

Fill in this information to identify your case:

United States Bankruptcy Court for the:

NORTHERN DISTRICT OF WEST VIRGINIA

Case number (if known) Chapter 11

Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

4/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, Instructions for Bankruptcy Forms for Non-Individuals, is available.

1. Debtor's name Grate Enterprises, Inc.

2. All other names debtor used in the last 8 years DBA Denny's Restaurant

3. Debtor's federal Employer Identification Number (EIN) 47-1496124

4. Debtor's address Principal place of business Mailing address, if different from principal place of business

5. Debtor's website (URL)

6. Type of debtor Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

**7. Describe debtor's business**

A. Check one:

- Health Care Business (as defined in 11 U.S.C. § 101(27A))
- Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- Railroad (as defined in 11 U.S.C. § 101(44))
- Stockbroker (as defined in 11 U.S.C. § 101(53A))
- Commodity Broker (as defined in 11 U.S.C. § 101(6))
- Clearing Bank (as defined in 11 U.S.C. § 781(3))
- None of the above

B. Check all that apply

- Tax-exempt entity (as described in 26 U.S.C. §501)
- Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
- Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.  
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

5812

**8. Under which chapter of the Bankruptcy Code is the debtor filing?**

Check one:

- Chapter 7
- Chapter 9

Chapter 11. Check all that apply:

- Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
- The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- A plan is being filed with this petition.
- Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11 (Official Form 201A) with this form.
- The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

Chapter 12

**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**

- No.
- Yes.

If more than 2 cases, attach a separate list.

District	_____	When	_____	Case number	_____
District	_____	When	_____	Case number	_____

**10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?**

- No
- Yes.

List all cases. If more than 1, attach a separate list

Debtor	_____	Relationship	_____
District	_____	When	_____
		Case number, if known	_____

11. Why is the case filed in this district?

Check all that apply:

- Debtor has had its domicile, 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.
- A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

No

Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard? \_\_\_\_\_

It needs to be physically secured or protected from the weather.

It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

Other \_\_\_\_\_

Where is the property? \_\_\_\_\_

Number, Street, City, State & ZIP Code

Is the property insured?

No

Yes. Insurance agency \_\_\_\_\_

Contact name \_\_\_\_\_

Phone \_\_\_\_\_

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

- Funds will be available for distribution to unsecured creditors.
- After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors

1-49

50-99

100-199

200-999

1,000-5,000

5001-10,000

10,001-25,000

25,001-50,000

50,001-100,000

More than 100,000

15. Estimated Assets

\$0 - \$50,000

\$50,001 - \$100,000

\$100,001 - \$500,000

\$500,001 - \$1 million

\$1,000,001 - \$10 million

\$10,000,001 - \$50 million

\$50,000,001 - \$100 million

\$100,000,001 - \$500 million

\$500,000,001 - \$1 billion

\$1,000,000,001 - \$10 billion

\$10,000,000,001 - \$50 billion

More than \$50 billion

16. Estimated liabilities

\$0 - \$50,000

\$50,001 - \$100,000

\$100,001 - \$500,000

\$500,001 - \$1 million

\$1,000,001 - \$10 million

\$10,000,001 - \$50 million

\$50,000,001 - \$100 million

\$100,000,001 - \$500 million

\$500,000,001 - \$1 billion

\$1,000,000,001 - \$10 billion

\$10,000,000,001 - \$50 billion

More than \$50 billion

**Request for Relief, Declaration, and Signatures**

**WARNING** -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature of authorized representative of debtor**

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

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 22, 2018  
MM / DD / YYYY

**X /s/ William Gatian, III**  
Signature of authorized representative of debtor  
  
Title Vice-President

**William Gatian, III**  
Printed name

**18. Signature of attorney**

**X /s/ David M. Jecklin**  
Signature of attorney for debtor

Date November 22, 2018  
MM / DD / YYYY

**David M. Jecklin 9678**  
Printed name

**Gianola, Barnum, Bechtel & Jecklin, L.C.**  
Firm name

**1714 Mileground  
Morgantown, WV 26505**  
Number, Street, City, State & ZIP Code

Contact phone (304) 291-6300 Email address djecklin@gbbjlaw.com

**9678 WV**  
Bar number and State

**Fill in this information to identify the case:**

Debtor name Grate Enterprises, Inc.

United States Bankruptcy Court for the: NORTHERN DISTRICT OF WEST VIRGINIA

Case number (if known) \_\_\_\_\_

Check if this is an amended filing

Official Form 202

**Declaration Under Penalty of Perjury for Non-Individual Debtors**

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

**WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**

**Declaration and signature**

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- Schedule A/B: Assets—Real and Personal Property* (Official Form 206A/B)
- Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 206D)
- Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G)
- Schedule H: Codebtors* (Official Form 206H)
- Summary of Assets and Liabilities for Non-Individuals* (Official Form 206Sum)
- Amended Schedule* \_\_\_\_\_
- Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- Other document that requires a declaration \_\_\_\_\_

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 22, 2018

X /s/ William Gatian, III  
Signature of individual signing on behalf of debtor

William Gatian, III  
Printed name

Vice-President  
Position or relationship to debtor

**Fill in this information to identify the case:**

Debtor name **Grate Enterprises, Inc.**

United States Bankruptcy Court for the: **NORTHERN DISTRICT OF WEST VIRGINIA**

Case number (if known): \_\_\_\_\_

Check if this is an amended filing

**Official Form 204**

**Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders** 12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim		
				If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Division of Highways P.O. Box 11013 Charleston, WV 25339		Maintenance fee.				\$600.00
Division of Water and Waste Management P.O. Box 364 Charleston, WV 25322		Services.				\$100.50
Mon Power P.O. Box 3615 Akron, OH 44309		Utility debt.				\$1,621.00
Monongalia County Sheriff Tax Office 243 High Street Morgantown, WV 26505		2018 real estate taxes.				\$23,989.32
Monongalia County Sheriff Tax Office 243 High Street Morgantown, WV 26505		2018 personal property taxes.				\$5,108.69
Monongalia County Sheriff Tax Office 243 High Street Room 26 Morgantown, WV 26505		Personal property tax.				\$4,811.05
West Virginia State Tax Department Bankruptcy Division P.O. Box 766 Charleston, WV 25323		State sales and use tax periods dated 02/28/18 through 09/20/18.				\$30,203.90

Debtor name Grate Enterprises, Inc.

United States Bankruptcy Court for the: NORTHERN DISTRICT OF WEST VIRGINIA

Case number (if known) \_\_\_\_\_

Check if this is an amended filing

**Official Form 206Sum**  
**Summary of Assets and Liabilities for Non-Individuals**

12/15

**Part 1: Summary of Assets**

1. <b>Schedule A/B: Assets-Real and Personal Property</b> (Official Form 206A/B)	
1a. <b>Real property:</b> Copy line 88 from <i>Schedule A/B</i> .....	\$ <u>2,500,000.00</u>
1b. <b>Total personal property:</b> Copy line 91A from <i>Schedule A/B</i> .....	\$ <u>356,754.88</u>
1c. <b>Total of all property:</b> Copy line 92 from <i>Schedule A/B</i> .....	\$ <u>2,856,754.88</u>

**Part 2: Summary of Liabilities**

2. <b>Schedule D: Creditors Who Have Claims Secured by Property</b> (Official Form 206D) Copy the total dollar amount listed in Column A, <i>Amount of claim</i> , from line 3 of <i>Schedule D</i> .....	\$ <u>1,929,358.52</u>
3. <b>Schedule E/F: Creditors Who Have Unsecured Claims</b> (Official Form 206E/F)	
3a. <b>Total claim amounts of priority unsecured claims:</b> Copy the total claims from Part 1 from line 5a of <i>Schedule E/F</i> .....	\$ <u>64,112.96</u>
3b. <b>Total amount of claims of nonpriority amount of unsecured claims:</b> Copy the total of the amount of claims from Part 2 from line 5b of <i>Schedule E/F</i> .....	+\$ <u>2,321.50</u>
4. <b>Total liabilities</b> ..... Lines 2 + 3a + 3b	\$ <u>1,995,792.98</u>

Debtor name Grate Enterprises, Inc.  
 United States Bankruptcy Court for the: NORTHERN DISTRICT OF WEST VIRGINIA  
 Case number (if known) \_\_\_\_\_

Check if this is an amended filing

# Official Form 206A/B Schedule A/B: Assets - Real and Personal Property

12/15

Disclose all property, real and personal, which the debtor owns or in which the debtor has any other legal, equitable, or future interest. Include all property in which the debtor holds rights and powers exercisable for the debtor's own benefit. Also include assets and properties which have no book value, such as fully depreciated assets or assets that were not capitalized. In Schedule A/B, list any executory contracts or unexpired leases. Also list them on *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G).

