

| <b>United States Bankruptcy Court</b><br><b>Northern District of Alabama</b><br><b>Northern Division</b>   |  |   |   | <b>Voluntary Petition</b>   |   |
|--|--|---|---|---|---|
| Name of Debtor (if individual, enter Last, First, Middle):<br><b>Tolplast Company, Inc.</b>  |  |   | Name of Joint Debtor (Spouse) (Last, First, Middle):  |   |   |
| All Other Names used by the Debtor in the last 8 years<br>(include married, maiden, and trade names):  |  |   | All Other Names used by the Joint Debtor in the last 8 years<br>(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): <b>63-1193637</b>   |  |   | 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, and State):<br><b>2741 Highway 231</b><br><b>Lacey's Spring, AL</b>  |  |   | Street Address of Joint Debtor (No. & Street, City, and State):   |   |   |
| ZIP CODE <b>35754</b>  |  |   | ZIP CODE  |   |   |
| County of Residence or of the Principal Place of Business:<br><b>Morgan</b>  |  |   | 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):   |   |   |
| ZIP CODE   |  |   | ZIP CODE  |   |   |
| Location of Principal Assets of Business Debtor (if different from street address above):<br><b>2741 Highway 231</b><br><b>Lacey's Spring, AL</b>  |  |   | ZIP CODE <b>35754</b>   |   |   |
| <b>Type of Debtor</b><br>(Form of Organization)<br>(Check one box.)<br><br><input type="checkbox"/> Individual (includes Joint Debtors)<br><i>See Exhibit D on page 2 of this form.</i><br><input checked="" type="checkbox"/> Corporation (includes LLC and LLP)<br><input type="checkbox"/> Partnership<br><input type="checkbox"/> Other (If debtor is not one of the above entities,<br>check this box and state type of entity below.)<br><br>  |  | <b>Nature of Business</b><br>(Check one box)<br><br><input type="checkbox"/> Health Care Business<br><input type="checkbox"/> Single Asset Real Estate as defined in<br>11 U.S.C. § 101(51B)<br><input type="checkbox"/> Railroad<br><input type="checkbox"/> Stockbroker<br><input type="checkbox"/> Commodity Broker<br><input type="checkbox"/> Clearing Bank<br><input checked="" type="checkbox"/> Other<br><br><b>Tax-Exempt Entity</b><br>(Check box, if applicable)<br><br><input type="checkbox"/> Debtor is a tax-exempt organization<br>under Title 26 of the United States<br>Code (the Internal Revenue Code.) |   | <b>Chapter of Bankruptcy Code Under Which<br/>the Petition is Filed</b> (Check one box)<br><br><input type="checkbox"/> Chapter 7<br><input type="checkbox"/> Chapter 9<br><input checked="" type="checkbox"/> Chapter 11<br><input type="checkbox"/> Chapter 12<br><input type="checkbox"/> Chapter 13<br><br><input type="checkbox"/> Chapter 15 Petition for<br>Recognition of a Foreign<br>Main Proceeding<br><input type="checkbox"/> Chapter 15 Petition for<br>Recognition of a Foreign<br>Nonmain Proceeding<br><br><b>Nature of Debts</b><br>(Check one box)<br><br><input type="checkbox"/> Debts are primarily consumer<br>debts, defined in 11 U.S.C.<br>§ 101(8) as "incurred by an<br>individual primarily for a<br>personal, family, or house-<br>hold purpose."<br><input checked="" type="checkbox"/> Debts are primarily<br>business debts. |   |
| <b>Filing Fee</b> (Check one box)<br><br><input checked="" type="checkbox"/> Full Filing Fee attached<br><br><input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach<br>signed application for the court's consideration certifying that the debtor is<br>unable to pay fee except in installments. Rule 1006(b) See Official Form 3A.<br><br><input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must<br>attach signed application for the court's consideration. See Official Form 3B. |  |   | <b>Chapter 11 Debtors</b><br><br><b>Check one box:</b><br><input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D).<br><input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D).<br><br><b>Check if:</b><br><input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to<br>insiders or affiliates) are less than \$2,190,000.<br><br><b>Check all applicable boxes</b><br><input type="checkbox"/> A plan is being filed with this petition<br><input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes<br>of creditors, in accordance with 11 U.S.C. § 1126(b). |   |   |
| <b>Statistical/Administrative Information</b><br><input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors.<br><input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative<br>expenses paid, there will be no funds available for distribution to unsecured creditors.  |  |   |   |   | <b>THIS SPACE IS FOR<br/>COURT USE ONLY</b> |
| <b>Estimated Number of Creditors</b><br><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   |  |   |   |   |   |
| <b>Estimated Assets</b><br><input 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 checked="" type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion                             |  |   |   |   |   |
| <b>Estimated Liabilities</b><br><input 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 checked="" type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion                        |  |   |   |   |   |

