Case 15-11737-BFK Doc 1 Filed 05/20/15 Entered 05/20/15 10:04:43 Desc Main B1 (Official Form 1) (04/13) Document Page 1 of 47

United States Bankruptcy Court Eastern District of Virginia					Voluntar	y Petition			
Name of Debtor (if individual, enter Last, First, Middle):  FBJ Real Estate, LLC,			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.I. (if more than one, state all): 74-3195957	D. (ITIN) No./Co	omplete EIN		Last four digit (if more than o		e. Sec. or Individua e all):	al-Taxpayer I.	.D. (ITIN) No./C	omplete EIN
Street Address of Debtor (No. and Street, City, and St	ate):			Street Address	of Join	nt Debtor (No. and	Street, City,	and State):	
12022 Meadowville Court									
Herndon, Virginia		20170							
County of Residence or of the Principal Place of Busin Loudoun	ness:			County of Res	idence (	or of the Principal	Place of Busi	iness:	
Mailing Address of Debtor (if different from street add	dress):			Mailing Addre	ess of Jo	oint Debtor (if diffe	erent from stre	eet address):	
Location of Principal Assets of Business Debtor (if did	fferent from stree	t address abov	/e):						
Type of Debtor		Nature of B	Business			Chapter of	Bankruptcy	y Code Under W	hich
(Form of Organization) (Check one box.)	☐ Health Ca	(Check one re Business	e box.)				etition is File	ed (Check one ber 15 Petition for	
Individual (includes Joint Debtors) See Exhibit D on page 2 of this form.		set Real Estate § 101 (51B)	e as defin	ed in		Chapter 9 Chapter 11	Recog	gnition of a Foreig Proceeding	ŗn
Corporation (includes LLC and LLP)  Partnership	Railroad Stockbrok	er				Chapter 12	_	er 15 Petition for	
Other (If debtor is not one of the above entities,	Commodia Clearing F	•				Chapter 13	_	gnition of a Foreig ain Proceeding	ŗn
check this box and state type of entity below.)	Other							e of Debts	
Charter 15 Deltarra	Farming		4 E-44-		-	Debts are primar	`	one box.)  Debts a	re primarily
Chapter 15 Debtors Country of debtor's center of main interests:	_ (0	Tax-Exemp Check box, if a		e.)		debts, defined in § 101(8) as "inco		busines	s debts.
Each country in which a foreign proceeding by, regarding, or against debtor is pending:	under Title	a tax-exempt of e 26 of the Un Internal Reve	nited State	es		individual prima personal, family, hold purpose.	rily for a		
Filing Fee (Check one box.)				Check one b	ον.		11 Debtors		
☐ Full Filing Fee attached				Debtor i	s a sma	ll business debtor			
Filing Fee to be paid in installments (Applicable of Must attach signed application for the court's correction.			ebtor is	Check if:		small business deb		Ü	` '
unable to pay fee except in installments. Rule 10				insiders	or affili	ate noncontingent iates) are less than	\$2,490,925		
Filing Fee waiver requested (Applicable to chapter signed application for the court's consideration. S		•	ach			every three years	thereafter).		
					s being	filed with this peti			
						the plan were soli accordance with 1			nore classes
Statistical/Administrative Information  Debtor estimates that funds will be available for	r distribution to u	nsecured credi	itors.						THIS SPACE IS FOR COURT USE ONLY
Debtor estimates that, after any exempt property expenses paid, there will be no funds available									
Estimated Number of Creditors	Tor distribution to	unsecured en	cuitors.						
1- 50- 100- 20		] 000-	5,001-	10,001	l-	25,001-	50,001-	Over	
49 99 199 99 Estimated Assets		000	10,000	25,000	)	50,000	100,000	100,000	
	_		<b>10.000</b>		00.001		D	01 Manadaan	
\$50,000 \$100,000 \$500,000 to	\$1 to	1,000,001 \$10 illion	\$10,000 to \$50 million	0,001 \$50,00 to \$10 million	0	\$100,000,001 to \$500 million	\$500,000,0 to \$1 billion		
Estimated Liabilities		_					П		
\$0 to \$50,001 to \$100,001 to \$30,000 to \$50,000 \$100,000 \$500,000 to	500,001 \$1 0 \$1 to	1,000,001 \$10 illion	\$10,000 to \$50 million	_	0	\$100,000,001 to \$500 million	\$500,000,0 to \$1 billion	01 More than	

Voluntary Petition (This page must be completed and filed in every case)	Name of Debtor(s): FBJ Real Estate, LI	LC		
	se Filed Within Last 8 Years (If more than two, attach additional sheet.)			
Location Eastern District of Virginia Where Filed:	Case Number: 11-16606-RGM	Date Filed: 9/22/11		
Location Where Filed:	Case Number:	Date Filed:		
Pending Bankruptcy Case Filed by any Spouse, Partner or	Affiliate of this Debtor (If more than on	e, attach additional sheet.)		
Name of Debtor:	Case Number:	Date Filed:		
Joseph Lee Bane	11-11426-RGM	2/28/11		
District: Eastern District of Virginia	Relationship: Co-Managing Member	Judge: Mayer		
	CO-Wanaging Weimber			
Exhibit A  (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)  Exhibit A is attached and made a part of this petition.  Exhibit B  (To be completed if debtor is an individual whose debts are primarily consumer debts.)  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).  X  Signature of Attorney  Date				
Exhibit C  Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?  Yes, and Exhibit C is attached and made a part of this petition.  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.				
_	arding 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.				
or has no principal place of business or assets in the United States but is a de	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 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 R	esides as a Tenant of Residential Propert	у		
(Check al	l applicable boxes.)			
Landlord has a judgment against the debtor for possession of debtor's residen	nce. (If box checked, complete the following	g.)		
7)	Name of landlord that obtained judgment)			
(Address of landlord)				
Debtor claims that under applicable nonbankruptcy law, there are circumstar entire monetary default that gave rise to the judgment for possession, after the				
Debtor has included in this petition the deposit with the court of any rent that	t would become due during the 30-day period	od after the		
filing of the petition.  Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)).				

