None	this case. (Married debtors filing		include any assignment by e	tely preceding the commencement of ither or both spouses whether or not a
NAME A	ND ADDRESS OF ASSIGNEE	DATE OF ASSIGNMENT	TERMS OF ASSIC	NMENT OR SETTLEMENT
None	preceding the commencement of t	n in the hands of a custodian, receive his case. (Married debtors filing und whether or not a joint petition is file	er chapter 12 or chapter 13	must include information concerning
	ND ADDRESS USTODIAN	NAME AND LOCATION OF COURT CASE TITLE & NUMBER	DATE OF ORDER	DESCRIPTION AND VALUE OF PROPERTY
	7. Gifts			
None	and usual gifts to family members aggregating less than \$100 per red	ations made within <b>one year</b> immedia aggregating less than \$200 in value cipient. (Married debtors filing under not a joint petition is filed, unless the	per individual family memb chapter 12 or chapter 13 m	er and charitable contributions ust include gifts or contributions by
	E AND ADDRESS OF OR ORGANIZATION	RELATIONSHIP TO DEBTOR, IF ANY	DATE OF GIFT	DESCRIPTION AND VALUE OF GIFT
	8. Losses			
None	since the commencement of this	er casualty or gambling within <b>one ye</b> <b>case.</b> (Married debtors filing under c ition is filed, unless the spouses are s	hapter 12 or chapter 13 mus	st include losses by either or both
		DESCRIPTION	OF CIRCUMSTANCES A	ND, IF
DESCRI	PTION AND VALUE	LOSS WAS CO	VERED IN WHOLE OR IN	I PART

D OF PROPERTY Tools

BY INSURANCE, GIVE PARTICULARS Items were stolen from the debtor. Insurance company paid \$4,600.00 for the loss of the tools, payment was received in April 2008

DATE OF LOSS February 2008 3



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#### 9. Payments related to debt counseling or bankruptcy

None

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation
 concerning debt consolidation, relief under the bankruptcy law or preparation of the petition in bankruptcy within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE Law Offices of Tom C. Smith 1600 Virginia Beach Blvd. Virginia Beach, VA 23454 DATE OF PAYMENT, NAME OF PAYOR IF OTHER THAN DEBTOR AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY SEE ATTACHED SHEET

4

#### 10. Other transfers

None a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within **two years** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF TRANSFEREE,		DESCRIBE PROPERTY TRANSFERRED
RELATIONSHIP TO DEBTOR	DATE	AND VALUE RECEIVED

None b. List all property transferred by the debtor within **ten years** immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

NAME OF TRUST OR OTHER		AMOUNT OF MONEY OR DESCRIPTION AND
DEVICE	DATE(S) OF TRANSFER(S)	VALUE OF PROPERTY OR DEBTOR'S INTEREST IN PROPERTY

#### 11. Closed financial accounts

None List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AI	ND ADDRESS OF INSTITUTI	DIGITS OF	COUNT, LAST FOUR ACCOUNT NUMBER, T OF FINAL BALANCE	AMOUNT AND DATE OF SALE OR CLOSING
	12. Safe deposit boxes			
None	immediately preceding the con	mencement of this case. (Married	debtors filing under chapter 12	or other valuables within <b>one year</b> or chapter 13 must include boxes or are separated and a joint petition is not
	ND ADDRESS OF BANK HER DEPOSITORY	NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITORY	DESCRIPTION OF CONTENTS	
	13. Setoffs			
None	commencement of this case. (N	editor, including a bank, against a d Aarried debtors filing under chapter petition is filed, unless the spouses	12 or chapter 13 must include	information concerning either or both
NAME A	ND ADDRESS OF CREDITOR	DATE OF SET	OFF	AMOUNT OF SETOFF