|   |               |  |  |
|---|---------------|--|--|
| <b>Voluntary Petition</b><br><i>(This page must be completed and filed in every case)</i>   |               | Name of Debtor(s):<br><b>Tolplast Company, Inc.</b>  |  |
| <b>All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet.)</b>  |               |  |  |
| Location Where Filed: <b>NONE</b>   | Case Number:  | Date Filed:  |  |
| Location Where Filed:   | Case Number:  | Date Filed:  |  |
| <b>Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)</b>   |               |  |  |
| Name of Debtor:<br><b>NONE</b>  | Case Number:  | Date Filed:  |  |
| District:   | Relationship: | Judge:   |  |
| <b>Exhibit A</b><br>(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.)<br><br><input type="checkbox"/> Exhibit A is attached and made a part of this petition.  |               | <b>Exhibit B</b><br>(To be completed if debtor is an individual whose debts are primarily consumer debts)<br>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 have delivered to the debtor the notice required by 11 U.S.C. § 342(b).<br><br><input checked="" type="checkbox"/> <b>Not Applicable</b><br>Signature of Attorney for Debtor(s) _____ Date _____ |  |
| <b>Exhibit C</b>  |               |  |  |
| 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?<br><input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition.<br><input checked="" type="checkbox"/> No   |               |  |  |
| <b>Exhibit D</b>  |               |  |  |
| (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)<br><br><input type="checkbox"/> Exhibit D completed and signed by the debtor is attached and made a part of this petition.<br><br>If this is a joint petition:<br><input type="checkbox"/> Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.   |               |  |  |
| <b>Information Regarding the Debtor - Venue</b><br>(Check any applicable box)   |               |  |  |
| <input checked="" type="checkbox"/> 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.  |               |  |  |
| <input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.  |               |  |  |
| <input type="checkbox"/> 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. |               |  |  |
| <b>Certification by a Debtor Who Resides as a Tenant of Residential Property</b><br>(Check all applicable boxes.)   |               |  |  |
| <input type="checkbox"/> Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following).<br><br><div style="text-align: right; margin-right: 100px;">         _____<br/>         (Name of landlord that obtained judgment)       </div> <div style="text-align: right; margin-right: 100px;">         _____<br/>         (Address of landlord)       </div>                    |               |  |  |
| <input type="checkbox"/> 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   |               |  |  |
| <input type="checkbox"/> 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.   |               |  |  |
| <input type="checkbox"/> Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).  |               |  |  |