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## ATTACHMENT TO FBJ REAL ESTATE, LLC BANKRUPTCY PETITION (5/20/2015)

## Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor

Name of Debtor: Highland Construction Management Services, LP

Case Number: 11-11413-RGM

Date Filed: 2/28/2011

District: Eastern District of Virginia

Relationship: Co-Managing Member

Judge: Mayer

Voluntary Petition (This page must be completed and filed in every case)	Name of Debtor(s): FBJ Real Estate, LLC
	gnatures
Signature(s) of Debtor(s) (Individual/Joint)	Signature of a Foreign Representative
I declare under penalty of perjury that the information provided in this petition is true and correct.  [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under Chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.  [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by § 342(b) of the Bankruptcy Code.  I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.	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 § 1515 of title 11 are attached.  Pursuant to § 1511 of title 11, United States Code, 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.
V /dlasek I Done Is	
X /s/ Joseph L. Bane, Jr. Signature of Debtor	X
X	(Signature of Foreign Representative)
Signature of Joint Debtor	(Printed Name of Foreign Representative)
Telephone Number (If not represented by attorney)	
5/20/2015 Date	Date
Signature of Attorney*	Signature of Non-Attorney Bankruptcy Petition Preparer
X /s/ Frank Bredimus Signature of Attorney Frank Bredimus 28793	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 notice and information required under 11 U.S.C. 110(b), 110(h), and 342(b); and, (3) if
Printed Name of Attorney for Debtor(s)  Law Office of Frank Bredimus  Firm Name  P.O. Box 535	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 19B is attached.
Address Hamilton, Virginia 20159	Printed Name and title, if any, of Bankruptcy Petition Preparer
(571)-344-2278; fbredimus@aol.com  Telephone Number 5/20/2015  Date	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.)
* 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.	Address
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.	X
The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.	Date  Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above.
/s/ Joseph L. Bane, Jr. Signature of Authorized Individual Joseph L. Bane, Jr.	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.
Printed Name of Authorized Individual  Co-Managing Member	If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.
Title of Authorized Individual	A bankruptcy petition preparer's failure to comply with the provisions
5/20/2015	of title 11 and the Federal Rules of Bankruptcy Procedure may result
Date	in fines or imprisionment or both 11 U.S.C. § 110; 18 U.S.C. § 156.

# Form B Case 17737-BFK Doc 1 Filed 05/20/15 Entered 05/20/15 10:04:43 Desc Main Document Page 5 of 47 Exhibit "A"

[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 of the Bankruptcy Code, this Exhibit "A" shall be completed and attached to the petition.]

#### **EXHIBIT "A" TO VOLUNTARY PETITION**

1.	If any of the debtor's securities are registered under Section 12 of the SEC file number is .	the Sec	urities Exchange Act of 1	934,
2.	The following financial data is the latest available information are on .	d refers	to the debtor's condition	
a.	Total assets		\$	
b.	Total debts (including debts listed in 2.c., below)		\$	
c.	Debt securities held by more than 500 holders.			Approximate number of holders
	☐ Secured ☐ Unsecured ☐ Subordinated	\$		
	☐ Secured ☐ Unsecured ☐ Subordinated	\$ *		
	Secured Unsecured Subordinated	\$ \$		
	Secured Unsecured Subordinated	\$		
	Secured Unsecured Subordinated	\$		
d.	Number of shares of prefered stock			
e.	Number of shares of common stock			
	Comments, if any:			
3.	Brief description of debtor's business:			
	List the names of any person who directly or indirectly owns, co nore of the voting securities of debtor:	ntrols, o	r holds, with power to vo	te, 5% or

# Form B Case 1 17737-BFK Doc 1 Filed 05/20/15 Entered 05/20/15 10:04:43 Desc Main Document Page 6 of 47 Exhibit "C"

[If, to the best of the debtor's knowledge, the debtor owns or has possession of property that poses or is alleged to pose a threat of imminent and identifiable harm to the public health or safety, attach this Exhibit "C" to the petition.]

#### **EXHIBIT "C" TO VOLUNTARY PETITION**

rsonal property owned by or in possession of owledge, poses or is alleged to pose a threat of health or safety (attach additional sheets if
of the dangerous condition, whether environmental a threat of imminent and identifiable harm to the

#### UNITED STATES BANKRUPTCY COURT

### **Eastern District of Virginia**

In Re:	FBJ Real Estate, LLC	Case No.	
_	Debtor		(if known)

# EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

1. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.

□ 2. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 14 days after your bankruptcy case is filed.