Be as complete and accurate as possible. If more space is needed, attach a separate sheet to this form. At the top of any pages added, write the debtor's name and case number (if known). Also identify the form and line number to which the additional information applies. If an additional sheet is attached, include the amounts from the attachment in the total for the pertinent part.

For Part 1 through Part 11, list each asset under the appropriate category or attach separate supporting schedules, such as a fixed asset schedule or depreciation schedule, that gives the details for each asset in a particular category. List each asset only once. In valuing the debtor's interest, do not deduct the value of secured claims. See the instructions to understand the terms used in this form.

**Part 1: Cash and cash equivalents**

1. Does the debtor have any cash or cash equivalents?

- No. Go to Part 2.
- Yes Fill in the information below.

All cash or cash equivalents owned or controlled by the debtor

Current value of debtor's interest

3. Checking, savings, money market, or financial brokerage accounts <i>(Identify all)</i>			
Name of institution (bank or brokerage firm)	Type of account	Last 4 digits of account number	
<b>Collateral on First United Bank &amp; Trust secured loan and UCC on the First United Bank &amp; Trust operating account.</b>			
3.1. <u>United Bank &amp; Trust operating account.</u>	<u>Checking</u>	<u>0267</u>	<u>\$12,405.95</u>
<b>Collateral on First United Bank &amp; Trust secured loan and UCC on the First United Bank &amp; Trust payroll account.</b>			
3.2. <u>United Bank &amp; Trust payroll account.</u>	<u>Payroll</u>	<u>7876</u>	<u>\$1,777.31</u>

4. Other cash equivalents *(Identify all)*

5. Total of Part 1.

Add lines 2 through 4 (including amounts on any additional sheets). Copy the total to line 80.

**\$14,183.26**

**Part 2: Deposits and Prepayments**

6. Does the debtor have any deposits or prepayments?

- No. Go to Part 3.
- Yes Fill in the information below.

7. Deposits, including security deposits and utility deposits  
 Description, including name of holder of deposit

7.1. <u>Estimated \$2,000 Mon Power security deposit; Estimated \$1,500 Dominion Energy security deposit.</u>		<u>\$3,500.00</u>
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8. Prepayments, including prepayments on executory contracts, leases, insurance, taxes, and rent





Debtor Grate Enterprises, Inc. Case number (if known) \_\_\_\_\_  
 Name

26. Has any of the property listed in Part 5 been appraised by a professional within the last year?  
 No  
 Yes

**Part 6: Farming and fishing-related assets (other than titled motor vehicles and land)**

27. Does the debtor own or lease any farming and fishing-related assets (other than titled motor vehicles and land)?

- No. Go to Part 7.  
 Yes Fill in the information below.

**Part 7: Office furniture, fixtures, and equipment; and collectibles**

38. Does the debtor own or lease any office furniture, fixtures, equipment, or collectibles?

- No. Go to Part 8.  
 Yes Fill in the information below.

General description	Net book value of debtor's interest (Where available)	Valuation method used for current value	Current value of debtor's interest
39. Office furniture			
40. Office fixtures			
41. Office equipment, including all computer equipment and communication systems equipment and software Collateral of First United Bank & Trust secured loan and UCC on a computer, printer, and office furniture.	\$0.00	Comparable sale	\$1,500.00
Point of Sale software and equipment that is specific for Denny's Franchise.	\$0.00	Comparable sale	\$30,000.00

42. **Collectibles** Examples: Antiques and figurines; paintings, prints, or other artwork; books, pictures, or other art objects; china and crystal; stamp, coin, or baseball card collections; other collections, memorabilia, or collectibles

43. **Total of Part 7.** Add lines 39 through 42. Copy the total to line 86. **\$31,500.00**

44. Is a depreciation schedule available for any of the property listed in Part 7?  
 No  
 Yes

45. Has any of the property listed in Part 7 been appraised by a professional within the last year?  
 No  
 Yes

**Part 8: Machinery, equipment, and vehicles**

46. Does the debtor own or lease any machinery, equipment, or vehicles?

- No. Go to Part 9.  
 Yes Fill in the information below.

General description Include year, make, model, and identification numbers (i.e., VIN, HIN, or N-number)	Net book value of debtor's interest (Where available)	Valuation method used for current value	Current value of debtor's interest
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Debtor Grate Enterprises, Inc. Case number (if known) \_\_\_\_\_  
 Name

47. **Automobiles, vans, trucks, motorcycles, trailers, and titled farm vehicles**
48. **Watercraft, trailers, motors, and related accessories** *Examples: Boats, trailers, motors, floating homes, personal watercraft, and fishing vessels*
49. **Aircraft and accessories**
50. **Other machinery, fixtures, and equipment (excluding farm machinery and equipment)**  
**Collateral on First United Bank & Trust secured loan and UCC on restaurant equipment, furnishings, ovens, coolers, fixtures, etc.** \$0.00    Comparable sale    \$295,000.00

51. **Total of Part 8.** \$295,000.00  
 Add lines 47 through 50. Copy the total to line 87.

52. **Is a depreciation schedule available for any of the property listed in Part 8?**  
 No  
 Yes
53. **Has any of the property listed in Part 8 been appraised by a professional within the last year?**  
 No  
 Yes

**Part 9: Real property**

54. **Does the debtor own or lease any real property?**

- No. Go to Part 10.  
 Yes Fill in the information below.

55. **Any building, other improved real estate, or land which the debtor owns or in which the debtor has an interest**

Description and location of property Include street address or other description such as Assessor Parcel Number (APN), and type of property (for example, acreage, factory, warehouse, apartment or office building, if available.	Nature and extent of debtor's interest in property	Net book value of debtor's interest (Where available)	Valuation method used for current value	Current value of debtor's interest
55.1. <b>Building currently operated as Denny's Restaurant and 1.194 acres SUR or Lot 3 Evansville Pike, First Ward District, Monongalia County, West Virginia, Deed Book 1510, Page 320.</b>	Fee simple	\$0.00	Appraisal	\$2,500,000.00

56. **Total of Part 9.** \$2,500,000.00  
 Add the current value on lines 55.1 through 55.6 and entries from any additional sheets. Copy the total to line 88.

57. **Is a depreciation schedule available for any of the property listed in Part 9?**

Debtor Grate Enterprises, Inc. Case number (if known) \_\_\_\_\_  
 Name

- No
- Yes

58. Has any of the property listed in Part 9 been appraised by a professional within the last year?

- No
- Yes

**Part 10: Intangibles and intellectual property**

59. Does the debtor have any interests in intangibles or intellectual property?

- No. Go to Part 11.
- Yes Fill in the information below.

General description	Net book value of debtor's interest (Where available)	Valuation method used for current value	Current value of debtor's interest
60. Patents, copyrights, trademarks, and trade secrets			
61. Internet domain names and websites			
62. Licenses, franchises, and royalties Denny's Franchise Agreement.	Unknown		Unknown

63. Customer lists, mailing lists, or other compilations

64. Other intangibles, or intellectual property Goodwill.	Unknown		Unknown
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65. Goodwill

66. Total of Part 10. Add lines 60 through 65. Copy the total to line 89.	\$0.00
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67. Do your lists or records include personally identifiable information of customers (as defined in 11 U.S.C. §§ 101(41A) and 107?

- No
- Yes

68. Is there an amortization or other similar schedule available for any of the property listed in Part 10?

- No
- Yes

69. Has any of the property listed in Part 10 been appraised by a professional within the last year?

- No
- Yes

**Part 11: All other assets**

70. Does the debtor own any other assets that have not yet been reported on this form?

Include all interests in executory contracts and unexpired leases not previously reported on this form.

- No. Go to Part 12.
- Yes Fill in the information below.

Current value of debtor's interest

71. Notes receivable  
Description (include name of obligor)

Debtor Grate Enterprises, Inc.  
Name

Case number (if known) \_\_\_\_\_

72. **Tax refunds and unused net operating losses (NOLs)**  
Description (for example, federal, state, local)

73. **Interests in insurance policies or annuities**

Erie Insurance Commercial Liability Insurance Policy. \$0.00

Erie Insurance Workers Compensation and Employers Liability Insurance Policy. \$0.00

74. **Causes of action against third parties (whether or not a lawsuit has been filed)**

75. **Other contingent and unliquidated claims or causes of action of every nature, including counterclaims of the debtor and rights to set off claims**

76. **Trusts, equitable or future interests in property**

77. **Other property of any kind not already listed** *Examples: Season tickets, country club membership*

78. **Total of Part 11.**

Add lines 71 through 77. Copy the total to line 90.