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	14. Property held for anot	her person		
None	List all property owned by a	nother person that the debtor holds or co	ontrols.	
NAME A	ND ADDRESS OF OWNER	DESCRIPTION A PROPE		LOCATION OF PROPERTY
	15. Prior address of debto	r		
None		hin <b>three years</b> immediately preceding t and vacated prior to the commencement		
ADDRES	SS	NAME USED		DATES OF OCCUPANCY
	16. Spouses and Former Sp	Douses		
None	Louisiana, Nevada, New Me	exico, Puerto Rico, Texas, Washington, identify the name of the debtor's spouse	or Wisconsin) within <b>eight y</b>	
NAME				
	17. Environmental Informa	ation.		
	For the purpose of this ques	tion, the following definitions apply:		
	or toxic substances, wastes of	s any federal, state, or local statute or reg or material into the air, land, soil, surface ating the cleanup of these substances, wa	e water, groundwater, or othe	, contamination, releases of hazardous er medium, including, but not limited to,
		on, facility, or property as defined under he debtor, including, but not limited to,		hether or not presently or formerly
		neans anything defined as a hazardous w nt or similar term under an Environmen		oxic substance, hazardous material,
None				a governmental unit that it may be liable nit, the date of the notice, and, if known,
SITE NA	ME AND ADDRESS	NAME AND ADDRESS OF GOVERNMENTAL UNIT	DATE OF NOTICE	ENVIRONMENTAL LAW
None		s of every site for which the debtor provi nmental unit to which the notice was ser		l unit of a release of Hazardous
SITE NA	ME AND ADDRESS	NAME AND ADDRESS OF GOVERNMENTAL UNIT	DATE OF NOTICE	ENVIRONMENTAL LAW
None		strative proceedings, including settlemer Indicate the name and address of the go		
	ND ADDRESS OF IMENTAL UNIT	DOCKET NUMB	ER	STATUS OR DISPOSITION

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#### 18. Nature, location and name of business

None a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within six years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within six years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

LAST FOUR DIGITS OF SOCIAL-SECURITY OR OTHER INDIVIDUAL TAXPAYER-I.D. NO. (ITIN)/ COMPLETE EIN **Grigg Brothers Tree** Serivce Inc.

ADDRESS **121 Ocean Pebbles Way** Virginia Beach, VA 23451

NATURE OF BUSINESS **Tree Service** 

**BEGINNING AND** ENDING DATES

b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101. None

NAME

NAME

ADDRESS

The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within six years immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership, a sole proprietor or self-employed in a trade, profession, or other activity, either full- or part-time.

(An individual or joint debtor should complete this portion of the statement **only** if the debtor is or has been in business, as defined above, within six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)

#### 19. Books, records and financial statements

None a. List all bookkeepers and accountants who within two years immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

NAME AND ADDRESS Bridget Scott 2009 Icon Court Virginia Beach, VA 23456 DATES SERVICES RENDERED

None b. List all firms or individuals who within the two years immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

None c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

NAME **Bridget Scott** 

NAME

Brandon Grigg

ADDRESS 2009 Icon Court Virginia Beach, VA 23456

121 Ocean Pebbles Way Virginia Beach, VA 23451 6

DATES SERVICES RENDERED

ADDRESS

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None		tutions, creditors and other parties, including mercanti hin <b>two years</b> immediately preceding the commencem	le and trade agencies, to whom a financial statement was ent of this case.
NAME A	AND ADDRESS		DATE ISSUED
	20. Inventories		
None		ast two inventories taken of your property, the name of nd basis of each inventory.	the person who supervised the taking of each inventory,
DATE O	F INVENTORY	INVENTORY SUPERVISOR	DOLLAR AMOUNT OF INVENTORY (Specify cost, market or other basis)
None	b. List the name and add	dress of the person having possession of the records of	each of the two inventories reported in a., above.
DATE O	FINVENTORY	NAME AND ADD RECORDS	RESSES OF CUSTODIAN OF INVENTORY
	21 . Current Partners,	Officers, Directors and Shareholders	
None	a. If the debtor is a parti	nership, list the nature and percentage of partnership in	terest of each member of the partnership.
NAME A	AND ADDRESS	NATURE OF INTEREST	PERCENTAGE OF INTEREST
None		oration, list all officers and directors of the corporation cent or more of the voting or equity securities of the co	n, and each stockholder who directly or indirectly owns, rporation.
Brando 121 Oce	AND ADDRESS n Grigg ean Pebbles Way n Beach, VA 23451	TITLE President	NATURE AND PERCENTAGE OF STOCK OWNERSHIP <b>Sole Stockholder</b>
	22 . Former partners, o	officers, directors and shareholders	
None	a. If the debtor is a partic commencement of this c	nership, list each member who withdrew from the partr case.	hership within <b>one year</b> immediately preceding the
NAME		ADDRESS	DATE OF WITHDRAWAL
None		oration, list all officers, or directors whose relationship the commencement of this case.	with the corporation terminated within <b>one year</b>
Brando 121 Oce	AND ADDRESS n Grigg ean Pebbles Way I Beach, VA 23451	TITLE President	DATE OF TERMINATION
	23 . Withdrawals from	a partnership or distributions by a corporation	
None		bans, stock redemptions, options exercised and any other	s credited or given to an insider, including compensation er perquisite during <b>one year</b> immediately preceding the
	& ADDRESS		AMOUNT OF MONEY
OF REC	IPIENT, ONSHIP TO DEBTOR	DATE AND PURPOSE OF WITHDRAWAL	OR DESCRIPTION AND VALUE OF PROPERTY