3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.]
If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.
4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.][Must be accompanied by a motion for determination by the court.]
☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);
Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);
☐ Active military duty in a military combat zone.
5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.
I certify under penalty of perjury that the information provided above is true and correct.
Signature of Debtor _/s/ Joseph L. Bane, Jr.  Date: _5/20/2015

### UNITED STATES BANKRUPTCY COURT

### **Eastern District of Virginia**

In Re:	FBJ Real Estate, LLC	Case No.		
	Debtor		(if known)	
		Chapter	11	

#### **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 provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors must also complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	\$1,300,000.00		
B - Personal Property	Yes	3	\$2,971,007.00		
C - Property Claimed as Exempt	Yes	1			
D - Creditors Holding Secured Claims	Yes	1		\$400,000.00	
E - Creditors Holding Unsecured Priority Claims	Yes	3		\$6,000.00	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	2		\$1,213,631.00	
G - Executory Contracts and Unexpired Leases	Yes	2			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	Yes	1			
J - Current Expenditures of Individual Debtor(s)	Yes	1			0.00
	TOTAL	16	\$4,271,007.00	\$1619631.00	

## UNITED STATES BANKRUPTCY COURT

	Eastern D	istrict of Virginia	ı
In Re:	FBJ Real Estate, LLC	Case No.	
	Debtor	- -	(if known)
		Chapter _	11
STA	TISTICAL SUMMARY OF CERTAIN	LIABILITIES AN	D RELATED DATA (28 U.S.C. § 159)
•	nn individual debtor whose debts are primarily consumer d a case under chapter 7, 11 or 13, you must report all inform		) of the Bankruptcy Code (11 U.S.C.
Checinformation here.	ck this box if you are an individual debtor whose debts are	NOT primarily consumer	debts. You are not required to report any
This information	n is for statistical purposes only under 28 U.S.C. § 159.		
Summarize the f	following types of liabilities, as reported in the Schedule	es, and total them.	
Type of Liabili	ity	Amount	
Domestic Suppo	rt Obligations (from Schedule E)		
	n Other Debts Owed to Governmental Units E)(whether disputed or undisputed)		
	n or Personal Injury While Debtor Was n Schedule E)(whether disputedor undisputed)		
Student Loan Ob	oligations (from Schedule F)		
	rt, Separation Agreement, and Divorce Decree Reported on Schedule E		
Obligations to Po	ension or Profit-Sharing, and Other Similar n Schedule F)		
	т	OTAL	
State the follow	ving:		
	(from Schedule I, Line 12)		
Average Expense	es (from Schedule I. Line 22)	0.0	0

Average Income (from Schedule I, Line 12)	
Average Expenses (from Schedule J, Line 22)	0.00
Current Monthly Income (from Form 22A-1 Line 11; OR, Form 22B Line 14; OR, Form 22C-1 Line 14)	

#### State the following:

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	\$1,213,631.00
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)	\$1213631.00

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In Re:	FBJ Real Est	ate, LLC	Document I	Page 11 Nof 47		

**Debtor** (if known)

#### **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, or both 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
6 Improved and Unimproved parcels at Tumeysville Rd., Rt. 833, Loudoun County, Virignia Parcel 1: 24 acres; Parcel 2: 56 acres; Parcels 3-6: aggragate 3 acres	Fee simple		\$1,300,000.00	\$390,000.00

Гоtal \$1,300,000.00

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Off: -: -1 F---- (D (12/07)

**Debtor** (if known)

#### **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 same case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, or both 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 the 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).

7.B., a minor cinia, by John Boc, guardian. Bo not di	sciose tii	e child's name. See, 11 U.S.C. § 112 and Fed. R. Bank		707(III).
Type of Property	None	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.	X			
2. Checking, savings or other financial accounts, CD's, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses or cooperatives.		Middleburg Bank checking		\$1,000.00
3. Security deposits with public utilities, telephone companies, landlords, and others.	X			
4. Household goods and furnishings, including audio, video, and computer equipment.	X			

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Debtor (if known) Husband, Wife, Joint, or Community Current Value of Debtor's Interest in Property Without Deducting Any Secured Claim or Exemption Type of Property None Description and Location of Property 5. Books, pictures and other art objects, X antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles. 6. Wearing apparel. X 7. Furs and jewelry. X 8. Firearms and sports, photographic, and X other hobby equipment. 9. Interests in insurance policies. Name X insurance company of each policy and itemize surrender or refund value of each. 10. Annuities. Itemize and name each issuer. X 11. Interests in an education IRA as defined in X 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. 12. Interest in IRA, ERISA, Keogh, or other  $\mathbf{X}$ pension or profit sharing plans. Give particulars.

