

United States Bankruptcy Court Southern District of West Virginia						Voluntary Petition	
Name of Debtor (if individual, enter Last, First, Middle): Rick Hearn, 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): dba R & J Supply Services				All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):			
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all): 55-0764158				Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all):			
Street Address of Debtor (No. & Street, City, State & Zip Code): Post Office Box 7131 Charleston, WV				Street Address of Joint Debtor (No. & Street, City, State & Zip Code):			
ZIPCODE 25356				ZIPCODE			
County of Residence or of the Principal Place of Business: Kanawha				County of Residence or of the Principal Place of Business:			
Mailing Address of Debtor (if different from street address)				Mailing Address of Joint Debtor (if different from street address):			
ZIPCODE				ZIPCODE			
Location of Principal Assets of Business Debtor (if different from street address above):							
ZIPCODE							
Type of Debtor (Form of Organization) (Check one box.) <input type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input checked="" type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.) 		Nature of Business (Check one box.) <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101(51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other Tax-Exempt Entity (Check box, if applicable.) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).		Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box.) <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding Nature of Debts (Check one box.) <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or house- hold purpose." <input checked="" type="checkbox"/> Debts are primarily business debts.			
Filing Fee (Check one box) <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> Filing Fee to be paid in installments (Applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. <input type="checkbox"/> Filing Fee waiver requested (Applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.				Chapter 11 Debtors Check one box: <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input checked="" type="checkbox"/> Debtor's aggregate noncontingent liquidated debts owed to non-insiders or affiliates are less than \$2,190,000. ----- Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).			
Statistical/Administrative Information <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.						THIS SPACE IS FOR COURT USE ONLY	
Estimated Number of Creditors <input type="checkbox"/> 1-49 <input checked="" type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5,001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> Over 100,000							
Estimated Assets <input checked="" type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1 million to \$10 million <input type="checkbox"/> \$10 million to \$50 million <input type="checkbox"/> \$50 million to \$100 million <input type="checkbox"/> \$100 million to \$500 million <input type="checkbox"/> \$500,000 to \$1 billion <input type="checkbox"/> More than \$1 billion							
Estimated Liabilities <input type="checkbox"/> \$0 to \$50,000 <input checked="" type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1 million to \$10 million <input type="checkbox"/> \$10 million to \$50 million <input type="checkbox"/> \$50 million to \$100 million <input type="checkbox"/> \$100 million to \$500 million <input type="checkbox"/> \$500,000 to \$1 billion <input type="checkbox"/> More than \$1 billion							

Voluntary Petition*(This page must be completed and filed in every case)*Name of Debtor(s):
Rick Hearn, LLC**Prior Bankruptcy Case Filed Within Last 8 Years** (If more than two, attach additional sheet)Location
Where Filed: **None**

Case Number:

Date Filed:

Location
Where Filed:

Case Number:

Date Filed:

Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)Name of Debtor:
None

Case Number:

Date Filed:

District:

Relationship:

Judge:

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 § 342(b) of the Bankruptcy Code.

X

Signature of Attorney for Debtor(s)

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.**Information Regarding the Debtor - Venue**

(Check any applicable box.)

☒ Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.☐ Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.**Certification by a Debtor Who Resides as a Tenant of Residential Property**

(Check all applicable boxes.)

☐ Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)

(Name of landlord or lessor that obtained judgment)

(Address of landlord or lessor)

☐ Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and☐ Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.☐ Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

Voluntary Petition*(This page must be completed and filed in every case)*

Name of Debtor(s):

Rick Hearn, LLC**Signatures****Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under Chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United State Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).

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

X

Signature of Debtor

X

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only **one** box.)

☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached.

☐ Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

X

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

Signature of Attorney***X****/s/ Marshall Spradling And Joseph Caldwell**

Signature of Attorney for Debtor(s)

**Marshall Spradling And Joseph Caldwell 3539 and 586
Marshall C. Spradling
100 Capitol Street Ste. 703
Charleston, WV 25301
(304) 343-2544 Fax: (304) 343-2546**

June 25, 2009

Date

*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

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

X**/s/ Rick Hearn**

Signature of Authorized Individual

Rick Hearn

Printed Name of Authorized Individual

Owner

Title of Authorized Individual

June 25, 2009

Date

Signature of Non-Attorney Petition Preparer

I declare under penalty of perjury that: 1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; 2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h) and 342(b); 3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social Security Number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)

Address

X

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above.