|   |  |
|---|--|
| <b>Voluntary Petition</b><br><i>(This page must be completed and filed in every case)</i>   | <b>Name of Debtor(s):</b><br><b>Tolplast Company, Inc.</b>   |
| <b>Signatures</b>   |  |
| <p style="text-align: center;"><b>Signature(s) of Debtor(s) (Individual/Joint)</b></p> <p>I declare under penalty of perjury that the information provided in this petition is true and correct.</p> <p>[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.</p> <p>[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).</p> <p>I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p><b>X Not Applicable</b><br/>         Signature of Debtor</p> <p><b>X Not Applicable</b><br/>         Signature of Joint Debtor</p> <p>Telephone Number (If not represented by attorney)</p> <p>Date</p> | <p style="text-align: center;"><b>Signature of a Foreign Representative</b></p> <p>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.</p> <p>(Check only one box.)</p> <p><input type="checkbox"/> I request relief in accordance with chapter 15 of Title 11, United States Code. Certified Copies of the documents required by § 1515 of title 11 are attached.</p> <p><input type="checkbox"/> Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the Chapter of title 11 specified in the petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.</p> <p><b>X Not Applicable</b><br/>         (Signature of Foreign Representative)</p> <p>(Printed Name of Foreign Representative)</p> <p>Date</p>  |
| <p style="text-align: center;"><b>Signature of Attorney</b></p> <p><b>X /s/ William L. Chenault, III</b><br/>         Signature of Attorney for Debtor(s)</p> <p><b>William L. Chenault, III Bar No. ASB-9922-T83W</b><br/>         Printed Name of Attorney for Debtor(s) / Bar No.</p> <p><b>Chenault Hammond, P.C.</b><br/>         Firm Name</p> <p><b>PO Box 1906 Decatur, AL 35602-1906</b><br/>         Address</p> <p><b>Decatur, Alabama 35602-1906</b></p> <p><b>256-353-7031</b>                      <b>256-353-8701</b><br/>         Telephone Number</p> <p><b>06/23/2010</b><br/>         Date</p> <p><small>*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.</small></p>   | <p style="text-align: center;"><b>Signature of Non-Attorney Petition Preparer</b></p> <p>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); and, (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.</p> <p><b>Not Applicable</b><br/>         Printed Name and title, if any, of Bankruptcy Petition Preparer</p> <p>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.)</p> <p>Address</p> <p><b>X Not Applicable</b></p> <p>Date</p> <p>Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social-Security number is provided above.</p> <p>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.</p> <p>If more than one person prepared this document, attach to the appropriate official form for each person.</p> <p><i>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.</i></p> |
| <p style="text-align: center;"><b>Signature of Debtor (Corporation/Partnership)</b></p> <p>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.</p> <p>The debtor requests the relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p><b>X /s/ Dominic C. Tolomei</b><br/>         Signature of Authorized Individual</p> <p><b>Dominic C. Tolomei</b><br/>         Printed Name of Authorized Individual</p> <p><b>President</b><br/>         Title of Authorized Individual</p> <p><b>06/23/2010</b><br/>         Date</p>  |  |

**UNITED STATES BANKRUPTCY COURT**  
**Northern District of Alabama**  
**Northern Division**

In re: Tolplast Company, Inc.  
Debtor

Case No.  
Chapter **11**

**Exhibit "A" to Voluntary Petition**

1. If any of debtor's securities are registered under section 12 of the Securities and Exchange Act of 1934, the SEC file number is .

2. The following financial data is the latest available information and refers to debtor's condition on .

a. Total assets \$ 1,115,707.00

b. Total debts (including debts listed in 2.c., below) \$ 1,329,345.97

Approximate  
number of  
holders

c. Debt securities held by more than 500 holders.

|  | secured | unsecured | subordinated |  |  |
|--|---------|-----------|--------------|--|--|
|--|---------|-----------|--------------|--|--|

|    |                                     |  |  |  |  |
|----|-------------------------------------|--|--|--|--|
| d. | Number of shares of preferred stock |  |  |  |  |
|----|-------------------------------------|--|--|--|--|

|    |                                  |  |  |  |  |
|----|----------------------------------|--|--|--|--|
| e. | Number of shares of common stock |  |  |  |  |
|----|----------------------------------|--|--|--|--|

Comments, if any:

3. Brief description of debtor's business:

**7**

4. List the name of any person who directly or indirectly owns, controls, or holds, with power to vote, 5% or more of the voting securities of debtor:

UNITED STATES BANKRUPTCY COURT  
Northern District of Alabama  
Northern Division

Exhibit "C"

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

In re:

Case No.:

Tolplast Company, Inc.  
Debtor(s)