Debtor

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(if known)

Debtor		f known)		
Type of Property	None	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
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 non-negotiable instruments.	X			
16. Accounts receivable.		Loan receivable due from FBJ Farm & Timber, LLC (affiliated entity). Uncollectable debt.		\$1.00
		Loan receivable due from Alba Financial Corp. (affiliated entity). Uncollectable debt.		\$1.00
		Loan receivable due from Highland Construction Managment Services, LP (Debtor is affiliated Chapter 11 case). Uncollectable debt.		\$1.00
		Loan receivable due from Little Piney Run, LLC (affiliated entity). Uncollectable debt.		\$1.00
		Loan receivable due from Josepph L. Bane, Jr. (co-managing member). Uncollectable debt.		\$1.00
	<u> </u>	Total		\$2,971,007.00

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Debtor			(if known)		
			Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property Without Deducting Any Secured	
Type of Property	None	Description and Location of Property	H O	•	
		Loan receivable due from Doris Calhoun (related by blood to co-managers of Debtor). Uncollectable debt.		\$1.00	
		Loan receivable due from Sanford, LLC (affiliated entity). Uncollectable debt. Statute of limitations.		\$1.00	
		Approximately 3,000 stream credits to be paid by Loudoun Mitigation Bank, LLC		\$700,000.00	
17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	X				
18. Other liquidated debts owing debtor including tax refunds. Give particulars.	X				
19. Equitable or future interest, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	X				
20. Contingent and noncontingent interests in real estate of a decendent, death benefit plan, life insurance policy, or trust.	X				
21. Other contingent or unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	X				

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Debtor			(i	f known)
			Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property Without Deducting Any Secured
Type of Property	None	Description and Location of Property	H or	Claim or Exemption
22. Patents, copyrights, and other intellectual property. Give particulars.	X			
23. Licenses, franchises, and other general intangibles. Give particulars.	X			
24. Customer lists or other compilations containing personally identifiable information provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	X			
25. Automobiles, trucks, trailers, and other vehicles and accessories.	X			
26. Boats, motors, and accessories.	X			
27. Aircraft and accessories.	X			
28. Office equipment, furnishings, and supplies.	X			
29. Machinery, fixtures, equipment, and supplies used in business.	X			

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Debtor		•	(if known)
CCHE		AIMED AC EVENI	<b>V</b> E
SCHEI	DULE C - PROPERTY CI	LAIMED AS EXEMP	1
otor claims the exemptions to which debtor is enti- eck one box)		ck if debtor claims a homestead e	xemption that exceeds
11 U.S.C. § 522(b)(2)	\$133	,073."	
11 U.S.C. § 522(b)(3)			
	1		
			Current Value of
escription of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Property Without Deducting Exemption

FBJ Real Estate, LLC Document Pageal8vof 47

> **Debtor** (if known)

#### SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

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 the 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.

List creditors in alphabetical order to the extent practicable. 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 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 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 Without Deducting Value of Collateral" 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, if Any" 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. Husband, Wife, Joint or Community Unliquidated Contingent Date Claim was Incurred, Amount of Nature of Lien, and Description Claim Without Creditor's Name and Mailing Address and Value of Property Deducting Unsecured Value of Collateral Subject to Lien Including Zip Code Portion, If Any Account Number: XX4160 Real Estate tax lien for 2015 \$10,000.00 0.00 on real property shown on County of Loudoun Schedule A Office of the Assessor 1 Harrison Street, SE Fifth Floor Leesburg, VA 20177-700 VALUE \$ \$1,300,000.00 Account Number: X November 27, 2006 X 0.00 \$390,000.00 Deed of trust on 6 parcels of Summit Community Bank real estate listed on Schedule A 310 North Main Street P.O. Box 680 Moorefield, WV 26836-0680 VALUE \$ \$1,300,000.00 Account Number: VALUE \$ Subtotal \$400,000.00 \$0.00 (Total of this page) Total \$400,000.00 (Use only on last page) (Report also on (If applicable, report

Summary of

Schedules.)

also on Statistical

Data.)

Summary of Certain Liabilities and Related

0 continuation sheets attached

**Debtor** (if known)

#### 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 entitires holding priority claims against the debtor or the property of the debtor, as of the date of the filing of this 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 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 who file a case under chapter 7 or 13 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 conusmer debts who file a case under chapter 7 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 \$12,475\* per person earned within 180 days immediately preceding the filing of the original petition, or

#### ☐ 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).

the cessation of business, whichever occured first, to the extend provided in 11 U.S.C. § 507(a)(4).

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_	Debtor	(if know	wn)
	Certain farmers and fishermen		
Claim	ms of certain farmers and fishermen, up to \$6,150* per farmer of fisherman, agai	nst the debtor, as provided in 11 U.S.C. § 507	'(a)(6).
	Deposits by individuals		
	ms of individuals up to \$2,775* deposits for the purchase, lease, or rental of prop were not delivered or provided. 11 U.S.C. § 507(a)(7).	erty or services for personal, family, or housel	hold use,
$\boxtimes$	Taxes and Certain Other Debts Owed to Governmental Units		
Taxes.	es, customs duties, and penalties owing to federal, state, and local governmental u	nits as set forth in 11 U.S.C. § 507(a)(8).	
	Commitments to Maintain the Capital of an Insured Depository Ins	titution	
Gover	ms based on commitments to the FDIC, RTR, Director of the Office of Thrift Supernors of the Federal Reserve System, or their predecessors or successors, to main C. § 507(a)(9).	•	
	Claims for Death or Personal Injury While Debtor Was Intoxicated		
	ms for death or personal injury resulting from the operation of a motor vehicle or hol, a drug, or another substance. 11 U.S.C. § 507(a)(10).	vessel while the debtor was intoxicated from	using
* 1	nounts are subject to adjustment on 04/01/16, and every three years thereafter with	the managed to access a common and an amoften tha	data of

adjustment.