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#### 24. Tax Consolidation Group.

None If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within **six years** immediately preceding the commencement of the case.

#### NAME OF PARENT CORPORATION

TAXPAYER IDENTIFICATION NUMBER (EIN)

#### 25. Pension Funds.

None If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within **six years** immediately preceding the commencement of the case.

#### NAME OF PENSION FUND

TAXPAYER IDENTIFICATION NUMBER (EIN)

8

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

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct to the best of my knowledge, information and belief.

Date April 3, 2009

Signature /s/ Brandon Grigg Brandon Grigg

President

[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]

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

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In re Grigg Brother Tree Service Incorporated

Case No.

Debtor(s)

# STATEMENT OF FINANCIAL AFFAIRS Attachment A

Debtor agrees to pay 200 an hour to Tom C. Smith. The debtor agreed to pay \$7,500.00 for the filing fee and the services related to the filing of the bankruptcy petition and representation of the debtor during the bankruptcy until the debtor is ready to file a Chapter 11 Plan. The debtor has agreed to pay an additional \$7,500.00 for the services relating to the preparation and filing of the Chapter 11 Plan and the continued representation of the debtor through the conclusion of the bankruptcy case after the plan is filed.

The debtor has paid \$5000.00 to Tom C. Smith. \$1,039.00 will be used to pay the filing fees. The balance of \$2,500.00 will be paid by the debtor within fifteen days from the date of filing the bankruptcy petition.

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In re	Grigg Brothers T	ree Service Incorp	orated	Case	No.	
			Debtor(s)	Chaj	oter	11
	DISCI	LOSURE OF C	OMPENSATION OF ATT	<b>CORNEY FOR</b>	R DE	CBTOR(S)
		ne, for services rende	uptcy Rule 2016(b), I certify that I red or to be rendered on behalf of t			
	For legal services, l	I have agreed to accept	t	\$	200	PER HOUR
	Prior to the filing o	f this statement I have	e received	\$		5,000.00
	Balance Due			\$		2,500.00
2.	The source of the compe	ensation paid to me wa	as:			
	Debtor Debtor	Other ( <i>specify</i> )	conclusion of the bankruptcy The debtor has paid \$5000.00	d the services re esentation of the le a Chapter 11 P he services relati continued repres y case after the p 0 to Tom C. Smit	elated debt lan. 7 ng to sentat lan is h. \$1,	I to the filing of the tor during the bankruptcy The debtor has agreed to pay the preparation and filing of tion of the debtor through the s filed.
			days from the date of filing the	ne bankruptcy pe	etitior	1.
3.	The source of compensa		is:			
	Debtor	Other (specify)				
4.	I have not agreed to	share the above-discl	osed compensation with any other per	rson unless they are	meml	pers and associates of my law firm.
			d compensation with a person or person of the names of the people sharing in			
	<ul> <li>a. Analysis of the debto</li> <li>b. Preparation and filin</li> <li>c. Representation of the</li> <li>d. Other provisions as r</li> <li>Negotiations with</li> <li>reaffirmation agre</li> </ul>	or's financial situation g of any petition, sche e debtor at the meetin needed: secured creditors ements and applic	greed to render legal service for all as , and rendering advice to the debtor in edules, statement of affairs and plan w g of creditors and confirmation hearin to reduce to market value; exer- cations as needed; preparation a household goods.	n determining wheth which may be required g, and any adjourne mption planning;	ner to t ed; ed heat <b>prep</b>	file a petition in bankruptcy; rings thereof; aration and filing of

By agreement with the debtor(s), the above-disclosed fee does not include the following services: 6. Representation of the debtors in any dischargeability actions, judicial lien avoidances, relief from stay actions or any other adversary proceeding.