Date

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. § 110; 18 U.S.C. § 156.

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

IN RE:

Case No. _____

Rick Hearn, LLCChapter **11**

Debtor(s)

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 and Fed. R. Bankr. P. 1007(m).

(1) Name of creditor and complete mailing address including zip code	(2) Name, telephone number and complete mailing address, including zip code, of employee, agent or department of creditor familiar with claim who may be contacted	(3) Nature of claim (trade debt, bank loan, government contract, etc.)	(4) Indicate if claim is contingent, unliquidated, disputed or subject to setoff	(5) Amount of claim (if secured also state value of security)
BB&T Business Loan Center				36,500.00
Post Office Box 80003				Collateral:
Charlotte, NC 28258-0003				0.00
				Unsecured:
				36,500.00
Fleet Services				30,000.00
Post Office Box 6293				
Carol Stream, IL 60197				
BB&T Bankcard Corp.				29,000.00
Post Office Box 580362				
CHarlotte, NC 28258				
Transport International Pool, Inc.				23,663.00
75 Remittance Drive Ste. 1333				
Chicago, IL 60675				
FIA Card Services				21,500.00
Post Office Box 15726				
Wilmington, DE 19886-5726				
Appleasenp				18,456.72
1677 Jaggie Fox Way				
Lexington, KY 40502				
Citi Business Card				13,400.00
Post Office Box 183065				
Columbus, OH 43218-3065				
Exxon Card Services				9,000.00
Post Office Box 9710				
Macon, GA 31297				
Lawson Products Inc.				8,427.61
2689 Paysphere Circle				
Chicago, IL 60674				
Applease				5,699.67
1677 Jaggie Fox Way				
Lexington, KY 40502				
WV Department of Transportation				3,774.71
1900 Kanawha Blvd E Building 5				
Charleston, WV 25305				
American Equipment				3,080.00
1636 Woodale Drive				
Charleston, WV 25314				
State Of Maryland				2,973.00
45 Calvert Street				
Annapolis, MD 21401				

Netsolutions, Inc. 1339 Smith Street Charleston, WV 25302	2,926.51
Physical Exam Post Office Box 725349 Atlanta, GA 31139	2,750.00
Cintas Corp. 654 Winfield Road St. Albans, WV 25177	2,743.69
Apollo Oil Post Office Box 643948 Pittsburgh, PA 15264	2,583.24
Rish Equipment Post Office Box 429 St. Albans, WV 25177	2,358.18
Electronic Communications 408 Old Goff Mountain Road Cross Lanes, WV 25313	2,178.15
EZE Trucking, Inc. 2584 N. Locust Avenue Rialto, CA 92377	1,870.00

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

I, [the president *or* other officer *or* an authorized agent of the corporation][*or* a member *or* an authorized agent of the partnership] named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date: June 25, 2009 Signature: /s/ Rick Hearn

Rick Hearn, Owner

(Print Name and Title)