Chapter: 11

Exhibit "C" to Voluntary Petition

1. Identify and briefly describe all real or personal property owned by or in possession of the debtor that, to the best of the debtor's knowledge, poses or is alleged to pose a threat of imminent and identifiable harm to the public health or safety (attach additional sheets if necessary):

N/A

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2. With respect to each parcel of real property or item of personal property identified in question 1, describe the nature and location of the dangerous condition, whether environmental or otherwise, that poses or is alleged to pose a threat of imminent and identifiable harm to the public health or safety (attach additional sheets if necessary):

N/A

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**United States Bankruptcy Court**

**Northern District of Alabama**

**Northern Division**

In re:

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

Chapter 11

**Tolplast Company, Inc.**

**STATEMENT REGARDING AUTHORITY TO SIGN AND FILE PETITION**

I, Dominic C. Tolomei, declare under penalty of perjury that I am the President of Tolplast Company, Inc., a Alabama Corporation and that on 06/23/2010 the following resolution was duly adopted by the Dominic C. Tolomei of this Corporation:

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

Be It Therefore Resolved, that Dominic C. Tolomei, President of this Corporation, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a Chapter 11 voluntary bankruptcy case on behalf of the Corporation; and

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

Be It Further Resolved, that Dominic C. Tolomei, President of this Corporation, is authorized and directed to employ William L. Chenault, III, attorney and the law firm of Chenault Hammond, P.C. to represent the Corporation in such bankruptcy case."

Executed on: 06/23/2010

Signed: /s/ Dominic C. Tolomei  
Dominic C. Tolomei

**United States Bankruptcy Court  
Northern District of Alabama  
Northern Division**

In re: **Tolplast Company, Inc.**

Case No.

**List of Equity Security Holders**

| REGISTERED NAME OF HOLDER OF SECURITY<br>LAST KNOWN ADDRESS OR PLACE OF BUSINESS | CLASS OF<br>SECURITY | NUMBER<br>REGISTERED | KIND OF INTEREST<br>REGISTERED |
|--|----------------------|----------------------|--------------------------------|
| <b>Dominic C. Tolomei<br/>445 Pine Ridge Road<br/>Lacey's Spring, AL 35754</b>   | <b>Stock</b>         | <b>1,000</b>         | <b>Ownership</b>               |

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

I, **Dominic C. Tolomei**, 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: 06/23/2010

/s/ Dominic C. Tolomei

**Dominic C. Tolomei, President**  
Debtor

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

**United States Bankruptcy Court  
Northern District of Alabama  
Northern Division**

In re Tolplast Company, Inc.

Case No.

Debtor.

Chapter 11

**STATEMENT OF CORPORATE OWNERSHIP**

Comes now Tolplast Company, Inc. (the "Debtor") and pursuant to Fed. R. Bankr. P. 1007(a) and 7007.1 state as follows:

  X   All corporations that directly or indirectly own 10% or more of any class of the corporation's equity interests are listed below:

| Owner  | % of Shares Owned |
|--|-------------------|
| Dominic C. Tolomei<br>445 Pine Ridge Road<br>Lacey's Spring, Alabama 35754 | 100               |

OR,

           There are no entities to report.

By: /s/ William L. Chenault, III

William L. Chenault, III  
Signature of Attorney

Counsel for Tolplast Company, Inc.

Bar no.: ASB-9922-T83W

Address.: Chenault Hammond, P.C.  
PO Box 1906  
Decatur, AL 35602-1906  
Decatur, Alabama 35602-1906

Telephone No.: 256-353-7031

Fax No.: 256-353-8701

E-mail address:



**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**STATEMENT OF INFORMATION REQUIRED BY 11 U.S.C. § 341**

**INTRODUCTION**

Pursuant to the Bankruptcy Reform Act of 1994, the Office of the United States Bankruptcy Administrator has prepared this information sheet to help you understand some of the possible consequences of filing a bankruptcy petition under chapter 7 of the Bankruptcy Code. This information is intended to make you aware of -

- (1) the potential consequences of seeking a discharge in bankruptcy, including the effects on credit history;
- (2) the effect of receiving a discharge of debts in bankruptcy;
- (3) the effect of reaffirming a debt; and
- (4) your ability to file a petition under a different chapter of the Bankruptcy Code.