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Document

Eastern District of Virginia

2005 USBC, Eastern District of Virginia

Form B203 - Continued

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2005 USBC, Eastern District of Virginia

#### CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

#### April 3, 2009

Date

\_/s/ Brandon Grigg\_\_\_\_\_ Brandon Grigg, President /s/ Tom C. Smith

**Tom C. Smith 14203** *Signature of Attorney* 

Law Offices of Tom C. Smith

*Name of Law Firm* 1600 Virginia Beach Blvd. Virginia Beach, VA 23454 757-428-3481 Fax: 757-491-6174

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\_ continuation sheets attached to List of Equity Security Holders

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# United States Bankruptcy Court Eastern District of Virginia

In re	Grigg Brothers Tree Service Incorporated	Case No.	
-	Debtor	, ,	
		Chapter	11

# LIST OF EQUITY SECURITY HOLDERS

Following is the list of the Debtor's equity security holders which is prepared in accordance with Rule 1007(a)(3) for filing in this chapter 11 case.

Name and last known address	Security	Number	Kind of
or place of business of holder	Class	of Securities	Interest
Brandon Grigg 121 Ocean Pebbles Way Virginia Beach, VA 23451			100% owner of the company

# DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF 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 of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date April 3, 2009

Signature /s/ Brandon Grigg Brandon Grigg 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.

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Case 09-71822-FJS Doc 1

# United States Bankruptcy Court Eastern District of Virginia

In re	Grigg Brothers Tree Service	Incorporated

Dahtar

Case No.\_\_\_\_\_

Debtor

Chapter\_\_\_\_\_11\_\_\_\_

# **DECLARATION OF DIVISIONAL VENUE**

The debtor's domicile, residence, principal place of business or principal assets were located for the greater part of the 180 days preceding the filing of the bankruptcy petition in the indicated city or county [check one box only]:

Alexandria Division Cities:	Richmond Division Cities:	Norfolk Division Cities:	Newport News Division Cities:
$\Box$ Alexandria-510	Richmond (city)-760	□ Norfolk-710	□ Newport News-700
$\square$ Fairfax-600	$\Box$ Colonial Heights-570	□ Cape Charles-535	$\square$ Hampton-650
□ Falls Church-610	$\square$ Emporia-595	□ Chesapeake-550	□ Poquoson-735
□ Manassas-683	☐ Fredericksburg-630	$\square$ Franklin-620	☐ Williamsburg-830
☐ Manassas Park-685	□ Hopewell-670	□ Portsmouth-740	Counties:
Counties:	$\square$ Petersburg-730	$\square$ Suffolk-800	Gloucester-073
Arlington-013	Counties:	Virginia Beach-810	□ James City-095
□ Fairfax-059	Amelia-007	Counties:	$\square$ Mathews-115
☐ Fauquier-061	$\square$ Brunswick-025	Accomack-001	□ York-199
Loudoun-107	$\Box$ Caroline-033	☐ Isle of Wight-093	
□ Prince William-153	□ Charles City-036	□ Northampton-131	
□ Stafford-179	□ Chesterfield-041	Southampton-175	
	Dinwiddie-053	I	
	$\Box$ Essex-057		
	□ Goochland-075		
	Greensville-081		
	□ Hanover-085		
	Henrico-087		
	□ King and Queen-097		
	☐ King George-099		
	☐ King William-101		
	□ Lancaster-103		
	□ Lunenburg-111		
	☐ Mecklenburg-117		
	☐ Middlesex-119		
	□ New Kent-127		
	□ Northumberland-133	Date: April 3, 2009	
	□ Nottoway-135	Date: April 3, 2009	
	D Powhatan-145		
	□ Prince Edward-147		
	□ Prince George-149	/s/ Tom C. Smith	
	□ Richmond (county)-159		
	□ Spotsylvania-177	Signature of Attorney Tom C. Smith 14203	
	□ Surry-181		
	□ Sussex-183		
	□ Westmoreland-193		

□ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this Division.

