

Fill in this information to identify the case:

United States Bankruptcy Court for the:

Eastern District of Michigan  
(State)  
Case number (if known): \_\_\_\_\_ Chapter 7

☐ Check if this is an amended filing

## Official Form 205

# Involuntary Petition Against a Non-Individual

12/15

Use this form to begin a bankruptcy case against a non-individual you allege to be a debtor subject to an involuntary case. If you want to begin a case against an individual, use the *Involuntary Petition Against an Individual* (Official Form 105). Be as complete and accurate as possible. If more space is needed, attach any additional sheets to this form. On the top of any additional pages, write debtor's name and case number (if known).

### Part 1: Identify the Chapter of the Bankruptcy Code Under Which Petition Is Filed

1. Chapter of the Bankruptcy Code

Check one:

- ☒ Chapter 7  
☐ Chapter 11

### Part 2: Identify the Debtor

2. Debtor's name

Ernest Industries Acquisition, LLC

3. Other names you know the debtor has used in the last 8 years

Ernest Industries Company

Include any assumed names, trade names, or doing business as names.

4. Debtor's federal Employer Identification Number (EIN)

☒ Unknown

☐

EIN \_\_\_\_\_

5. Debtor's address

Principal place of business

Mailing address, if different

39133 Webb Drive

Number Street

Number Street

Westland

City

MI

State

48185

ZIP Code

P.O. Box \_\_\_\_\_

City

State

ZIP Code

Location of principal assets, if different from principal place of business

Wayne

County

Number Street

City

State

ZIP Code

Debtor

Ernest Industries Acquisition, LLC

Name

Case number (if known)

## 6. Debtor's website (URL)

www.ernestind.com

## 7. Type of debtor

- ☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))  
☐ Partnership (excluding LLP)  
☐ Other type of debtor. Specify: \_\_\_\_\_

## 8. Type of debtor's business

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 types of business listed.  
☐ Unknown type of business.

## 9. To the best of your knowledge, are any bankruptcy cases pending by or against any partner or affiliate of this debtor?

☒ No☐ Yes. Debtor \_\_\_\_\_

Relationship \_\_\_\_\_

District \_\_\_\_\_ Date filed \_\_\_\_\_  
MM / DD / YYYY

Case number, if known \_\_\_\_\_

Debtor \_\_\_\_\_

Relationship \_\_\_\_\_

District \_\_\_\_\_ Date filed \_\_\_\_\_  
MM / DD / YYYY

Case number, if known \_\_\_\_\_

## Part 3:

## Report About the Case

## 10. Venue

Check one:

- ☒ Over the last 180 days before the filing of this bankruptcy, the debtor had a domicile, principal place of business, or principal assets in this district longer than in any other district.  
☐ A bankruptcy case concerning debtor's affiliates, general partner, or partnership is pending in this district.

## 11. Allegations

Each petitioner is eligible to file this petition under 11 U.S.C. § 303(b).

The debtor may be the subject of an involuntary case under 11 U.S.C. § 303(a).

At least one box must be checked:

- ☒ The debtor is generally not paying its debts as they become due, unless they are the subject of a bona fide dispute as to liability or amount.  
☐ Within 120 days before the filing of this petition, a custodian, other than a trustee, receiver, or an agent appointed or authorized to take charge of less than substantially all of the property of the debtor for the purpose of enforcing a lien against such property, was appointed or took possession.

## 12. Has there been a transfer of any claim against the debtor by or to any petitioner?

☒ No☐ Yes. Attach all documents that evidence the transfer and any statements required under Bankruptcy Rule 1003(a).

Debtor Ernest Industries Acquisition, LLC  
Name

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

13. Each petitioner's claim	Name of petitioner	Nature of petitioner's claim	Amount of the claim above the value of any lien
	Berg Steel Holdings LLC	Trade Claim - Metal Inv.	\$ 743,247.09
	Innovative Consulting Group, Inc.	Trade Claim - Services	\$ 19,728.48
	<del>Alpha &amp; Omega Laser, LLC</del>	<del>Trade Claim - Services</del>	<del>\$ 74,756.81</del>
	Total of petitioners' claims		\$ 837,732.38

If more space is needed to list petitioners, attach additional sheets. Write the alleged debtor's name and the case number, if known, at the top of each sheet. Following the format of this form, set out the information required in Parts 3 and 4 of the form for each additional petitioning creditor, the petitioner's claim, the petitioner's representative, and the petitioner's attorney. Include the statement under penalty of perjury set out in Part 4 of the form, followed by each additional petitioner's (or representative's) signature, along with the signature of the petitioner's attorney.