There are many other provisions of the Bankruptcy Code that may affect your situation. This statement contains only general principles of law and is not a substitute for legal advice. If you have any questions or need further information as to how the bankruptcy laws apply to your specific case, you should consult with your lawyer.

**WHAT IS A DISCHARGE?**

The filing of a chapter 7 petition is designed to result in a discharge of most of the debts you listed in your bankruptcy schedules. A discharge is a court order that says that you do not have to repay your debts, but there are a number of exceptions. Debts which usually may not be discharged in your chapter 7 case include, for example, most taxes, child support, alimony, and student loans; court-ordered fines and restitution; debts obtained through fraud or deception; debts which were not listed in your bankruptcy schedules; and personal injury debts caused by driving while intoxicated or taking drugs. Your discharge may be denied entirely if you, for example, destroy or conceal property; destroy, conceal or falsify records; or make a false oath. Creditors cannot ask you to repay debts which have been discharged. You can only receive a chapter 7 discharge once every eight (8) years.

**WHAT ARE THE POTENTIAL EFFECTS OF A DISCHARGE?**

The fact that you filed bankruptcy can appear on your credit report for as long as 10 years. Thus, filing a bankruptcy petition may affect your ability to obtain credit in the future. Also, you may not be excused from repaying debts that were not listed on your bankruptcy schedules or that you incurred after you filed bankruptcy. There are exceptions to this general statement. See your lawyer if you have questions.

**WHAT ARE THE EFFECTS OF REAFFIRMING A DEBT?**

After you file your bankruptcy petition, a creditor may ask you to reaffirm a certain debt or you may seek to do so on your own. Reaffirming a debt means that you sign and file with the court a legally enforceable document which states that you promise to repay all or a portion of the debt that may otherwise have been discharged in your bankruptcy case. Reaffirmation agreements must generally be filed with the court sixty (60) days after the first meeting of creditors.

Reaffirmation agreements are strictly voluntary. They are not required by the Bankruptcy Code or other state or federal law. You can voluntarily repay any debt instead of signing a reaffirmation agreement, but there may be valid reasons for wanting to reaffirm a particular debt. This is particularly true when property you wish to retain is collateral for a debt.

Reaffirmation agreements must not impose an undue burden on you or your dependents and must be in your best interest. If you decide to sign a reaffirmation agreement, you may cancel it at any time before the court issues an order of discharge or within sixty (60) days after you filed the reaffirmation agreement with the court, whichever is later.

If you reaffirm a debt and fail to make the payments as required in the reaffirmation agreement, the creditor can take action against you to recover any property that was given as security for the loan and you may remain personally liable for any deficiency. In addition, creditors may seek other remedies, such as garnishment of wages.

**OTHER BANKRUPTCY OPTIONS**

You have a choice in deciding what chapter of the Bankruptcy Code will best suit your needs. Even if you have already filed for relief under chapter 7, you may be eligible to convert your case to a different chapter.

Chapter 7 is the liquidation chapter of the Bankruptcy Code. Under chapter 7, a trustee is appointed to collect and sell, if economically feasible, all property you own that is not exempt from these actions.

Chapter 11 is the reorganization chapter most commonly used by businesses, but it is also available to individuals. Creditors vote on whether to accept or reject a plan, which also must be approved by the court. While the debtor normally remains in control of the assets, the court can order the appointment of a trustee to take possession and control of the business.

Chapter 12 offers bankruptcy relief to those who qualify as family farmers. Family farmers must propose a plan to repay their creditors over a three-to-five year period and it must be approved by the court. Plan payments are made through a chapter 12 trustee, who also monitors the debtors' farming operations during the pendency of the plan.