\$0.00

79. **Has any of the property listed in Part 11 been appraised by a professional within the last year?**

No

Yes

**Part 12: Summary**

In Part 12 copy all of the totals from the earlier parts of the form

Type of property	Current value of personal property	Current value of real property
80. <b>Cash, cash equivalents, and financial assets.</b> <i>Copy line 5, Part 1</i>	<u>\$14,183.26</u>	
81. <b>Deposits and prepayments.</b> <i>Copy line 9, Part 2.</i>	<u>\$3,500.00</u>	
82. <b>Accounts receivable.</b> <i>Copy line 12, Part 3.</i>	<u>\$1,071.62</u>	
83. <b>Investments.</b> <i>Copy line 17, Part 4.</i>	<u>\$0.00</u>	
84. <b>Inventory.</b> <i>Copy line 23, Part 5.</i>	<u>\$11,500.00</u>	
85. <b>Farming and fishing-related assets.</b> <i>Copy line 33, Part 6.</i>	<u>\$0.00</u>	
86. <b>Office furniture, fixtures, and equipment; and collectibles.</b> <i>Copy line 43, Part 7.</i>	<u>\$31,500.00</u>	
87. <b>Machinery, equipment, and vehicles.</b> <i>Copy line 51, Part 8.</i>	<u>\$295,000.00</u>	
88. <b>Real property.</b> <i>Copy line 56, Part 9.....&gt;</i>		<u>\$2,500,000.00</u>
89. <b>Intangibles and intellectual property.</b> <i>Copy line 66, Part 10.</i>	<u>\$0.00</u>	
90. <b>All other assets.</b> <i>Copy line 78, Part 11.</i>	+ <u>\$0.00</u>	
91. <b>Total.</b> Add lines 80 through 90 for each column	<u>\$356,754.88</u>	+ 91b. <u>\$2,500,000.00</u>
92. <b>Total of all property on Schedule A/B.</b> Add lines 91a+91b=92		<u>\$2,856,754.88</u>

Debtor name Grate Enterprises, Inc.

United States Bankruptcy Court for the: NORTHERN DISTRICT OF WEST VIRGINIA

Case number (if known) \_\_\_\_\_

Check if this is an amended filing

**Official Form 206D**

**Schedule D: Creditors Who Have Claims Secured by Property**

12/15

Be as complete and accurate as possible.

**1. Do any creditors have claims secured by debtor's property?**

- No. Check this box and submit page 1 of this form to the court with debtor's other schedules. Debtor has nothing else to report on this form.
- Yes. Fill in all of the information below.

**Part 1: List Creditors Who Have Secured Claims**

2. List in alphabetical order all creditors who have secured claims. If a creditor has more than one secured claim, list the creditor separately for each claim.

Column A	Column B
Amount of claim	Value of collateral that supports this claim
Do not deduct the value of collateral.	

2.1	<b>First United Bank &amp; Trust</b> <small>Creditor's Name</small>  <b>Attn Roger Schlossberg</b> <b>18421 Henson Boulevard,</b> <b>Suite 201</b> <b>Hagerstown, MD 21742</b>  <small>Creditor's mailing address</small>   <small>Creditor's email address, if known</small>  <b>Date debt was incurred</b> <b>11/21/2014</b> <b>Last 4 digits of account number</b>  <b>Do multiple creditors have an interest in the same property?</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes. Specify each creditor, including this creditor and its relative priority. <b>1. First United Bank &amp; Trust</b> <b>2. Two Banana Construction, LLC</b>	Describe debtor's property that is subject to a lien <b>Building currently operated as Denny's Restaurant and 1.194 acres SUR or Lot 3 Evansville Pike, First Ward District, Monongalia County, West Virginia, Deed Book 1510, Page 320. UCC on Sch. B and Non-Debtor collateral.</b>  Describe the lien <b>Deed of Trust, Assignment of Leases &amp; Rents, UCC</b>  Is the creditor an insider or related party? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Is anyone else liable on this claim? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes. Fill out <i>Schedule H: Codebtors</i> (Official Form 206H)  As of the petition filing date, the claim is: Check all that apply <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed	<b>\$1,878,362.95</b>	<b>\$2,500,000.00</b>
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2.2	<b>Two Banana Construction, LLC</b> <small>Creditor's Name</small>  <b>Kyle Laws</b> <b>369 South Casa Loma Lane</b> <b>Cedar City, UT 84720</b>  <small>Creditor's mailing address</small>	Describe debtor's property that is subject to a lien <b>Building currently operated as Denny's Restaurant and 1.194 acres SUR or Lot 3 Evansville Pike, First Ward District, Monongalia County, West Virginia, Deed Book 1510, Page 320.</b>  Describe the lien <b>Deed of Trust</b>  Is the creditor an insider or related party? <input checked="" type="checkbox"/> No	<b>\$50,995.57</b>	<b>\$2,500,000.00</b>
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Creditor's email address, if known

Yes

Is anyone else liable on this claim?

Date debt was incurred

05/24/16

No

Last 4 digits of account number

Yes. Fill out *Schedule H: Codebtors* (Official Form 206H)

Do multiple creditors have an interest in the same property?

No

Yes. Specify each creditor, including this creditor and its relative priority.

Specified on line 2.1

As of the petition filing date, the claim is:

Check all that apply

Contingent

Unliquidated

Disputed

3. Total of the dollar amounts from Part 1, Column A, including the amounts from the Additional Page, if any.

\$1,929,358.5  
2

**Part 2: List Others to Be Notified for a Debt Already Listed in Part 1**

List in alphabetical order any others who must be notified for a debt already listed in Part 1. Examples of entities that may be listed are collection agencies, assignees of claims listed above, and attorneys for secured creditors.

If no others need to be notified for the debts listed in Part 1, do not fill out or submit this page. If additional pages are needed, copy this page.

Name and address

On which line in Part 1 did you enter the related creditor?

Last 4 digits of account number for this entity

First United Bank and Trust  
12892 Garrett Highway, Ste 4  
Oakland, MD 21550

Line 2.1



Debtor name Grate Enterprises, Inc.

United States Bankruptcy Court for the: NORTHERN DISTRICT OF WEST VIRGINIA

Case number (if known) \_\_\_\_\_

Check if this is an amended filing

## Official Form 206E/F Schedule E/F: Creditors Who Have Unsecured Claims

12/15

Be as complete and accurate as possible. Use Part 1 for creditors with PRIORITY unsecured claims and Part 2 for creditors with NONPRIORITY unsecured claims. List the other party to any executory contracts or unexpired leases that could result in a claim. Also list executory contracts on *Schedule A/B: Assets - Real and Personal Property* (Official Form 206A/B) and on *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G). Number the entries in Parts 1 and 2 in the boxes on the left. If more space is needed for Part 1 or Part 2, fill out and attach the Additional Page of that Part included in this form.

### Part 1: List All Creditors with PRIORITY Unsecured Claims

1. Do any creditors have priority unsecured claims? (See 11 U.S.C. § 507).

- No. Go to Part 2.
- Yes. Go to line 2.

2. List in alphabetical order all creditors who have unsecured claims that are entitled to priority in whole or in part. If the debtor has more than 3 creditors with priority unsecured claims, fill out and attach the Additional Page of Part 1.

		Total claim	Priority amount
2.1	Priority creditor's name and mailing address <b>Andrew Smith</b> <b>391 Scott Avenue</b> <b>Morgantown, WV 26508</b>	As of the petition filing date, the claim is: <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed	<b>\$0.00</b> <b>\$0.00</b>
	Date or dates debt was incurred  Last 4 digits of account number Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (4)	Basis for the claim: <b>Current wages.</b>  Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	
2.2	Priority creditor's name and mailing address <b>Bobbie Leighty</b> <b>2045 Eugeniva Ave</b> <b>Morgantown, WV 26505</b>	As of the petition filing date, the claim is: <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed	<b>\$0.00</b> <b>\$0.00</b>
	Date or dates debt was incurred  Last 4 digits of account number Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (4)	Basis for the claim: <b>Current wages.</b>  Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	

2.3 Priority creditor's name and mailing address As of the petition filing date, the claim is: \$0.00 \$0.00  
**Breanna Shaffer**  
**206 Eastgate Drive**  
**Morgantown, WV 26508**  
*Check all that apply.*  
 Contingent  
 Unliquidated  
 Disputed

Date or dates debt was incurred

Basis for the claim:  
**Current wages.**

Last 4 digits of account number

Is the claim subject to offset?

Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (4)

No  
 Yes

2.4 Priority creditor's name and mailing address As of the petition filing date, the claim is: \$0.00 \$0.00  
**Charles Parker**  
**919 Corbin Place**  
**Fairmont, WV 26554**  
*Check all that apply.*  
 Contingent  
 Unliquidated  
 Disputed

Date or dates debt was incurred

Basis for the claim:  
**Current wages.**

Last 4 digits of account number

Is the claim subject to offset?

Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (4)

No  
 Yes

2.5 Priority creditor's name and mailing address As of the petition filing date, the claim is: \$0.00 \$0.00  
**Corey Degler**  
**P.O. Box 162**  
**Pursglove, WV 26546**  
*Check all that apply.*  
 Contingent  
 Unliquidated  
 Disputed

Date or dates debt was incurred

Basis for the claim:  
**Current wages.**

Last 4 digits of account number

Is the claim subject to offset?

Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (4)

No  
 Yes

2.6 Priority creditor's name and mailing address As of the petition filing date, the claim is: \$0.00 \$0.00  
**Daniel Reed**  
**15 Fairmor Dr., Apt. No. 5**  
**Morgantown, WV 26501**  
*Check all that apply.*  
 Contingent  
 Unliquidated  
 Disputed

Date or dates debt was incurred

Basis for the claim:  
**Current wages.**

Last 4 digits of account number

Is the claim subject to offset?

Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (4)

No  
 Yes

2.7	Priority creditor's name and mailing address <b>Gregory Jones</b> <b>501 Abigail Court Apt 2</b> <b>Morgantown, WV 26508</b>	As of the petition filing date, the claim is: <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed	<b>\$0.00</b>	<b>\$0.00</b>
	Date or dates debt was incurred	Basis for the claim: <b>Current wages.</b>		
	Last 4 digits of account number Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (4)	Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		

2.8	Priority creditor's name and mailing address <b>Gypsy Bee</b> <b>245 Beulah Road</b> <b>Morgantown, WV 26508</b>	As of the petition filing date, the claim is: <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed	<b>\$0.00</b>	<b>\$0.00</b>
	Date or dates debt was incurred	Basis for the claim: <b>Current wages.</b>		
	Last 4 digits of account number Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (4)	Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		

2.9	Priority creditor's name and mailing address <b>Hannah Harbert</b> <b>1081 4H Camp Road</b> <b>Morgantown, WV 26508</b>	As of the petition filing date, the claim is: <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed	<b>\$0.00</b>	<b>\$0.00</b>
	Date or dates debt was incurred	Basis for the claim: <b>Current wages.</b>		
	Last 4 digits of account number Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (4)	Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		

2.10	Priority creditor's name and mailing address <b>Jakob McMillen</b> <b>58 Fairfield Manor</b> <b>Morgantown, WV 26505</b>	As of the petition filing date, the claim is: <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed	<b>\$0.00</b>	<b>\$0.00</b>
	Date or dates debt was incurred	Basis for the claim: <b>Current wages.</b>		
	Last 4 digits of account number Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (4)	Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		

2.11	Priority creditor's name and mailing address <b>James Qualls</b> <b>33 Harvest Drive</b> <b>Morgantown, WV 26508</b>	As of the petition filing date, the claim is: <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed	<b>\$0.00</b>	<b>\$0.00</b>
Date or dates debt was incurred		Basis for the claim: <b>Current wages.</b>		
Last 4 digits of account number		Is the claim subject to offset?		
Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (4)		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		

2.12	Priority creditor's name and mailing address <b>Jennifer Ferraro-Woodson</b> <b>27 Lane Street</b> <b>Morgantown, WV 26501</b>	As of the petition filing date, the claim is: <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed	<b>\$0.00</b>	<b>\$0.00</b>
Date or dates debt was incurred		Basis for the claim: <b>Current wages.</b>		
Last 4 digits of account number		Is the claim subject to offset?		
Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (4)		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		

2.13	Priority creditor's name and mailing address <b>Jesse Holmes</b> <b>100 Gibson Avenue</b> <b>Masontown, WV 26542</b>	As of the petition filing date, the claim is: <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed	<b>\$0.00</b>	<b>\$0.00</b>
Date or dates debt was incurred		Basis for the claim: <b>Current wages.</b>		
Last 4 digits of account number		Is the claim subject to offset?		
Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (4)		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		

2.14	Priority creditor's name and mailing address <b>Jessica Cecil</b> <b>3931 Grafton Road</b> <b>Morgantown, WV 26508</b>	As of the petition filing date, the claim is: <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed	<b>\$0.00</b>	<b>\$0.00</b>
Date or dates debt was incurred		Basis for the claim: <b>Current wages.</b>		
Last 4 digits of account number		Is the claim subject to offset?		
Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (4)		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		

2.15	Priority creditor's name and mailing address <b>Jessika Hendricks</b> <b>391 Scott Avenue</b> <b>Morgantown, WV 26508</b>	As of the petition filing date, the claim is: <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed	<b>\$0.00</b>	<b>\$0.00</b>
Date or dates debt was incurred		Basis for the claim: <b>Current wages.</b>		
Last 4 digits of account number		Is the claim subject to offset?		
Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (4)		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		

2.16	Priority creditor's name and mailing address <b>Karen Hobbs</b> <b>125 South Walnut Street</b> <b>Morgantown, WV 26506</b>	As of the petition filing date, the claim is: <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed	<b>\$0.00</b>	<b>\$0.00</b>
Date or dates debt was incurred		Basis for the claim: <b>Current wages.</b>		
Last 4 digits of account number		Is the claim subject to offset?		
Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (4)		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		

2.17	Priority creditor's name and mailing address <b>Katelyn Pasquarelli</b> <b>279 Apple Meadow Lane</b> <b>Morgantown, WV 26508</b>	As of the petition filing date, the claim is: <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed	<b>\$0.00</b>	<b>\$0.00</b>
Date or dates debt was incurred		Basis for the claim: <b>Current wages.</b>		
Last 4 digits of account number		Is the claim subject to offset?		
Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (4)		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		

2.18	Priority creditor's name and mailing address <b>Kayla Sisler</b> <b>1030 River Road</b> <b>Morgantown, WV 26501</b>	As of the petition filing date, the claim is: <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed	<b>\$0.00</b>	<b>\$0.00</b>
Date or dates debt was incurred		Basis for the claim: <b>Current wages.</b>		
Last 4 digits of account number		Is the claim subject to offset?		
Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (4)		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		

2.19	Priority creditor's name and mailing address <b>Krista Robinson</b> <b>1104 Barberry Lane</b> <b>Morgantown, WV 26508</b>	As of the petition filing date, the claim is: <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed	<b>\$0.00</b>	<b>\$0.00</b>
Date or dates debt was incurred		Basis for the claim: <b>Current wages.</b>		
Last 4 digits of account number Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (4)		Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		

2.20	Priority creditor's name and mailing address <b>Mark Coffey</b> <b>212 Horizon Drive</b> <b>Morgantown, WV 26508</b>	As of the petition filing date, the claim is: <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed	<b>\$0.00</b>	<b>\$0.00</b>
Date or dates debt was incurred		Basis for the claim: <b>Current wages.</b>		
Last 4 digits of account number Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (4)		Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		

2.21	Priority creditor's name and mailing address <b>Megan Snyder</b> <b>820 Elysian Ave</b> <b>Morgantown, WV 26501</b>	As of the petition filing date, the claim is: <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed	<b>\$0.00</b>	<b>\$0.00</b>
Date or dates debt was incurred		Basis for the claim: <b>Current wages.</b>		
Last 4 digits of account number Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (4)		Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		

2.22	Priority creditor's name and mailing address <b>Melissa Kemp</b> <b>318 Wilson Avenue</b> <b>Morgantown, WV 26501</b>	As of the petition filing date, the claim is: <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed	<b>\$0.00</b>	<b>\$0.00</b>
Date or dates debt was incurred		Basis for the claim: <b>Current wages.</b>		
Last 4 digits of account number Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (4)		Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		

2.23 Priority creditor's name and mailing address **Michael Mitchell**  
**1104 Barberrry Lane**  
**Morgantown, WV 26508**

As of the petition filing date, the claim is: **\$0.00** **\$0.00**  
*Check all that apply.*  
 Contingent  
 Unliquidated  
 Disputed

Date or dates debt was incurred

Basis for the claim:  
**Current wages.**

Last 4 digits of account number

Is the claim subject to offset?

Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (4)

No  
 Yes

2.24 Priority creditor's name and mailing address **Michelle Shaner**  
**2751 Laurel Run Road**  
**Bruceeton Mills, WV 26525**

As of the petition filing date, the claim is: **\$0.00** **\$0.00**  
*Check all that apply.*  
 Contingent  
 Unliquidated  
 Disputed

Date or dates debt was incurred

Basis for the claim:  
**Current wages.**

Last 4 digits of account number

Is the claim subject to offset?

Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (4)

No  
 Yes

2.25 Priority creditor's name and mailing address **Monongalia County Sheriff Tax Office**  
**243 High Street**  
**Morgantown, WV 26505**

As of the petition filing date, the claim is: **\$5,108.69** **\$5,108.69**  
*Check all that apply.*  
 Contingent  
 Unliquidated  
 Disputed

Date or dates debt was incurred  
**09/01/18**

Basis for the claim:  
**2018 personal property taxes.**

Last 4 digits of account number **5167**

Is the claim subject to offset?

Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (8)

No  
 Yes

2.26 Priority creditor's name and mailing address **Monongalia County Sheriff Tax Office**  
**243 High Street**  
**Morgantown, WV 26505**

As of the petition filing date, the claim is: **\$23,989.32** **\$23,989.32**  
*Check all that apply.*  
 Contingent  
 Unliquidated  
 Disputed

Date or dates debt was incurred  
**09/01/18**

Basis for the claim:  
**2018 real estate taxes.**

Last 4 digits of account number **8552**

Is the claim subject to offset?

Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (8)

No  
 Yes

2.27	Priority creditor's name and mailing address <b>Monongalia County Sheriff Tax Office</b> <b>243 High Street Room 26</b> <b>Morgantown, WV 26505</b>	As of the petition filing date, the claim is: <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed	<b>\$4,811.05</b>	<b>\$4,811.05</b>
Date or dates debt was incurred <b>09/01/17</b>		Basis for the claim: <b>Personal property tax.</b>		
Last 4 digits of account number <b>1632</b> Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (8)		Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		

2.28	Priority creditor's name and mailing address <b>Morgan Green</b> <b>16 Healthy Heights</b> <b>Morgantown, WV 26508</b>	As of the petition filing date, the claim is: <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed	<b>\$0.00</b>	<b>\$0.00</b>
Date or dates debt was incurred		Basis for the claim: <b>Current wages.</b>		
Last 4 digits of account number Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (4)		Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		

2.29	Priority creditor's name and mailing address <b>Richard Farley</b> <b>125 Village Crest Drive</b> <b>Morgantown, WV 26508</b>	As of the petition filing date, the claim is: <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed	<b>\$0.00</b>	<b>\$0.00</b>
Date or dates debt was incurred		Basis for the claim: <b>Current wages.</b>		
Last 4 digits of account number Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (4)		Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		

2.30	Priority creditor's name and mailing address <b>Travis Luttrell</b> <b>676 Willey Street, Apt. F</b> <b>Morgantown, WV 26505</b>	As of the petition filing date, the claim is: <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed	<b>\$0.00</b>	<b>\$0.00</b>
Date or dates debt was incurred		Basis for the claim: <b>Current wages.</b>		
Last 4 digits of account number Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (4)		Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		



2.31	Priority creditor's name and mailing address <b>Tyler Jones 284 Ed Dunn Road Morgantown, WV 26508</b>	As of the petition filing date, the claim is: <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed	<b>\$0.00</b>	<b>\$0.00</b>
Date or dates debt was incurred		Basis for the claim: <b>Current wages.</b>		
Last 4 digits of account number		Is the claim subject to offset?		
Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (4)		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		

2.32	Priority creditor's name and mailing address <b>West Virginia State Tax Department Bankruptcy Division P.O. Box 766 Charleston, WV 25323</b>	As of the petition filing date, the claim is: <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed	<b>\$30,203.90</b>	<b>\$0.00</b>
Date or dates debt was incurred <b>10/27/17</b>		Basis for the claim: <b>State sales and use tax periods dated 02/28/18 through 09/20/18.</b>		
Last 4 digits of account number <b>0314</b>		Is the claim subject to offset?		
Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (8)		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		

**Part 2: List All Creditors with NONPRIORITY Unsecured Claims**

3. List in alphabetical order all of the creditors with nonpriority unsecured claims. If the debtor has more than 6 creditors with nonpriority unsecured claims, fill out and attach the Additional Page of Part 2.

				Amount of claim
3.1	Nonpriority creditor's name and mailing address <b>Division of Highways P.O. Box 11013 Charleston, WV 25339</b>	As of the petition filing date, the claim is: <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed		<b>\$600.00</b>
Date(s) debt was incurred <b>04/10/18</b>		Basis for the claim: <b>Maintenance fee.</b>		
Last 4 digits of account number <b>0431</b>		Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		

3.2	Nonpriority creditor's name and mailing address <b>Divison of Water and Waste Management P.O. Box 364 Charleston, WV 25322</b>	As of the petition filing date, the claim is: <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed		<b>\$100.50</b>
Date(s) debt was incurred <b>06/08/15</b>		Basis for the claim: <b>Services.</b>		
Last 4 digits of account number <b>7545</b>		Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		

3.3	Nonpriority creditor's name and mailing address <b>Mon Power P.O. Box 3615 Akron, OH 44309</b>	As of the petition filing date, the claim is: <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed		<b>\$1,621.00</b>
Date(s) debt was incurred <b>08/23/18</b>		Basis for the claim: <b>Utility debt.</b>		
Last 4 digits of account number <b>4016</b>		Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		

**Part 3: List Others to Be Notified About Unsecured Claims**

4. List in alphabetical order any others who must be notified for claims listed in Parts 1 and 2. Examples of entities that may be listed are collection agencies, assignees of claims listed above, and attorneys for unsecured creditors.

If no others need to be notified for the debts listed in Parts 1 and 2, do not fill out or submit this page. If additional pages are needed, copy the next page.

Name and mailing address	On which line in Part1 or Part 2 is the related creditor (if any) listed?	Last 4 digits of account number, if any
4.1 <b>State of West Virginia State Tax Dept. Compliance Div. 153 West Main St, Ste E Clarksburg, WV 26301</b>	Line <b>2.32</b> <input type="checkbox"/> Not listed. Explain _____	—

**Part 4: Total Amounts of the Priority and Nonpriority Unsecured Claims**

5. Add the amounts of priority and nonpriority unsecured claims.

		Total of claim amounts
5a. Total claims from Part 1	5a.	\$ <b>64,112.96</b>
5b. Total claims from Part 2	5b. +	\$ <b>2,321.50</b>
5c. Total of Parts 1 and 2 Lines 5a + 5b = 5c.	5c.	\$ <b>66,434.46</b>



**Additional Page if You Have More Contracts or Leases**

**2. List all contracts and unexpired leases** **State the name and mailing address for all other parties with whom the debtor has an executory contract or unexpired lease**

2.5. State what the contract or lease is for and the nature of the debtor's interest **Warewashing, housekeeping, and other sanitizing cleaning supplies contract.**

State the term remaining **22 months**

List the contract number of any government contract \_\_\_\_\_

**One Ecolab Place  
1 Ecolab Place  
Saint Paul, MN 55102**

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2.6. State what the contract or lease is for and the nature of the debtor's interest **Denny's, Inc., and DFO, LLC, Franchise Agreement.**

State the term remaining **15 years, 2 months**

List the contract number of any government contract \_\_\_\_\_

**Supply Chain Oversight Committee  
Attn: General Counsel  
203 East Main Street  
Spartanburg, SC 29319**

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Debtor name Grate Enterprises, Inc.

United States Bankruptcy Court for the: NORTHERN DISTRICT OF WEST VIRGINIA

Case number (if known) \_\_\_\_\_

Check if this is an amended filing

## Official Form 206H Schedule H: Your Codebtors

12/15

Be as complete and accurate as possible. If more space is needed, copy the Additional Page, numbering the entries consecutively. Attach the Additional Page to this page.