\_0\_ continuation sheets attached

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Debtor

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(if known)

Type of Priority Husband, Wife, Joint, or Community Unliquidated Amount Not Amount Contingent Date Claim was Incurred, Entitled Entitled to Disputed Creditor's Name and Mailing Address **Total Amount** and Consideration for Claim Priority, If to Priority Including Zip Code of Claim Any 0 0 0 Account Number: Informational Purposes Only Commonwealth of Virginia Department of Taxation Legal Unit, P.O. Box 2156 Richmond, VA 23218 X \$6,000.00 Account Number: Late filing fee Internal Revenue Service 2970 Market Street Mail Stop 5-Q30.133 Philadelphia, PA 19104-5016 Account Number: Account Number: Account Number: Account Number: \$6,000.00 \$0.00 \$0.00 (Total of this page) Total \$6,000.00 (Use only on last page of the completed Schedule E. Report also on the Summary of Schedules.) Totals (Use only on last page of the completed Schedule E. If applicable, report also on Sheet no. 1 of 1 continuation sheets attached to the Statistical Summary of Certain Schedule of Creditors Holding Unsecured Priority Claims

Liabilities and Related Data.)

	Debto	r			(if kno	wn)	
In Re:	FBJ Real Est	ate, LLC	Document F	'age_22\0f 4	17		
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SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

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.

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 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".

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 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 filing a case under chapter 7, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured nonpriority claims to report on this Schedule F. Husband, Wife, Joint, or Community Unliquidated Contingent Creditor's Name and Mailing Address Date Claim was Incurred and Consideration for Claim. If Claim is Including Zip Code, and Account Number Subject to Setoff, so State. Amount of Claim Account Number: 2009 and 2010 accounting fees \$12,275.00 Cherry, Bekaert, Holland 200 South 10th Street, Suite 900 Richmond, Virginia 23219 Account Number: 2010 member loan \$20,000.00 Frederick C. Calhoun, Jr. 37055 Turneysville Rd. Purcellville, VA 20132 Account Number: \$250,000.00 2008 member loan James B. Bane 37052 Turneysville Rd. Purcellville, VA 20132 Account Number: 2007 member loan \$226,752.00 Joseph L. Bane, Jr. 12022 Meadowville Court Herndon, VA 20170 Subtotal \$509,027.00 Total 1 continuation sheets attached (Use only on last page of the completed Schedule F.) (Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)

Official C대왕 15년1737-BFK Doc 1 Filed 05/20/15 Entered 05/20/15 10:04:43 Desc Main Document Page 23 of 47 FBJ Real Estate, LLC **Debtor** (if known) Husband, Wife, Joint, or Community Unliquidated Contingent Creditor's Name and Mailing Address Date Claim was Incurred and Disputed Including Zip Code, Consideration for Claim. If Claim is Subject to Setoff, so State. and Account Number Amount of Claim Account Number: 2009 and 2010 attorney's fees \$3,000.00 Sevila, Saunders, Huddleston 30 N. King Street Leesburg, VA 20176 Account Number: X X  $X \mid X$ \$674,000.00 2007 Business loan The Business Bank 133 Maple Avenue P.O. Box 2459 Vienna, VA 22180 Account Number: \$2,604.00 2010 accounting fees Yount, Hyde, and Barbour 50 S. Cameron St. Winchester, VA 22601 Account Number: 2012 legal fees \$15,000.00 Redmon, Peyton & Braswell, LLP 510 King Street, Suite 301 Alexandria, VA 22314 Account Number: 2014 legal fees \$5,000.00 Updegrove, Combs & McDaniel, PLC 5 Loudoun Street SW Leesburg, VA 20175 Account Number: 2014 legal fees \$5,000.00 Warren Stein 210 Wirt Street SW Leesburg, VA 20175 Account Number: X Unknown Dimuro Ginsberg 1101 King Street, Suite 610 Alexandria, Virginia 22314

(Use only on last page of the completed Schedule F.)
(Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)

Subtotal

\$704,604.00

\$1,213,631.00

Sheet no. <u>1</u> of <u>1</u> continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

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n Re	FRI Real Est	ate LLC	Document	Page 24vaf 47		

**Debtor** (if known)

#### 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
Loudoun Mitigation Bank, LLC 12022 Meadowville Court Herndon, VA 20170	Contract for the development and sale of stream credits on the property owned by the debtor
James B. Bane 37052 Turneysville Rd. Purcellville, VA 20132	Month-to-month lease for house located on Debtor's property Rent: \$500.00 Debtor is the lessor
Frederick C. Calhoun, Jr. 37055 Turneysville Rd. Purcellville, VA 20132	Month-to-month lease for house located on Debtor's property Debtor is the lessor Rent: \$1,000.00 Debtor is the lessor

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**Debtor** (if known) Description of Contract or Lease and Nature of Debtor's Interest. State Whether Lease is for Nonresidential Real Name and Mailing Address, Including Zip Code, Property. State Contract Number of Any Government of Other Parties to Lease or Contract Contract Doris B. Calhoun Month-to-month lease for house located on Debtor's property Debtor is the lessor

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In Re:	FBJ Real Est	ate, LLC	Document Pa	age:26xof 47		

**Debtor** (if known)

#### **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 Mailing Address of Codebtor	Name and Mailing Address of Creditor	
Joseph L. Bane, Jr. 12022 Meadowville Court Herndon, VA 20170	The Business Bank 133 Maple Avenue P.O. Box 2459 Vienna, Virginia 22180	
Joseph L. Bane, Jr. 12022 Meadowville Court Herndon, VA 20170	Summitt Community Bank 310 North Main Street P.O. Box 680 Moorefield, WV 26836-0680	

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In Re:

(if known) **Debtor** 

### DECLARATION CONCERNING DEBTOR(S) SCHEDULES

#### DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of sheets (total shown on summary page plus 2), and that they are true and correct to the best of my knowledge, information, and belief.