Finally, chapter 13 generally permits individuals to keep their property by repaying creditors out of their future income. Each chapter 13 debtor writes a plan which must be approved by the bankruptcy court. The debtors must pay the chapter 13 trustee the amount set forth in their plan. Debtors receive a discharge after they complete their chapter 13 repayment plan. Chapter 13 is only available to individuals with regular income whose debts do not exceed \$1,000,000 (\$250,000 in unsecured debts and \$750,000 in secured debts).

AGAIN, PLEASE SPEAK TO YOUR LAWYER IF YOU NEED FURTHER INFORMATION OR EXPLANATION, INCLUDING HOW THE BANKRUPTCY LAWS RELATE TO YOUR SPECIFIC CASE.

By signing below, I/we acknowledge that I/we have received a copy of this document, and that I/we have had an opportunity to discuss the information in this document with an attorney of my/our choice.

Date 06/23/2010

/s/ Dominic C. Tolomei  
Dominic C. Tolomei

/s/ William L. Chenault, III  
William L. Chenault, III

UNITED STATES BANKRUPTCY COURT  
Northern District of Alabama  
Northern Division

In re: Tolplast Company, Inc.

Debtor

Case No.  
Chapter

11

**DISCLOSURE OF COMPENSATION OF ATTORNEY  
FOR DEBTOR**

1. Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 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:

|   |    |                 |
|---|----|-----------------|
| For legal services, I have agreed to accept           | \$ | <u>7,500.00</u> |
| Prior to the filing of this statement I have received | \$ | <u>7,500.00</u> |
| Balance Due   | \$ | <u>0.00</u>     |

2. The source of compensation paid to me was:

☒ Debtor ☐ Other (specify)

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

☐ Debtor ☐ Other (specify)

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) Representation of the debtor in adversary proceedings and other contested bankruptcy matters;
- e) [Other provisions as needed]

The retainer in the amount of \$7,500.00 will be credited against an hourly rate of \$225.00 per hours

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

None

**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.

Dated: 06/23/2010

/s/ William L. Chenault, III  
William L. Chenault, III, Bar No. ASB-9922-T83W

Chenault Hammond, P.C.  
Attorney for Debtor(s)

**United States Bankruptcy Court  
Northern District of Alabama  
Northern Division**

In re Tolplast Company, Inc.

Debtor

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

Chapter 11

## LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

| (1)<br><i>Name of creditor<br/>and complete<br/>mailing address<br/>including zip<br/>code</i> | (2)<br><i>Name, telephone number and<br/>complete mailing address,<br/>including zip code, of<br/>employee, agent, or department<br/>of creditor familiar with<br/>claim who may be contacted</i> | (3)<br><i>Nature of claim<br/>(trade debt,<br/>bank loan, gov-<br/>ernment contract,<br/>etc.)</i> | (4)<br><i>Indicate if claim<br/>is contingent,<br/>unliquidated,<br/>disputed or<br/>subject to setoff</i> | (5)<br><i>Amount of claim<br/>[if secured also<br/>state value of<br/>security]</i> |
|--|---|--|--|---|
| LaPlace Business Park LLC<br>C/o Patrick McTopy<br>91 Holly Drive<br>LaPlace LA 70068          |   |  | UNLIQUIDATED   | \$3,600.00  |
| Westech Building Products<br>P O Box 198258<br>Atlanta GA 30384                                |   |  | UNLIQUIDATED   | \$58,613.88   |
| Boreflex Industries<br>P O Box 219241<br>Kansas City MO 64121                                  |   |  | UNLIQUIDATED   | \$53,130.00   |
| Florida Concrete Pipe<br>25750 CR 561<br>P O Box 435<br>Astatula FL 34705                      |   |  | UNLIQUIDATED   | \$49,188.54   |
| Quality Culvert Inc<br>P O Box 100<br>Marathon WI 54448-0100                                   |   |  | UNLIQUIDATED   | \$39,281.68   |
| Homeland Vinyl Product<br>P O Box 170729<br>Birmingham AL 35217-0729                           |   |  | UNLIQUIDATED   | \$20,152.36   |

In re Tolplast Company, Inc.