**1. Do you have any codebtors?**

- No. Check this box and submit this form to the court with the debtor's other schedules. Nothing else needs to be reported on this form.
- Yes

**2. In Column 1, list as codebtors all of the people or entities who are also liable for any debts listed by the debtor in the schedules of creditors, Schedules D-G. Include all guarantors and co-obligors. In Column 2, identify the creditor to whom the debt is owed and each schedule on which the creditor is listed. If the codebtor is liable on a debt to more than one creditor, list each creditor separately in Column 2.**

Column 1: Codebtor

Column 2: Creditor

	Name	Mailing Address	Name	Check all schedules that apply:
2.1	High Point Trading, LLC	1644 Blue Horizon Drive Morgantown, WV 26501	First United Bank & Trust	<input checked="" type="checkbox"/> D <u>2.1</u> <input type="checkbox"/> E/F _____ <input type="checkbox"/> G _____
2.2	William F. Gatian, II	133 Easton Mill Road Morgantown, WV 26508	First United Bank & Trust	<input checked="" type="checkbox"/> D <u>2.1</u> <input type="checkbox"/> E/F _____ <input type="checkbox"/> G _____
2.3	William F. Gatian, III	15 Aarons Creek Road Morgantown, WV 26508	First United Bank & Trust	<input checked="" type="checkbox"/> D <u>2.1</u> <input type="checkbox"/> E/F _____ <input type="checkbox"/> G _____
2.4	William F. Gatian, II	133 Easton Mill Road Morgantown, WV 26508	DFO, LLC	<input type="checkbox"/> D _____ <input type="checkbox"/> E/F _____ <input checked="" type="checkbox"/> G <u>2.6</u>
2.5	William F. Gatian, III	15 Aaron's Creek Road Morgantown, WV 26508	DFO, LLC	<input type="checkbox"/> D _____ <input type="checkbox"/> E/F _____ <input checked="" type="checkbox"/> G <u>2.6</u>

**Fill in this information to identify the case:**

Debtor name Grate Enterprises, Inc.

United States Bankruptcy Court for the: NORTHERN DISTRICT OF WEST VIRGINIA

Case number (if known) \_\_\_\_\_

Check if this is an amended filing

Official Form 207

Statement of Financial Affairs for Non-Individuals Filing for Bankruptcy

04/16

The debtor must answer every question. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known).

**Part 1: Income**

1. Gross revenue from business

None.

Identify the beginning and ending dates of the debtor's fiscal year, which may be a calendar year

Sources of revenue  
Check all that apply

Gross revenue  
(before deductions and exclusions)

From the beginning of the fiscal year to filing date:  
From 1/01/2018 to Filing Date

Operating a business  
 Other \_\_\_\_\_

\$786,032.88

For prior year:  
From 1/01/2017 to 12/31/2017

Operating a business  
 Other \_\_\_\_\_

\$1,133,575.00

For year before that:  
From 1/01/2016 to 12/31/2016

Operating a business  
 Other \_\_\_\_\_

\$1,337,312.00

2. Non-business revenue

Include revenue regardless of whether that revenue is taxable. *Non-business income* may include interest, dividends, money collected from lawsuits, and royalties. List each source and the gross revenue for each separately. Do not include revenue listed in line 1.

None.

Description of sources of revenue

Gross revenue from each source  
(before deductions and exclusions)

**Part 2: List Certain Transfers Made Before Filing for Bankruptcy**

3. Certain payments or transfers to creditors within 90 days before filing this case

List payments or transfers--including expense reimbursements--to any creditor, other than regular employee compensation, within 90 days before filing this case unless the aggregate value of all property transferred to that creditor is less than \$6,425. (This amount may be adjusted on 4/01/19 and every 3 years after that with respect to cases filed on or after the date of adjustment.)

None.

Creditor's Name and Address

Dates

Total amount of value

Reasons for payment or transfer  
Check all that apply

Creditor's Name and Address	Dates	Total amount of value	Reasons for payment or transfer <i>Check all that apply</i>
3.1. <b>Two Banana Construction, LLC</b> <b>Kyle Laws</b> <b>369 South Casa Loma Lane</b> <b>Cedar City, UT 84720</b>	<b>09/17/18 - \$4,002.01</b> <b>10/02/18 - \$4,002.01</b> <b>11/05/18 - \$4002.01</b>	<b>\$12,006.03</b>	<input checked="" type="checkbox"/> Secured debt <input type="checkbox"/> Unsecured loan repayments <input type="checkbox"/> Suppliers or vendors <input type="checkbox"/> Services <input type="checkbox"/> Other ___
3.2. <b>West Virginia State Tax Department</b> <b>Bankruptcy Division</b> <b>P.O. Box 766</b> <b>Charleston, WV 25323</b>	<b>09/07/18 - \$20,000</b> <b>10/18/18 - \$20,000</b> <b>11/20/18 - \$6,000</b>	<b>\$46,000.00</b>	<input type="checkbox"/> Secured debt <input type="checkbox"/> Unsecured loan repayments <input type="checkbox"/> Suppliers or vendors <input type="checkbox"/> Services <input checked="" type="checkbox"/> Other <b>State Sales and Use Tax Liens.</b>

**4. Payments or other transfers of property made within 1 year before filing this case that benefited any insider**

List payments or transfers, including expense reimbursements, made within 1 year before filing this case on debts owed to an insider or guaranteed or cosigned by an insider unless the aggregate value of all property transferred to or for the benefit of the insider is less than \$6,425. (This amount may be adjusted on 4/01/19 and every 3 years after that with respect to cases filed on or after the date of adjustment.) Do not include any payments listed in line 3. *Insiders* include officers, directors, and anyone in control of a corporate debtor and their relatives; general partners of a partnership 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(31).

None.

Insider's name and address Relationship to debtor	Dates	Total amount of value	Reasons for payment or transfer
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**5. Repossessions, foreclosures, and returns**

List all property of the debtor that was obtained by a creditor within 1 year before filing this case, including property repossessed by a creditor, sold at a foreclosure sale, transferred by a deed in lieu of foreclosure, or returned to the seller. Do not include property listed in line 6.

None

Creditor's name and address	Describe of the Property	Date	Value of property
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**6. Setoffs**

List any creditor, including a bank or financial institution, that within 90 days before filing this case set off or otherwise took anything from an account of the debtor without permission or refused to make a payment at the debtor's direction from an account of the debtor because the debtor owed a debt.

None

Creditor's name and address	Description of the action creditor took	Date action was taken	Amount
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**Part 3: Legal Actions or Assignments**

**7. Legal actions, administrative proceedings, court actions, executions, attachments, or governmental audits**

List the legal actions, proceedings, investigations, arbitrations, mediations, and audits by federal or state agencies in which the debtor was involved in any capacity—within 1 year before filing this case.

None.

Case title Case number	Nature of case	Court or agency's name and address	Status of case
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**8. Assignments and receivership**

List any property in the hands of an assignee for the benefit of creditors during the 120 days before filing this case and any property in the hands of a receiver, custodian, or other court-appointed officer within 1 year before filing this case.

None

**Part 4: Certain Gifts and Charitable Contributions**

9. List all gifts or charitable contributions the debtor gave to a recipient within 2 years before filing this case unless the aggregate value of the gifts to that recipient is less than \$1,000

None

Recipient's name and address	Description of the gifts or contributions	Dates given	Value
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**Part 5: Certain Losses**

10. All losses from fire, theft, or other casualty within 1 year before filing this case.

None

Description of the property lost and how the loss occurred	Amount of payments received for the loss <small>If you have received payments to cover the loss, for example, from insurance, government compensation, or tort liability, list the total received. List unpaid claims on Official Form 106A/B (Schedule A/B: Assets – Real and Personal Property).</small>	Dates of loss	Value of property lost
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**Part 6: Certain Payments or Transfers**

11. Payments related to bankruptcy

List any payments of money or other transfers of property made by the debtor or person acting on behalf of the debtor within 1 year before the filing of this case to another person or entity, including attorneys, that the debtor consulted about debt consolidation or restructuring, seeking bankruptcy relief, or filing a bankruptcy case.

None.

Who was paid or who received the transfer? Address	If not money, describe any property transferred	Dates	Total amount or value
11.1. Gianola, Barnum, Bechtel & Jecklin, L.C. 1714 Mileground Morgantown, WV 26505	Attorney fees and filing fee.	10/02/18	\$7,500.00

Email or website address  
djecklin@gbbjlaw.com

Who made the payment, if not debtor?  
First United Bank & Trust

12. Self-settled trusts of which the debtor is a beneficiary

List any payments or transfers of property made by the debtor or a person acting on behalf of the debtor within 10 years before the filing of this case to a self-settled trust or similar device. Do not include transfers already listed on this statement.