AEP
Post Office Box 24413
Canton, OH 44701-4413

American Equipment
1636 Woodale Drive
Charleston, WV 25314

American Express
Post Office Box 0001
Los Angeles, CA 90096-8000

American Process Agents
Post Office Box 100
Bridge City, TX 77611

Apollo Oil
Post Office Box 643948
Pittsburgh, PA 15264

Applease
1677 Jaggie Fox Way
Lexington, KY 40502

Appleasenp
1677 Jaggie Fox Way
Lexington, KY 40502

Bagcraft Packaging LLC
135 S. Lasalle Dept. 2210
Chicago, IL 60674

BB&T Bankcard Corp.
Post Office Box 580362
Charlotte, NC 28258

BB&T Business Loan Center
Post Office Box 80003
Charlotte, NC 28258-0003

BB&T Equipment Finance
Post Office Box 580155
Charlotte, NC 28258

Bosely Rental & Supply
497 Goff Mountain Road
Cross Lanes, WV 25313

Certified Laboratories
200 Express Street
Plainview, NY 11803

Cintas Corp.
654 Winfield Road
St. Albans, WV 25177

Citi Business Card
Post Office Box 183065
Columbus, OH 43218-3065

Colonial LIfe
Post Office Box 1365
Columbia, SC 29202

Conventry Health & Life
Post Office Box 6529
Carol Stream, IL 60197

Cooper & Associates
55 Chase Drive
Hurricane, WV 25526

CWS Copiers
2040 Ohio Avenue
Parkersburg, WV 26102

Davey Tree Experts Co.
Post Office Box 709
Kent, OH 44243

Direct TV
Post Office Box 60036
Los Angeles, CA 90060

E.J. Thompson & Son
5420 Alpine Drive
Cross Lanes, WV 25313

Electronic Communications
408 Old Goff Mountain Road
Cross Lanes, WV 25313

Elk River Logistics
Post Office Box 1063
Elkview, WV 25071

Exxon Card Services
Post Office Box 9710
Macon, GA 31297

EZE Trucking, Inc.
2584 N. Locust Avenue
Rialto, CA 92377

FedEX
Post Office Box 371461
Pittsburgh, PA 15250

FIA Card Services
Post Office Box 15726
Wilmington, DE 19886-5726

Fleet Services
Post Office Box 6293
Carol Stream, IL 60197

G. E. Capitol
Post Office Box 802585
Chicago, IL 60680

High, Wide & Heavy Oversize Escorts
312 Arthur Kill Road
Staten Island, NY 10308

Huntington National Bank
Post Office Box 633
Charleston, WV 25322

Illinois Tollway
Post Office Box 5201
Lisle, IL 60532

IVS Hydro Inc.
Post Office Box 235
Waverly, WV 26184

Lambert Transfer Co., Inc.
Rock Branch Industrial Park
Nitro, WV 25143

Lawson Products Inc.
2689 Paysphere Circle
Chicago, IL 60674

Lowes
Post Office Box 530914
Atlanta, GA 30353-0914

M & N Cigar Co.
Post Office Box 2030
Tampa, FL 33601

Miller Welding Service
Post Office Box 1079
Appleton, WI 54912

Mountaineer Gas
Post Office Box 362
Charleston, WV 25302

Mountaineer Glass
413 Dunbar Avenue
Dunbar, WV 25164

Netsolutions, Inc.
1339 Smith Street
Charleston, WV 25302

Physical Exam
Post Office Box 725349
Atlanta, GA 31139

Pitney Bowes
Post Office Box 856042
Louisville, KY 40285

Poca Valley Bank
Post Office Box 56
Walton, WV 25286

Powell Construction Co.
125 Dye Drive
Beckley, WV 25801

Rish Equipment
Post Office Box 429
St. Albans, WV 25177

Standish Rentals
Post Office Box 7670
Charleston, WV 25302

Staples Credit Plan
3485 Orange Grove Avenue
North Highland, CA 95660

State Of Maryland
45 Calvert Street
Annapolis, MD 21401

Tornado Products
Post Office Box 85
St. Albans, WV 25177

Trailer Specialist
9 Stone St. Rock Branch Industrial Park
Nitro, WV 25143

Transp. Cabinet Div. Of Motor Carriers
Post Office Box 2323
Frankfort, KY 40602-2323

Transport International Pool, Inc.
75 Remittance Drive Ste. 1333
Chicago, IL 60675

Tyler Mountain Water Co.
Post Office Box 909
Nitro, WV 25143

Verizon West Virginia
Post Office Box 165018
Columbus, OH 43216

Vernon Sales Promotion
5 Pleasure Point Road
Sagamore, MA 02561

WASTE MANGEMENT
POST OFFICE BOX 13648
PHILADELPHIA, PA 19101

West Virginia State Tax Department
Post Office Box 2745
Charleston, WV 25330-2745

White Tire Co.
Post Office Box 37926
Charlotte, NC 28237

WV Department of Transportation
1900 Kanawha Blvd E Building 5
Charleston, WV 25305