#### Part 4: Request for Relief

**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.

Petitioners request that an order for relief be entered against the debtor under the chapter of 11 U.S.C. specified in this petition. If a petitioning creditor is a corporation, attach the corporate ownership statement required by Bankruptcy Rule 1010(b). If any petitioner is a foreign representative appointed in a foreign proceeding, attach a certified copy of the order of the court granting recognition.

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

##### Petitioners or Petitioners' Representative

###### Name and mailing address of petitioner

Berg Steel Holdings LLC

Name

4306 Normandy

Number Street

Royal Oak

MI

48073

City

State

ZIP Code

###### Name and mailing address of petitioner's representative, if any

Chris Hutter c/o Berg Steel Holdings LLC

Name

4306 Normandy

Number Street

Royal Oak

MI

48073

City

State

ZIP Code

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

Executed on

11/15/2018  
MM/DD/YYYY

X



Signature of petitioner or representative, including representative's title

##### Attorneys

Lauane Addis, Bruce Dopke and Kevin Hunt

Printed name

Stahl Cowen Crowley Addis LLC

Firm name, if any

55 W. Monroe Street, Suite 1200

Number Street

Chicago

IL

60603

City

State

ZIP Code

Contact phone 312-641-0060

Email bdopke@stahlcowen.com

Bar number 3127052

State IL

X

Signature of attorney

Date signed

11/20/2018  
MM/DD/YYYY

\*XXXXXXXXXXXX

XXXXXXXXXXXX



Debtor

Ernest Industries Acquisition, LLC

Name

Case number (if known)

Name and mailing address of petitioner

Innovative Consulting Group, Inc.

Name

4726 Western Avenue

Number Street

Knoxville

TN

37921

City

State

ZIP Code

Name and mailing address of petitioner's representative, if any

Ms. Jennifer Rodgers c/o Innovative Consulting

Name

4726 Western Avenue

Number Street

Knoxville

TN

37921

City

State

ZIP Code

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

Executed on 11/20/2018

MM / DD / YYYY

x Jennifer Rodgers

Signature of petitioner or representative, including representative's title

Printed name

Firm name, if any

Number Street

City

State

ZIP Code

Contact phone

Email

Bar number

State

x

Signature of attorney

Date signed

MM / DD / YYYY

Name and mailing address of petitioner

Name Alpha and Omega Laser, LLC

33326 Glendale

Number Street

Livonia

MI

48150

City

State

ZIP Code

Name and mailing address of petitioner's representative, if any

Robert A. Nofz, II, c/o Alpha and Omega Laser

Name

33326 Glendale

Number Street

Livonia

MI

48150

City

State

ZIP Code

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

Executed on

MM / DD / YYYY

x

Signature of petitioner or representative, including representative's title

Printed name

Firm name, if any

Number Street

City

State

ZIP Code

Contact phone

Email

Bar number

State

x

Signature of attorney

Date signed

MM / DD / YYYY

Debtor

Ernest Industries Acquisition, LLC

Name

Case number (if known)

## Name and mailing address of petitioner

Innovative Consulting Group, Inc.

Name

4726 Western Avenue

Number Street

Knoxville

TN

37923

City

State

ZIP Code

## Name and mailing address of petitioner's representative, if any

Ms. Jennifer Rogers c/o Innovative Consulting

Name

4726 Western Avenue

Number Street

Knoxville

TN

37923

City

State

ZIP Code

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

Executed on

MM / DD / YYYY

X

Signature of petitioner or representative, including representative's title

Lauane Addis, Bruce Dopke and Kevin Hunt

Printed name

Stahl Cowen Crowley Addis LLC

Firm name, if any

55 W. Monroe Street, 12th Floor

Number Street

Chicago

IL

60603

City

State

ZIP Code

Contact phone 312-641-0060

Email bdopke@stahlcowen.com

Bar number 3127052

State

IL

X

Signature of attorney

Date signed

11/20/2018  
MM / DD / YYYY

## Name and mailing address of petitioner

Alpha &amp; Omega Laser, LLC

Name

33326 Glendale

Number Street

Livonia

MI

48150

City

State

ZIP Code

## Name and mailing address of petitioner's representative, if any

Robert A. Nofz, II, c/o Alpha &amp; Omega Laser

Name

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City

State

ZIP Code

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

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Lauane Addis, Bruce Dopke and Kevin Hunt

Printed name

Stahl Cowen Crowley Addis LLC

Firm name, if any

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Chicago

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Contact phone 312-641-0060

Email bdopke@stahlcowen.com

Bar number 312-7052

State

X

Signature of attorney

Date signed

11/20/2018  
MM / DD / YYYY