None.

Name of trust or device	Describe any property transferred	Dates transfers were made	Total amount or value
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13. Transfers not already listed on this statement

List any transfers of money or other property by sale, trade, or any other means made by the debtor or a person acting on behalf of the debtor within 2 years before the filing of this case to another person, other than property transferred in the ordinary course of business or financial affairs. Include both outright transfers and transfers made as security. Do not include gifts or transfers previously listed on this statement.



None.

Who received transfer? Address	Description of property transferred or payments received or debts paid in exchange	Date transfer was made	Total amount or value
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**Part 7: Previous Locations**

**14. Previous addresses**

List all previous addresses used by the debtor within 3 years before filing this case and the dates the addresses were used.

Does not apply

Address	Dates of occupancy From-To
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**Part 8: Health Care Bankruptcies**

**15. Health Care bankruptcies**

Is the debtor primarily engaged in offering services and facilities for:  
 - diagnosing or treating injury, deformity, or disease, or  
 - providing any surgical, psychiatric, drug treatment, or obstetric care?

- No. Go to Part 9.
- Yes. Fill in the information below.

Facility name and address	Nature of the business operation, including type of services the debtor provides	If debtor provides meals and housing, number of patients in debtor's care
---------------------------	---	---

**Part 9: Personally Identifiable Information**

**16. Does the debtor collect and retain personally identifiable information of customers?**

- No.
- Yes. State the nature of the information collected and retained.

**17. Within 6 years before filing this case, have any employees of the debtor been participants in any ERISA, 401(k), 403(b), or other pension or profit-sharing plan made available by the debtor as an employee benefit?**

- No. Go to Part 10.
- Yes. Does the debtor serve as plan administrator?

**Part 10: Certain Financial Accounts, Safe Deposit Boxes, and Storage Units**

**18. Closed financial accounts**

Within 1 year before filing this case, were any financial accounts or instruments held in the debtor's name, or for the debtor's benefit, closed, sold, moved, or transferred?  
 Include checking, savings, money market, or other financial accounts; certificates of deposit; and shares in banks, credit unions, brokerage houses, cooperatives, associations, and other financial institutions.

None

Financial Institution name and Address	Last 4 digits of account number	Type of account or instrument	Date account was closed, sold, moved, or transferred	Last balance before closing or transfer
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**19. Safe deposit boxes**

List any safe deposit box or other depository for securities, cash, or other valuables the debtor now has or did have within 1 year before filing this case.

None

Depository institution name and address	Names of anyone with access to it Address	Description of the contents	Do you still have it?
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**20. Off-premises storage**

List any property kept in storage units or warehouses within 1 year before filing this case. Do not include facilities that are in a part of a building in which the debtor does business.

None

Facility name and address	Names of anyone with access to it	Description of the contents	Do you still have it?
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**Part 11: Property the Debtor Holds or Controls That the Debtor Does Not Own**

**21. Property held for another**

List any property that the debtor holds or controls that another entity owns. Include any property borrowed from, being stored for, or held in trust. Do not list leased or rented property.

None

**Part 12: Details About Environment Information**

For the purpose of Part 12, the following definitions apply:

*Environmental law* means any statute or governmental regulation that concerns pollution, contamination, or hazardous material, regardless of the medium affected (air, land, water, or any other medium).

*Site* means any location, facility, or property, including disposal sites, that the debtor now owns, operates, or utilizes or that the debtor formerly owned, operated, or utilized.

*Hazardous material* means anything that an environmental law defines as hazardous or toxic, or describes as a pollutant, contaminant, or a similarly harmful substance.

Report all notices, releases, and proceedings known, regardless of when they occurred.

**22. Has the debtor been a party in any judicial or administrative proceeding under any environmental law? Include settlements and orders.**

- No.
- Yes. Provide details below.

Case title Case number	Court or agency name and address	Nature of the case	Status of case
---------------------------	----------------------------------	--------------------	----------------

**23. Has any governmental unit otherwise notified the debtor that the debtor may be liable or potentially liable under or in violation of an environmental law?**

- No.
- Yes. Provide details below.

Site name and address	Governmental unit name and address	Environmental law, if known	Date of notice
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**24. Has the debtor notified any governmental unit of any release of hazardous material?**

- No.
- Yes. Provide details below.

Site name and address	Governmental unit name and address	Environmental law, if known	Date of notice
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**Part 13: Details About the Debtor's Business or Connections to Any Business**

**25. Other businesses in which the debtor has or has had an interest**

List any business for which the debtor was an owner, partner, member, or otherwise a person in control within 6 years before filing this case. Include this information even if already listed in the Schedules.

None

Business name address	Describe the nature of the business	Employer Identification number Do not include Social Security number or ITIN.	Dates business existed
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**26. Books, records, and financial statements**

26a. List all accountants and bookkeepers who maintained the debtor's books and records within 2 years before filing this case.

None

Name and address	Date of service From-To
26a.1. <b>John Witt, CPA Services Plus, Inc. 599 East Brockway Avenue Morgantown, WV 26505</b>	<b>2014 to the present</b>

26b. List all firms or individuals who have audited, compiled, or reviewed debtor's books of account and records or prepared a financial statement within 2 years before filing this case.

None

26c. List all firms or individuals who were in possession of the debtor's books of account and records when this case is filed.

None

Name and address	If any books of account and records are unavailable, explain why
26c.1. <b>John Witt, CPA Services Plus, Inc. 599 East Brockway Avenue Morgantown, WV 26505</b>	
26c.2. <b>William F. Gatian, III 15 Aarons Creek Road Morgantown, WV 26508</b>	

26d. List all financial institutions, creditors, and other parties, including mercantile and trade agencies, to whom the debtor issued a financial statement within 2 years before filing this case.

None

**Name and address**

**27. Inventories**

Have any inventories of the debtor's property been taken within 2 years before filing this case?

No

Yes. Give the details about the two most recent inventories.

27.1	Name of the person who supervised the taking of the inventory	Date of inventory	The dollar amount and basis (cost, market, or other basis) of each inventory
	Name and address of the person who has possession of inventory records <b>William F. Gatian, III</b> <b>15 Aarons Creek Road</b> <b>Morgantown, WV 26508</b>	<b>Monthly inventory done for financial statements</b>	

28. List the debtor's officers, directors, managing members, general partners, members in control, controlling shareholders, or other people in control of the debtor at the time of the filing of this case.

Name	Address	Position and nature of any interest	% of interest, if any
<b>William F. Gatian, II</b>	<b>133 Easton Mill Road</b> <b>Morgantown, WV 26508</b>	<b>President, Owner</b>	<b>50%</b>
Name	Address	Position and nature of any interest	% of interest, if any
<b>William F. Gatian, III</b>	<b>15 Aaron's Creek Road</b> <b>Morgantown, WV 26508</b>	<b>Vice-President, Owner</b>	<b>50%</b>

29. Within 1 year before the filing of this case, did the debtor have officers, directors, managing members, general partners, members in control of the debtor, or shareholders in control of the debtor who no longer hold these positions?

- No
- Yes. Identify below.

30. **Payments, distributions, or withdrawals credited or given to insiders**

Within 1 year before filing this case, did the debtor provide an insider with value in any form, including salary, other compensation, draws, bonuses, loans, credits on loans, stock redemptions, and options exercised?

- No
- Yes. Identify below.

30.1	Name and address of recipient	Amount of money or description and value of property	Dates	Reason for providing the value
	<b>William F. Gatian, III</b> <b>15 Aarons Creek Road</b> <b>Morgantown, WV 26508</b>	<b>\$41,496</b>	<b>Monthly</b>	<b>\$3,458 a month in salary.</b>
	Relationship to debtor <b>Vice-President</b>			

31. Within 6 years before filing this case, has the debtor been a member of any consolidated group for tax purposes?

- No
- Yes. Identify below.

Name of the parent corporation	Employer Identification number of the parent corporation
--------------------------------	--

32. Within 6 years before filing this case, has the debtor as an employer been responsible for contributing to a pension fund?

- No
- Yes. Identify below.

