

Fill in this information to identify your case:

United States Bankruptcy Court for the:

SOUTHERN 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 Fireball Enterprises, Inc.

2. All other names debtor used in the last 8 years Include any assumed names, trade names and doing business as names

3. Debtor's federal Employer Identification Number (EIN) 20-4875313

4. Debtor's address Principal place of business Mailing address, if different from principal place of business 135D Marcum Trucking Drive Verdunville, WV 25649 P. O. Box 836 Mount Gay, WV 25637 Logan County Location of principal assets, 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)) Partnership (excluding LLP) Other. Specify:

Debtor **Fireball Enterprises, Inc.**  
Name

Case number (if known)

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>.

4841

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 \_\_\_\_\_

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

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**

<input checked="" type="checkbox"/> 1-49	<input type="checkbox"/> 1,000-5,000	<input type="checkbox"/> 25,001-50,000
<input type="checkbox"/> 50-99	<input type="checkbox"/> 5001-10,000	<input type="checkbox"/> 50,001-100,000
<input type="checkbox"/> 100-199	<input type="checkbox"/> 10,001-25,000	<input type="checkbox"/> More than 100,000
<input type="checkbox"/> 200-999		

15. **Estimated Assets**

<input type="checkbox"/> \$0 - \$50,000	<input type="checkbox"/> \$1,000,001 - \$10 million	<input type="checkbox"/> \$500,000,001 - \$1 billion
<input type="checkbox"/> \$50,001 - \$100,000	<input type="checkbox"/> \$10,000,001 - \$50 million	<input type="checkbox"/> \$1,000,000,001 - \$10 billion
<input type="checkbox"/> \$100,001 - \$500,000	<input type="checkbox"/> \$50,000,001 - \$100 million	<input type="checkbox"/> \$10,000,000,001 - \$50 billion
<input checked="" type="checkbox"/> \$500,001 - \$1 million	<input type="checkbox"/> \$100,000,001 - \$500 million	<input type="checkbox"/> More than \$50 billion

16. **Estimated liabilities**

<input type="checkbox"/> \$0 - \$50,000	<input type="checkbox"/> \$1,000,001 - \$10 million	<input type="checkbox"/> \$500,000,001 - \$1 billion
<input type="checkbox"/> \$50,001 - \$100,000	<input type="checkbox"/> \$10,000,001 - \$50 million	<input type="checkbox"/> \$1,000,000,001 - \$10 billion
<input type="checkbox"/> \$100,001 - \$500,000	<input type="checkbox"/> \$50,000,001 - \$100 million	<input type="checkbox"/> \$10,000,000,001 - \$50 billion
<input checked="" type="checkbox"/> \$500,001 - \$1 million	<input type="checkbox"/> \$100,000,001 - \$500 million	<input type="checkbox"/> More than \$50 billion

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

**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 June 21, 2016  
MM / DD / YYYY

**X /s/ Craig Marcum**  
Signature of authorized representative of debtor  
  
Title President

**Craig Marcum**  
Printed name

**18. Signature of attorney**

**X /s/ Joseph W. Caldwell**  
Signature of attorney for debtor

Date June 21, 2016  
MM / DD / YYYY

**Joseph W. Caldwell**  
Printed name

**Caldwell & Riffie**  
Firm name

**3818 MacCorkle Ave. S.E. Suite 101**  
**Post Office Box 4427**  
**Charleston, WV 25364-4427**  
Number, Street, City, State & ZIP Code

Contact phone (304) 925-2100 Email address joecaldwell@frontier.com & chuckriffie@frontier.com

**586**  
Bar number and State

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

Debtor name **Fireball Enterprises, Inc.**

United States Bankruptcy Court for the: **SOUTHERN 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
Advance Auto Parts AAP Financial Services P. O. Box 742063 Atlanta, GA 30374-2063		Parts				\$1,288.78
Apollo Oil, LLC P. O. Box 643948 Pittsburgh, PA 15264-3948		Oil				\$931.83
BB&T P. O. Box 580340 Charlotte, NC 28258-0340		Credit Card				\$1,785.67
BB&T P. O. Box 580340 Charlotte, NC 28258-0340		OD Line of Credit - Credit Card				\$1,320.97
BB&T P. O. Box 580340 Charlotte, NC 28258-0340		Credit Card				\$3,040.13
BB&T P. O. Box 580340 Charlotte, NC 28258-0340		Credit Card				\$2,296.66
Cecil I. Walker Machinery Co. P. O. Box 2427 Charleston, WV 25329		Case No. 16-M23C-00116(D W), Logan County Magistrate Court Case				\$0.00
Hanson Aggregates 15620 Collection Center Drive Chicago, IL 60693		Rock/gravel				\$3,733.80