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BB&T Finance P.O. Box 580155 Charlotte, NC 28258

Brandon Grigg 121 Ocean Pebbles Way Virginia Beach, VA 23451

City of Virginia Beach c/o City Treasurer Municipal Center, Bldg. 1 2401 Courthouse Drive Virginia Beach, VA 23450-9018

Cliff's Equipment 14000ld Atlantic Avenue Chesapeake, VA 23324

Internal Revenue Service Insolvency Groups 400 North 8th Street, Box 76 Stop Room 898 Richmond, VA 23240

L.N.C. 1341 Crossways Blvd. Chesapeake, VA 23320

OIA Inc. Tidewater Builders Assoc. 2117 Smith Avenue Chesapeake, VA 23320

Travelers Indemnity Company 2420 Lakemont Avenue Orlando, FL 32814

Virginia Employment Commission P. O. Box 1358 Richmond, VA 23218

Virginia State Income Tax 2401 Courthouse Drive Municipal Center Bldg. 1 Virginia Beach, VA 23456-9018

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

**Grigg Brothers Tree Service Incorporated** In re

Debtor(s)

Case No.

## **CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)**

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for <u>Grigg Brothers Tree Service Incorporated</u> in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

■ None [*Check if applicable*]

April 3, 2009 Date

/s/ Tom C. Smith Tom C. Smith 14203 Signature of Attorney or Litigant Counsel for Grigg Brothers Tree Service Incorporated Law Offices of Tom C. Smith 1600 Virginia Beach Blvd. Virginia Beach, VA 23454 757-428-3481 Fax:757-491-6174 office@tomcsmith.com

Chapter 11

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		s Bankruptcy Court District of Virginia	ţ		
In re	Grigg Brothers Tree Service Incorporated	0	Case No.		
in ie		Debtor(s)	Chapter	11	
	<b>BUSINESS INCO</b>	OME AND EXPEN	ISES		
F	INANCIAL REVIEW OF THE DEBTOR'S BUSINES	S (NOTE: ONLY INCLUDE info	ormation directly	related to the busi	ness operation.)
	A - GROSS BUSINESS INCOME FOR PREVIOUS 1/				• ·
	1. Gross Income For 12 Months Prior to Filing:		\$ 12	0,000.00	
PART	B - ESTIMATED AVERAGE FUTURE GROSS MON	THLY INCOME:	Ψ		
	2. Gross Monthly Income			\$	15,000.00
PART	C - ESTIMATED FUTURE MONTHLY EXPENSES:			Ψ	
	3. Net Employee Payroll (Other Than Debtor)(Independent Contra	ator Poymont \$4,000.00			
	Grigg's Draw \$3,000.00)	cioi r ayment \$4,000.00	\$	7,000.00	
	4. Payroll Taxes			0.00	
	5. Unemployment Taxes			0.00	
	6. Worker's Compensation			0.00	
	7. Other Taxes (Personal Property Taxes)			200.00	
	8. Inventory Purchases (Including raw materials)			0.00	
	9. Purchase of Feed/Fertilizer/Seed/Spray			0.00	
	10. Rent (Other than debtor's principal residence) (Lot rent)			500.00	
	11. Utilities			500.00	
	12. Office Expenses and Supplies			500.00	
	13. Repairs and Maintenance (License Fees and Tags)			350.00	
	14. Vehicle Expenses(Fuel)			2,400.00	
	15. Travel and Entertainment (Cell Phones \$400 Advertising \$575)			975.00	
	16. Equipment Rental and Leases			0.00	
	17. Legal/Accounting/Other Professional Fees			50.00	
	18. Insurance (Truck Insurance \$900 Liability Insurance \$425)			1,325.00	
	<ol> <li>19. Employee Benefits (e.g., pension, medical, etc.)</li> <li>20. Payments to Be Made Directly By Debtor to Secured Creditors Ferrare</li> </ol>	or Pre-Petition Business Debts (Sp	ecify):	0.00	
	DESCRIPTION	TOTAL			
	21. Other (Specify):				
	DESCRIPTION	TOTAL			
<b>-</b>	22. Total Monthly Expenses (Add items 3-21)			\$	13,800.00
PART	D - ESTIMATED AVERAGE NET MONTHLY INCO			-	4 000 00
	23. AVERAGE NET MONTHLY INCOME (Subtract item 22 from i	item 2)		\$	1,200.00

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

In re Brothers Tree Service Incorporated G

Debtor

#### Case No.

11 Chapter\_\_\_\_\_

# **DECLARATION OF COMPLIANCE WITH RULE 9009**

The undersigned is the attorney for the debtor in this case.