Name of the pension fund	Employer Identification number of the parent corporation
--------------------------	--

**Part 14: Signature and Declaration**

**WARNING** -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

I have examined the information in this *Statement of Financial Affairs* and any attachments and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 22, 2018

/s/ William Gatian, III  
Signature of individual signing on behalf of the debtor

William Gatian, III  
Printed name

Position or relationship to debtor Vice-President

Are additional pages to *Statement of Financial Affairs for Non-Individuals Filing for Bankruptcy* (Official Form 207) attached?

- No
- Yes

United States Bankruptcy Court Northern District of West Virginia

In re Grate Enterprises, Inc. Debtor(s)

Case No. Chapter 11

DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR(S)

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

Table with 2 columns: Description and Amount. Rows include FLAT FEE (all 0.00) and RETAINER (7,500.00 and 250.00 + Costs).

2. The source of the compensation paid to me was:

Debtor Other (specify): First United Bank & Trust

3. The source of compensation to be paid to me is:

Debtor Other (specify): First United Bank & Trust

4. I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
b. Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;
c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
d. [Other provisions as needed]

Negotiations with secured creditors to reduce to market value; exemption planning; preparation and filing of schedules, statements, declarations, and applications as needed; preparation and filing of motions; defending relief from stay actions; and post-filing amendments. Work on selling the Debtor's primary assets to a third-party lender in an arms length transaction.

6. By agreement with the debtor(s), the above-disclosed fee does not include the following service:

Representation of the debtors in any dischargeability actions, judicial lien avoidances, relief from stay actions or any other adversary proceeding. Services better performed by other professionals, such as accountants, appraisers, brokers, auctioneers, etc., or attorneys for particular purposes (not contemplated), after application is filed and approved by the Court.

Debtor(s)

**DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR(S)**  
(Continuation Sheet)

**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.

**November 22, 2018**

*Date*

**/s/ David M. Jecklin**

**David M. Jecklin 9678**

*Signature of Attorney*

**Gianola, Barnum, Bechtel & Jecklin, L.C.**

**1714 Mileground**

**Morgantown, WV 26505**

**(304) 291-6300 Fax: (304) 291-6307**

**djecklin@gbbjlaw.com**

*Name of law firm*

**United States Bankruptcy Court  
Northern District of West Virginia**

In re Grate Enterprises, Inc.

Debtor(s)

Case No.

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 or place of business of holder	Security Class	Number of Securities	Kind of Interest
<b>William F. Gatian, II 133 Easton Mill Road Morgantown, WV 26508</b>		<b>50%</b>	<b>Shareholder</b>
<b>William F. Gatian, III 15 Aarons Creek Road Morgantown, WV 26508</b>		<b>50%</b>	<b>Shareholder</b>

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

I, the **Vice-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 November 22, 2018

Signature /s/ William Gatian, III  
**William Gatian, III**

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



**United States Bankruptcy Court  
Northern District of West Virginia**

In re **Grate Enterprises, Inc.**

Debtor(s)

Case No.  
Chapter

**11**

**VERIFICATION OF CREDITOR MATRIX**

I, the Vice-President of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: **November 22, 2018**

**/s/ William Gatian, III**

**William Gatian, III/Vice-President**  
Signer/Title

Grate Enterprises, Inc.  
15 Aarons Creek Road  
Morgantown, WV 26508

David M. Jecklin  
Gianola, Barnum, Bechtel & Jecklin, L.C.  
1714 Mileground  
Morgantown, WV 26505

Andrew Smith  
391 Scott Avenue  
Morgantown, WV 26508

Bobbie Leighty  
2045 Eugeniva Ave  
Morgantown, WV 26505

Breanna Shaffer  
206 Eastgate Drive  
Morgantown, WV 26508

Charles Parker  
919 Corbin Place  
Fairmont, WV 26554

Corey Degler  
P.O. Box 162  
Pursglove, WV 26546

Daniel Reed  
15 Fairmor Dr., Apt. No. 5  
Morgantown, WV 26501

Division of Highways  
P.O. Box 11013  
Charleston, WV 25339

Divison of Water and Waste Management  
P.O. Box 364  
Charleston, WV 25322

First United Bank & Trust  
Attn Roger Schlossberg  
18421 Henson Boulevard, Suite 201  
Hagerstown, MD 21742

First United Bank and Trust  
12892 Garrett Highway, Ste 4  
Oakland, MD 21550

Gregory Jones  
501 Abigail Court Apt 2  
Morgantown, WV 26508

Gypsy Bee  
245 Beulah Road  
Morgantown, WV 26508

Hannah Harbert  
1081 4H Camp Road  
Morgantown, WV 26508

High Point Trading, LLC  
1644 Blue Horizon Drive  
Morgantown, WV 26501

Jakob McMillen  
58 Fairfield Manor  
Morgantown, WV 26505

James Qualls  
33 Harvest Drive  
Morgantown, WV 26508

Jennifer Ferraro-Woodson  
27 Lane Street  
Morgantown, WV 26501

Jesse Holmes  
100 Gibson Avenue  
Masontown, WV 26542

Jessica Cecil  
3931 Grafton Road  
Morgantown, WV 26508

Jessika Hendricks  
391 Scott Avenue  
Morgantown, WV 26508

Karen Hobbs  
125 South Walnut Street  
Morgantown, WV 26506

Katelyn Pasquarelli  
279 Apple Meadow Lane  
Morgantown, WV 26508

Kayla Sisler  
1030 River Road  
Morgantown, WV 26501

Krista Robinson  
1104 Barberry Lane  
Morgantown, WV 26508

Mark Coffey  
212 Horizon Drive  
Morgantown, WV 26508

Meadowbrook Meat Company, Inc.  
d/b/a MBM Corporation  
2641 Meadowbrook Road  
Rocky Mount, NC 27802

Megan Snyder  
820 Elysian Ave  
Morgantown, WV 26501

Melissa Kemp  
318 Wilson Avenue  
Morgantown, WV 26501

Michael Mitchell  
1104 Barberry Lane  
Morgantown, WV 26508

Michelle Shaner  
2751 Laurel Run Road  
Bruceton Mills, WV 26525

Mon Power  
P.O. Box 3615  
Akron, OH 44309

Monongalia County Sheriff Tax Office  
243 High Street  
Morgantown, WV 26505

Monongalia County Sheriff Tax Office  
243 High Street Room 26  
Morgantown, WV 26505

Mood Media  
1703 West Fifth Street, Ste 600  
Austin, TX 78703

Morgan Green  
16 Healthy Heights  
Morgantown, WV 26508

Morgantown Air & Fire Service  
402 Pierpont Heights Drive  
Morgantown, WV 26508

National Entertainment Network, LLC  
325 Interlocken Pwky 8  
Broomfield, CO 80021

One Ecolab Place  
1 Ecolab Place  
Saint Paul, MN 55102

Richard Farley  
125 Village Crest Drive  
Morgantown, WV 26508

State of West Virginia  
State Tax Dept. Compliance Div.  
153 West Main St, Ste E  
Clarksburg, WV 26301

Supply Chain Oversight Committee  
Attn: General Counsel  
203 East Main Street  
Spartanburg, SC 29319

Travis Luttrell  
676 Willey Street, Apt. F  
Morgantown, WV 26505

Two Banana Construction, LLC  
Kyle Laws  
369 South Casa Loma Lane  
Cedar City, UT 84720

Tyler Jones  
284 Ed Dunn Road  
Morgantown, WV 26508

West Virginia State Tax Department  
Bankruptcy Division  
P.O. Box 766  
Charleston, WV 25323

William F. Gatian, II  
133 Easton Mill Road  
Morgantown, WV 26508

William F. Gatian, III  
15 Aarons Creek Road  
Morgantown, WV 26508

William F. Gatian, III  
15 Aaron's Creek Road  
Morgantown, WV 26508

**United States Bankruptcy Court  
Northern District of West Virginia**

In re Grate Enterprises, Inc.

Debtor(s)

Case No.

Chapter 11

**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 Grate Enterprises, Inc. 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:

**William F. Gatian, II**  
133 Easton Mill Road  
Morgantown, WV 26508

**William F. Gatian, III**  
15 Aarons Creek Road  
Morgantown, WV 26508

None [*Check if applicable*]

**November 22, 2018**

Date

**/s/ David M. Jecklin**

**David M. Jecklin 9678**

Signature of Attorney or Litigant  
Counsel for **Grate Enterprises, Inc.**

**Gianola, Barnum, Bechtel & Jecklin, L.C.**

1714 Mileground  
Morgantown, WV 26505

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