Debtor **Fireball Enterprises, Inc.**  
Name \_\_\_\_\_

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

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,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Jones Oil Company, Inc. P. O. Box 3427 Pikeville, KY 41502		Fuel				\$54,933.69
Malone Warehouse Tire, Inc. 5239 Hebbardsville Road Athens, OH 45701		Tires				\$11,665.26
Martin's Peterbilt - Eastern Kentucky 101 Industrial Road Pikeville, KY 41501		Parts/Service				\$7,717.85
Motor Carrier Solutions P. O. Box 550 Grayson, KY 41143		Services				\$7,685.00
NAPA P. O. Box 409043 Atlanta, GA 30384-9043		Parts				\$606.36
Walker Machinery P. O. Box 905258 Charlotte, NC 28290		Parts				\$1,615.81
Xtra Lease 11910 Enterprises Drive Sharonville, OH 45241		Box Trailers				\$3,234.01

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

In re Fireball Enterprises, Inc. Debtor(s) Case No. \_\_\_\_\_  
Chapter 11

**VERIFICATION OF CREDITOR MATRIX**

I, the 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: June 21, 2016

/s/ Craig Marcum  
**Craig Marcum/President**  
Signer/Title

Advance Auto Parts  
AAP Financial Services  
P. O. Box 742063  
Atlanta, GA 30374-2063

Apollo Oil, LLC  
P. O. Box 643948  
Pittsburgh, PA 15264-3948

Balboa Capital  
2010 Main Street, Suite 1100  
Irvine, CA 92614

Bank of the Ozarks  
17901 Chenal Parkway, 2nd Floor  
Little Rock, AR 72233

BB&T  
P. O. Box 580340  
Charlotte, NC 28258-0340

BB&T Item Processing Center  
P. O. Box 580050  
Charlotte, NC 28258-0050

Cecil I. Walker Machinery Co.  
P. O. Box 2427  
Charleston, WV 25329

Hanson Aggregates  
15620 Collection Center Drive  
Chicago, IL 60693

Internal Revenue Service  
Insolvency Office  
425 Juliana Street  
Parkersburg, WV 26101

Jones Oil Company, Inc.  
P. O. Box 3427  
Pikeville, KY 41502



Mack Financial Services  
Volvo Financial Services  
P. O. Box 26131  
Greensboro, NC 27402-6131

Malone Warehouse Tire, Inc.  
5239 Hebbardsville Road  
Athens, OH 45701

Martin's Peterbilt - Eastern Kentucky  
101 Industrial Road  
Pikeville, KY 41501

Motor Carrier Solutions  
P. O. Box 550  
Grayson, KY 41143

NAPA  
P. O. Box 409043  
Atlanta, GA 30384-9043

PACCAR  
P. O. Box 580340  
Pittsburgh, PA 15264-2945

Stearns Bank NA  
P. O. Box 750  
Albany, MN 56307-0750

Walker Machinery  
P. O. Box 905258  
Charlotte, NC 28290

West Virginia Insurance Commissioner  
Revenue Recovery Division  
P. O. Box 40254  
Charleston, WV 25364

WorkForce West Virginia  
Compliance and Enforcement Section  
Unemployment Compensation Division  
112 California Avenue  
Charleston, WV 25305

WV State Tax Department  
Compliance Division  
P. O. Box 766  
Charleston, WV 25323-0766

Xtra Lease  
11910 Enterprises Drive  
Sharonville, OH 45241

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

In re Fireball 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 Fireball 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:

None [*Check if applicable*]

June 21, 2016

Date

/s/ Joseph W. Caldwell

Joseph W. Caldwell 586

Signature of Attorney or Litigant  
Counsel for Fireball Enterprises, Inc.

Caldwell & Riffie

3818 MacCorkle Ave. S.E. Suite 101

Post Office Box 4427

Charleston, WV 25364-4427

(304) 925-2100 Fax:(304) 925-2193

joecaldwell@frontier.com & chuckriffie@frontier.com