Debtor

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

Chapter 11**LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**

| (1)<br><i>Name of creditor<br/>and complete<br/>mailing address<br/>including zip<br/>code</i> | (2)<br><i>Name, telephone number and<br/>complete mailing address,<br/>including zip code, of<br/>employee, agent, or department<br/>of creditor familiar with<br/>claim who may be contacted</i> | (3)<br><i>Nature of claim<br/>(trade debt,<br/>bank loan, gov-<br/>ernment contract,<br/>etc.)</i> | (4)<br><i>Indicate if claim<br/>is contingent,<br/>unliquidated,<br/>disputed or<br/>subject to setoff</i> | (5)<br><i>Amount of claim<br/>[if secured also<br/>state value of<br/>security]</i> |
|--|---|--|--|---|
| United Healthcare<br>Department CH 10151<br>Palatine IL 60055-0151                             |   |  | UNLIQUIDATED   | \$11,122.04   |
| Seasafe Inc<br>209 Glaseer Drive<br>Lafayette LA 70508   |   |  | UNLIQUIDATED   | \$8,367.32  |
| Polymer Industries<br>P O Box 32, Hwy 40<br>Henagar AL 35978                                   |   |  | UNLIQUIDATED   | \$7,416.16  |
| Beason & Nalley<br>101 Monroe Street<br>Huntsville AL 35801                                    |   |  | UNLIQUIDATED   | \$6,920.00  |
| Southeast Culvert<br>P O Box 999<br>Auburn GA 30011  |   |  | UNLIQUIDATED   | \$6,239.40  |
| Ritmo America LLC<br>300 Acuff Road<br>Lake Wales FL 33853                                     |   |  | UNLIQUIDATED   | \$4,700.51  |

In re Tolplast Company, Inc.

Debtor

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

Chapter 11**LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**

| (1)<br><i>Name of creditor and complete mailing address including zip code</i> | (2)<br><i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i> | (3)<br><i>Nature of claim (trade debt, bank loan, government contract, etc.)</i> | (4)<br><i>Indicate if claim is contingent, unliquidated, disputed or subject to setoff</i> | (5)<br><i>Amount of claim [if secured also state value of security]</i> |
|--|---|--|--|---|
| Agru America<br>500 Garrison Road<br>Gerogetown SC 29440                       |   |  | UNLIQUIDATED   | \$3,621.74  |
| J-M Manufacturing Co Inc<br>P O Box 1067<br>Charlotte NC 28201-1067            |   |  | UNLIQUIDATED   | \$3,452.50  |
| Zenith Insurance Co<br>4415 Collections Center Drive<br>Chicago IL 60693       |   |  | UNLIQUIDATED   | \$3,186.00  |
| Protective Life Insurance Co<br>P O Box 2224<br>Birmingham AL 35246-0030       |   |  | UNLIQUIDATED   | \$3,120.00  |
| Fusibond Piping Systems<br>2615 West Curtiss<br>Dower's Grove IL 60515         |   |  | UNLIQUIDATED   | \$2,510.00  |
| Landscape Architect<br>14771 Plaza Drive, Suite M<br>Tustin CA 92780           |   |  | UNLIQUIDATED   | \$2,300.00  |

In re Tolplast Company, Inc.

Debtor

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

Chapter 11**LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**

| (1)   | (2)  | (3)   | (4)   | (5)  |
|---|--|---|---|--|
| <i>Name of creditor and complete mailing address including zip code</i> | <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i> | <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i> | <i>Indicate if claim is contingent, unliquidated, disputed or subject to setoff</i> | <i>Amount of claim [if secured also state value of security]</i> |
| Turner Supply<br>P O Box 1428<br>Mobile AL 36633                        |  |   | UNLIQUIDATED  | \$2,279.18   |

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

I, Dominic C. Tolomei, President of the Corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date: 06/23/2010Signature: /s/ Dominic C. TolomeiDominic C. Tolomei, President

(Print Name and Title)

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