

**IN THE UNITED STATES DISTRICT COURT
THE SOUTHERN DISTRICT OF FLORIDA**
www.flsd.uscourts.gov

Case No. 09-80190-HURLEY/HOPKINS

**JONATHAN E. PERLMAN, ESQ., as court
Appointed receiver of Creative Capital
Consortium, LLC et al.
Plaintiff**

v.

**CAPTIN CONSTRUCTION GROUP, INC., a
Georgia Corporation.
Defendant.**

_____ /

SUGGESTION OF BANKRUPTCY

Comes now, Debtor, CAPTIN CONSTRUCTION GROUP, INC., by and through undersigned counsel, and hereby gives Notice that Defendant CAPTIN CONSTRUCTION GROUP, INC., has filed a Voluntary Petition in Bankruptcy under Chapter 7 of the Bankruptcy Code, in the United States Bankruptcy Court for the Northern District of Georgia, Case No. 10-83367-JEM, on or about August 10, 2010. A copy of the Chapter 7 Bankruptcy Case Notice is attached as Exhibit "A".

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that on the 31st day of August, 2010, a true and correct copy of the foregoing was sent by cmecf and/or U.S. Notice to the attached SERVICE MATRIX.

By: /s/ Tina M. Talarchyk
Tina M. Talarchyk, Esquire
Florida. Bar No. 794872
ttalarchyk@bellsouth.net
TINA M. TALARCHYK, P.A.
777 South Flagler Drive, Suite 800
Phillips Point, West Tower
West Palm Beach, FL 33401
Tel: 561.515.6058

SERVICE MATRIX

9:09-cv-80190-DTKH Notice has been electronically mailed to:

Carmen Contreras-Martinez ccontreras@gjb-law.com, eserres@gjb-law.com

Dale Lyn Friedman dfriedman@conroysimberg.com,
dgailey@conroysimberg.com

David Charles Cimo dcimo@gjb-law.com, dsanchez@gjb-law.com,
gjbecf@gjb-law.com

David S. Lipscomb david@lipscomblaw.com

Nancy Elaine Bergold nbergold@gjb-law.com

Spencer Gollahon spencergollahon@earthlink.net,
jpaul@mcdonaldhopkins.com, sgollahon@mcdonaldhopkins.com

UNITED STATES BANKRUPTCY COURT Northern District of Georgia

Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, & Deadlines

A chapter 7 bankruptcy case concerning the debtor(s) listed below was filed on 8/10/10.

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your Rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below. NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

See Reverse Side For Important Explanations

Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

Captin Construction Group Inc
910 Woodward Park Drive
Suwanee, GA 30024

Case Number: 10-83367-jem
Judge: James Massey

Taxpayer ID/Employer ID/Other Nos.:
74-3126758

The entire case number, including judge initials, is required on all papers filed with the court.

Attorney for Debtor(s) (name and address):
Andrea David-Vega
242 Culver Street
Suite 204
Lawrenceville, GA 30045
Telephone number: 770-962-1923

Bankruptcy Trustee (name and address):
Edwin K. Palmer
P.O. Box 1284
Decatur, GA 30031
Telephone number: (404) 479-4449

Meeting of Creditors

Date: **September 14, 2010**

Time: **08:30 AM**

Location: **Third Floor – Room 365, Russell Federal Building, 75 Spring Street SW, Atlanta, GA 30303**

NOTICE TO DEBTOR(S)

Individuals who file bankruptcy must bring two forms of original documentation to their meeting of creditors: photo identification (driver's license, government ID, state photo ID, student ID, U.S. passport, military ID, or resident alien card) and confirmation of their social security number. **Additionally, you must provide the trustee whose name appears above with a copy of your most recently filed income tax return. This should be provided at least 7 days before the meeting of creditors. DO NOT FILE YOUR TAX RETURN WITH THE COURT. Please bring a copy of this notice with you to the Meeting of Creditors. Cellular phones and other devices with cameras will NOT be allowed beyond security checkpoints.**

Creditors May Not Take Certain Actions:

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

Please Do Not File a Proof of Claim Unless You Receive a Notice To Do So.

Creditor with a Foreign Address:

A creditor to whom this notice is sent at a foreign address should read the information under "Do Not File a Proof of Claim at This Time" on the reverse side.

Address of the Bankruptcy Clerk's Office:
1340 Russell Federal Building
75 Spring Street, SW
Atlanta, GA 30303
Telephone number: 404-215-1000

For the Court:
Clerk of the Bankruptcy Court:
M. Regina Thomas
See our website: www.ganb.uscourts.gov

Hours Open: Monday – Friday 8:00 AM – 4:00 PM

Date: 8/11/10

EXPLANATIONS

B9B (Official Form 9B) (12/07)

Filing of Chapter 7 Bankruptcy Case A bankruptcy case under Chapter 7 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered.

Legal Advice Neither the Court nor the staff of the bankruptcy clerk's office can give you legal advice. You may want to consult an attorney to protect your rights.

Creditors Generally May Not Take Certain Actions Prohibited collection actions are listed in Bankruptcy Code §362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment, taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; and starting or continuing lawsuits or foreclosures. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay.

Meeting of Creditors A meeting of creditors is scheduled for the date, time and location listed on the front side. The *debtor's representative must be present at the meeting to be questioned under oath by the trustee and by creditors*. Creditors are welcome to attend, but are not required to do so. At the meeting, the creditors may elect a trustee other than the one named above, elect a committee of creditors, examine the debtor, and transact such other business as may properly come before the meeting. The meeting may be continued and concluded at a later date without further notice.

Do Not File a Proof of Claim at This Time There does not appear to be any property available to the trustee to pay creditors. *You therefore should not file a proof of claim at this time*. If it later appears that assets are available to pay creditors, you will be sent another notice telling you that you may file a proof of claim, and telling you the deadline for filing your proof of claim. If this notice is mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline.

Bankruptcy Clerk's Office Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office. (See below for additional information regarding telephone and internet access to Bankruptcy Court records). See our website: www.ganb.uscourts.gov

Creditor with a Foreign Address Consult a lawyer familiar with United States bankruptcy law if you have any questions regarding your rights in this case.

Refer to Other Side for Important Deadlines and Notices

An automated response for further information on this case is available 24 hours daily by calling the Court's Voice Case Information System (VCIS) toll free number at 800-510-8284 or or 404-730-2866 or 404-215-1000 and select the option for VCIS. Please have the case number, social security number or debtor name available when calling.

For case information you may choose to visit the Bankruptcy Court locations to view case information for free. Case information may be printed for 10 cents per page. Members of the bar and the public may access Court records at any time, by obtaining an account with the PACER (Public Access to Court Electronic Records) Service Center (800-676-6856). PACER access is available via the Internet, days, night and weekends. The cost to use PACER is eight (8) cents per page up to a maximum of \$2.40 per document. A statement will be generated and mailed for your account, if you have accrued charges during the quarter and have a balance due greater than \$10. If your balance is less than \$10, no statement will be mailed and payment will be deferred until the balance due is greater than \$10. The statement will only include the total amount due.