5/20/2015	/s/ Joseph L. Bane, Jr.
Date	Signature of Debtor
5/20/2015	
Date	Signature of Joint Debtor
	* * * * *
DECLARATION AND SIGN	ATURE OF BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)
compensation and have provided the debtor with a copy of 110(h), and 342(b); (3) if rules or guidelines have been prochargeable by bankruptcy petition preparers, I have given the	ey petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for this document and the notices and information required under 11 U.S.C. §§ 110(b), mulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services the debtor notice of the maximum amount before preparing any document for filing for a der that section; and (4) I will not accept any additional money or other property from
Printed or Typed Name and Title, if any, of Bankruptcy Pe	stition Preparer Social-Security No. (Required by 11 U.S.C. § 110.)
Address X	
Signature of Bankruptcy Petition Preparer	Date
Names and Social Security numbers of all other individuals not an individual:	s who prepared or assisted in preparing this document, unless te bankruptcy petition preparer is
* * *	lditional signed sheets conforming to the appropriate Official Form for each person.  provisions of Title 11 and the Federal Rules of Bankruptcy Procedure may result in  C. § 156.
	* * * * *
DECLARATION UNDER PENALTY	OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP
that I have read the foregoing summary of	ned as debtor in this case, declare under penalty of perjury schedules, consisting of sheets (total shown on summary ect to the best of my knowledge, information, and belief.
5/20/2015	/s/ Joseph L. Bane, Jr.
Date	Signature of Authorized Individual

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

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#### FORM 7. STATEMENT OF FINANCIAL AFFAIRS

#### UNITED STATES BANKRUPTCY COURT

### **Eastern District of Virginia**

In Re:	FBJ Real Estate, LLC	Case No.		
_	Debtor		(if known)	

#### 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, transfer 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 and 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 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 persons in control of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; and any managing agent of the debtor. 11 U.S.C. § 101(2), (31).

#### None 1. Income from employment or operation of business

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 calender 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 2015 YTD: \$2,000.00 Farm income 2014 YTD: \$25,342.00 Farm income 2013 YTD: \$40,000.00 Stream credit sales

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None

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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

None

#### 3. Payments to creditors

Complete a. or b., as appropriate, and c.

 $\boxtimes$ 

a. Individual or joint debtor(s) with primarily consumer debts: List all payments on loans, installment purchases of goods or services, and other debts, aggregating more than \$600 to any creditor, [except for a debt on account of a domestic support obligation,] made within 90 days immediately preceding the commencement of this case. Indicate with an \* any payments that were made to the 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.)

Dates of Amount Amount
Name and Address of Creditor Payments Paid Still Owing

None

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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 \$6,255. 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 credit counselig agency. (Married debtors filing under chapter 12 or chapter 13 must include payments and other 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 Creditor

Dates of Payments/ Transfers Amount Paid or Value of Transfers Amount Still Owing

Status or

Pending

Disposition

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None		to or for the benefit of	creditors who are e payments by ei	or were insiders. (Ma	arried debtors filing	ommencement of this case under chapter 12 or nt petition is filed, unless		
		dress of Creditor hip to Debtor		Date of Payment		Amount Paid		Amount Itill Owing
None			nistrative proceed	lings to which the del	btor is or was a part	d attachments y within one year immedia er 12 or chapter 13 must in	•	

information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are

Nature of Proceeding

Civil action

Court or Agency

Circuit Court of Fairfax County

and Location

Viriginia

separated and a joint petition is not filed.)

Caption of Suit

LLC et al.

2011-05040

and Case Number

The Business Bank v. FBJ Real Estate,

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None

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year immediately preceding the commender of the partse. (Market Bit 10 ft 24 ft der 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

#### 5. Repossessions, foreclosures and returns

None

 $\boxtimes$ 

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.)

Name and Address of Creditor or Seller Date of Repossession, Foreclosure Sale, Transfer or Return

Description and Value of Property

Desc Main

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None

 $\boxtimes$ 

a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment 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 Assignee

Date of Assignment Terms of Assignment or Settlement

None [

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official 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 Custodian

Name and Location of Court Case Title & Number

Date of Order

Description and Value of Property

Desc Main

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None

List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions 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 Person or Organization

Relationship to Debtor, if any

Date of Gift

Description and Value of Gift

#### 8. Losses

None

of Property

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses 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.)

Description of Circumstances and, if Description and Value Loss was Covered in Whole or in Part by Insurance, Give Particulars.

Date of Loss

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

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for None consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one year immediately preceding the commencement of this case.