The undersigned declares under penalty of perjury that the Schedules and Forms filed in this case for the debtor were computer generated using Best Case Bankruptcy and conform with those prescribed by Bankruptcy Rule 9009.

Date April 3, 2009

/s/ Tom C. Smith 14203

Signature of attorney Tom C. Smith 14203 Law Offices of Tom C. Smith 1600 Virginia Beach Blvd. Virginia Beach, VA 23454 757-428-3481

Case 09-71822-FJS

G	ri	g	g	I	B
		-	-		

United States Bankruptcy Court Eastern District of Virginia

In re Grigg Brothers Tree Service Incorporated

Debtor(s)

Case No. \_\_\_\_\_\_ Chapter 11

# **DESIGNATION OF AGENT**

I hereby designate my attorney, whose signature, name, address, Bar No., telephone and fax numbers are set forth below, as my agent to receive service of process and service of all pleadings in all proceedings, including adversary actions and contested matters, pursuant to Bankruptcy Rule 7004(b)(8), in this Court arising in this case. This designation shall expire the 60th day after the latest of the following dates which may be applicable in this case: entry of Discharge of Debtor, the last date permitted for filing complaints objecting to discharge under 11 U.S.C. § 727 or dischargeability of debts under 11 U.S.C. § 523, or the date an order of confirmation of a Chapter 11 or Chapter 12 plan is entered.

**April 3, 2009** Date

/s/ Brandon Grigg Debtor/Title: Brandon Grigg/President

Date

Co-Debtor:

/s/ Tom C. Smith

Attorney Signature (Type Attorney Name, Address, Phone and Bar Number Below) Tom C. Smith Law Offices of Tom C. Smith 1600 Virginia Beach Blvd. Virginia Beach, VA 23454 757-428-3481 Fax: 757-491-6174 office@tomcsmith.com Bar Number: 14203 Case 09-71822-FJS Doc 1 Filed 05/04/09 Entered 05/04/09 10:31:08 Desc Main Document Page 42 of 43

> United States Bankruptcy Court Eastern District of Virginia

In re Grigg Brothers Tree Service Incorporated

Debtor(s)

Case No. \_\_\_\_\_\_ Chapter 11

# STATEMENT REGARDING AUTHORITY TO SIGN AND FILE PETITION

I, Brandon Grigg, declare under penalty of perjury that I am the President of Grigg Brothers Tree Service Incorporated, and that the following is a true and correct copy of the resolutions adopted by the Board of Directors of said corporation at a special meeting duly called and held on the 3rd \_ day of April, 2009\_.

"Whereas, it is in the best interest of this corporation to file a voluntary petition in the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that **Brandon Grigg**, **President** of this Corporation, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter **11** voluntary bankruptcy case on behalf of the corporation; and

Be It Further Resolved, that **Brandon Grigg**, **President** of this Corporation is authorized and directed to appear in all bankruptcy proceedings on behalf of the corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the corporation in connection with such bankruptcy case, and

Be It Further Resolved, that Brandon Grigg, President of this Corporation is authorized and directed to employ Tom C. Smith 14203, attorney and the law firm of Law Offices of Tom C. Smith to represent the corporation in such bankruptcy case."

Date April 3, 2009

Signed /s/ Brandon Grigg Brandon Grigg

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Resolution of Board of Directors of Grigg Brothers Tree Service Incorporated

Whereas, it is in the best interest of this corporation to file a voluntary petition in the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that **Brandon Grigg**, **President** of this Corporation, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter **11** voluntary bankruptcy case on behalf of the corporation; and

Be It Further Resolved, that **Brandon Grigg**, **President** of this Corporation is authorized and directed to appear in all bankruptcy proceedings on behalf of the corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the corporation in connection with such bankruptcy case, and

Be It Further Resolved, that Brandon Grigg, President of this Corporation is authorized and directed to employ Tom C. Smith 14203, attorney and the law firm of Law Offices of Tom C. Smith to represent the corporation in such bankruptcy case.

Date April 3, 2009

Signed Brandon Grigg