Name and Address of Payee Frank Bredimus P.O. Box 535 Hamilton, VA 20159

Date of Payment, Name of Payor if other than Debtor 5/18/2015

Amount of Money or Description and Value of Property \$3,000.00

Desc Main

# Case<sub>0</sub>,15,117,37,18,FK Doc 1 Filed 05/20/15 Entered 05/20/15 10:04:43 Document Page 34 of 47

None

 $\boxtimes$ 

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 Transferree, Relationship to Debtor

Date

Describe Property Transferred and Value Received

None

 $\boxtimes$ 

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 Device

Date(s) of Transfer(s)

Amount of Money or Description and 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 and Address of Institution

Type of Account, Last Four Digits of Account Number, and Amount of Final Balance

Amount and Date of Sale or Closing

Desc Main

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None

 $\boxtimes$ 

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories 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 Bank or Other Depository

Names and Addresses of those with Access to Box or Depository

Description of Contents

Date of Transfer or Surrender, if any

#### 13. Setoffs

None X

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this 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.)

Name and Address of Creditor Date of Setoff Amount of Setoff

#### 14. Property held for another person

None \( \) List all property owned by another person that the debtor holds or controls.

Name and Address of Owner

Description and Value of Property

Location of Property

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None If the debtor has moved within the three years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

Address Name Used Dates of Occupancy

#### 16. Spouses and former spouses

None 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.

Name

Desc Main

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#### 17. Environmental information

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law. None  $\bowtie$ a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law. Name and Address of Governmental Unit Site Name and Address Date of Notice Environmental Law b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release None  $\boxtimes$ of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice. Name and Address of Governmental Unit Site Name and Address Date of Notice Environmental Law

c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

Name and Address of Governmental Unit

None

Docket Number

Status or Disposition

Desc Main

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18. Nature, location and name of business

None X

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 a self-employed in a trade, profession, or other activity either full- or part-time within the 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 the 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 the 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 the six years immediately preceding the commencement of this csae.

Name, Address, Last Four Digits of Soc. Sec. No. Complete EIN or Other Taxpayer I.D. No.

Nature of Business

Beginning and Ending Dates

None

 $\nabla$ 

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.

Name Address

#### Gase vito 111737ar BFK compact of every illed 05/20/115 ratio Entered h 05/20/115 in 110:04:443 Desc Main

who is or has been, within the six years immediately present mentioned and the following: an officer, directory, 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 otherwise self-employed.

(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 the six years immediately preceding the commencement of this case. A debtor who has not been in business within the six years immediately preceding the commencement of this case.

# defined above, within the six years immediately preceding the commencement of this case. A debtor who has not been in busines within those six years should go directly to the signature page.)

		19. Books, records and financial statements	
None	$\boxtimes$	a. List all bookkeepers and accountants who within the 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 a	and Add	dress	Dates Services Rendered
N	$\square$		
None	$\boxtimes$	b. List all firms or individuals who within the two years immediately preceding the filing of this bankruptc have audited the books of account and records, or prepared a financial statement of this debtor.	y case
Name a	and Ado	dress	Dates Services Rendered
None	$\boxtimes$	c. List all firms or individuals who at the time of the commencement of this case were in possession of the	books of
N		account and records of the debtor. If any of the books of account and records are not available, explain.	
Name a	and Add	iress	
None	$\boxtimes$	d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to who financial statement was issued within the two years immediately preceding the commencement of this ca	
Name a	and Ado	dress	Date Issued

# Case0.15.11.73.7-BFK Doc 1 Filed 05/20/15 Entered 05/20/15 10:04:43 Desc Main Page 40 of 47 Document a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory. Amount of Inventory Date of Inventory Inventory Supervisor (Specify cost, market or other basis) b. List the name and address of the person having possession of the records of each of the two inventories None $\boxtimes$ reported in a., above. Name and Address of Custodian of Inventory Records Date of Inventory 21. Current Partners, Officers, Directors and Shareholders $\boxtimes$ a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the None partnership. Name and Address Nature of Interest Percentage of Interest

Nature and Percentage Name and Address Title of Stock Ownership Joseph L. Bane, Jr. Co-Manager and Member 33.33 12022 Meadowville Ct., Herdon, VA 20170 James B. Bane Member 33.33 37052 Turneysville Rd., Purcellville, VA 20132 Frederick C. Calhoun, Jr. 33.33 Co-Manager and Member 37055 Turneysville Rd., Purcellville, VA 20132

b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly

or indirectly owns, controls, or holds 5 percent or more of the voting securities of the corporation.

### Cas 2.15, 11.737, 12.55, 6ffic D. Quinector Filed 0.5/20/15 Entered 0.5/20/15 10:04:43 Document Page 41 of 47 Desc Main Document Page 41 of 47 a. If the debtor is a partnership, list each member who withdrew from the partnership within one year immediately

		preceding the commenceme	ent of this case.			
Name	and Ado	dress		Date of Withdrawal		
None	$\boxtimes$	b. If the debtor is a corpora	ation, list all officers, or directors whose relationship	p with the corporation terminated		
		within one year immedia	tely preceding the commencement of this case.			
Name	and Add	dress	Title	Γ	Date of Termination	
		22 Withdrawals from	a partnership or distributions by a corpora	tion		
		25. Withurawais from	a partnership of distributions by a corpora	uon		
None	$\boxtimes$	If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider				
			any form, bonuses, loans, stock redemptions, option	ns exercised and any other perquisite duri	ing	
			eding the commencement of this case.			
		dress of Recipient, o Debtor	Date and Purpose of Withda		Amount of Money nd Value of Property	
	Т		Date and Larpose of William	-		
		24. Tax consolidation g	group			
N		TC d 114 ' '	11.41	1 64 6		
None	$\boxtimes$		on, list the name and federal taxpayer identification is purposes of which the debtor has been a member at			
			commencement of this case.	, , <sub>F</sub>		
Name	of Parei	nt Corporation		Taxpayer Identificat	ion Number	
		•		1 *		
		25. Pension funds				
None	$\boxtimes$	If the debtor is not an indiv	idual, list the name and federal taxpayer identificati	ion number of any pension fund to		
0110			player has been responsible for contributing at any			

which the debtor, as an employer, has been responsible for contributing at any time within the six-year period immediately preceding the commencement of this case.

Taxpayer Identification Number Name of Pension Fund

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[If completed by an individual or individual and spouse.]

	nder penalty of perjury that I have read the ansate thereto and that they are true and correct.	swers contained	in the foregoing statement of financial affairs and any
	5/20/2015	X	/s/ Joseph L. Bane, Jr.
	Date		Signature of Debtor
	5/20/2015	X	
	Date		Signature of Joint Debtor
I declare un	ed on behalf of a partnership or corporation]  nder penalty of perjury that I have read the ans as thereto and that they are true and correct to the		in the foregoing statement of financial affairs and any nowledge, information and belief.
	5/00/0015	V	
	5/20/2015 Date	X	/s/ Joseph L. Bane, Jr. Signature of Authorized Individual
			Joseph L. Bane, Jr., Co-Managing Member Printed Name and Title
compensation 110(h), and 34 chargeable by debtor or acce	er penalty of perjury that: (1) I am a bankruptcy pet and have provided the debtor with a copy of this d 42(b); (3) if rules or guidelines have been promulgate bankruptcy petition preparers, I have given the del	ition preparer as document and the ated pursuant to 1 ptor notice of the	UPTCY PETITION PREPARER (See 11 U.S.C. § 110)  defined in 11 U.S.C. § 110; (2) I prepared this document for notices and information required under 11 U.S.C. §§ 110(b), 1 U.S.C. § 110(h) setting a maximum fee for services maximum amount before preparing any document for filing for a 1 will not accept any additional money or other property from
Printed or Ty	ped Name and Title, if any, of Bankruptcy Petition	Preparer	Social-Security No. (Required by 11 U.S.C. § 110.)
-	otcy petition preparer is not an individual, state the tner who signs this document.	e name, title (if an	ty), address, and social-security number of the officer, principal, responsibl
Address			
X			
	re of Bankruptcy Petition Preparer		Date
Names and So not an individual	•	prepared or assist	ted in preparing this document, unless te bankruptcy petition preparer is
If more than o	one person prepared this document, attach addition	nal signed 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

 $\textit{fines or imprisonment or both.} \quad 11~U.S.C.~\S~110;~18~U.S.C.~\S~156.$ 

In Re:

Debtor

Document

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(if known)

# UNITED STATES BANKRUPTCY COURT

# **Eastern District of Virginia**

### **STATEMENT Pursuant to Rule 2016(b)**

del be	otor(s paid	and the	at the compensation	n paid to me w	ithin one year before	ertify that I am the attor the filing of the petition debtor(s) in contempla	on in banl	cruptcy, or agreed to
			For legal services, Prior to the filing of Amount of filing fe Balance Due	of this statemer	nt I have received		\$ \$ \$ \$	3,000.00 3,000.00 1,717.00 by Debtor Unknown
2.		source of	of the compensation	n paid to me w				
					(Specify: )			
3.	The	Source of Debtor(	of the compensation (s)	n to be paid to  Other	me is: (Specify: )			
4.			not agreed to share s or associates of m		closed compensation	with a person or person	ns who ar	e not
		or assoc	-	m. A copy of t	-	n a person or persons wer with a list of the nan		
5.	$\boxtimes$	Analysi determi Prepara Represe Negotia	is of the debtor(s) fining whether to file tion and filing of a centation of the debt	inancial situation in a petition in any petition, so tor(s) at the meton or surrender	ion, and rendering ac bankruptcy under tit hedules, statements, ceting of creditors. r of secured collatera	vice to the debtor(s) in e 11 of the United Stat and plan which may be	es Code.	nkruptcy case, including:
6.					isclosed fee does not for all legal work pe	include the following rformed.	services:	
rep	oresen		tify that the forego	-	ete statement of any	ICATION agreement or arrangeme	ent for pa	yment to me for
		5/20/2 Date	2015		X	/s/ Frank Bredimus Signature of Attorney		

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### UNITED STATES BANKRUPTCY COURT

#### **Eastern District of Virginia**

In Re:	FBJ Real Estate, LLC	Case No.		
	Debtor		(if known)	
		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]
1	The Business Bank 133 Maple Avenue P.O. Box 2459 Vienna, VA 22180				\$674,000.00
2	James B. Bane 37052 Turneysville Rd. Purcellville, VA 20132				\$250,000.00
3	Joseph L. Bane, Jr. 12022 Meadowville Court Herndon, VA 20170				\$226,752.00
4	Frederick C. Calhoun, Jr. 37055 Turneysville Rd. Purcellville, VA 20132				\$20,000.00