## UNITED STATES DISTRICT COURT

2009 DEC 10 PM 12: 15

### EASTERN DISTRICT OF LOUISIANA

Case No.

| LORE<br>09-6491 | CLERY TE |
|-----------------|----------|
|                 |          |

Lee, Jamie, Gloria Turner, Billy Bridges, et al.

Plaintiff(s)

vs.

Dutch Housing, Inc. d/b/a Champion Homes,
Bechtel National, Inc., CH2M Hill Construction
, Inc., Fluor Enterprises, Inc. and )

Shaw Environmental, Inc.

Defendant(s).

#### SUGGESTION OF BANKRUPTCY

PLEASE TAKE NOTICE that on the 15<sup>th</sup> day of November, 2009, the United States Bankruptcy Court for the District of Delaware entered an Order for Relief under Title 11 of Chapter 11 of the United States Code in the matters of <u>In re Champion Enterprises</u>, <u>Inc.</u><sup>2</sup> and its affiliated companies listed below (collectively the "Debtors") jointly administered at Case No. 09-14019 (KG). A copy of the voluntary petition for Champion Enterprises, Inc. is attached hereto.

Please see attachment of all plaintiff names.

The Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, are:
Redman Homes, Inc. (4957); Champion Enterprises, Inc. (3168); Champion Home Builders Co. (4984); New Era Building Systems, Inc. (0928); North American Housing Corp. (1097); Homes of Merit, Inc. (8488); Western Homes Corporation (6910); Star Fleet, Inc. (0506); Champion Enterprises Management Co. (6726); Champion Retail, Inc. (2154); San Jose Advantage Homes, Inc. (1951); Highland Acquisition Corp. (8962); Highland Manufacturing Company LLC (6762); SSH Liquidating Corp. (6678); Champion Homes of Boaz, Inc. Received Language Lorente Corp. (5899); MHCDC, LLC (3417); HomePride Finance Corp. (4767); and Champion Development Corp. (4642). The address for all Debtors is 755 W. Big Beaver, Suite 1000, Troy, MI 48084.

PLEASE TAKE FURTHER NOTICE that pursuant to 11 U.S.C. § 362(a), the

Debtors' filing of voluntary petitions operates as a stay, applicable to all entities, of, among other things: (a) the commencement or continuation of all judicial, administrative, or other actions or proceedings against the Debtors (i) that were or could have been commenced before the commencement of the Debtors' cases or (ii) to recover any claims against the Debtors that arose before the commencement of the Debtors' cases; (b) the enforcement, against the Debtors or against any property of the Debtors' bankruptcy estate, of a judgment obtained before the commencement of the Debtors' cases; or (c) any act to obtain possession of property of or from the Debtors' bankruptcy estate, or to exercise control over property of the Debtors' bankruptcy estate.

Dated: December , 2009

PACHULSKI STANG ZIEHL & JONES LLP

Laura Davis Jones (Bar No. 2436)

David M. Bertenthal (CA Bar No. 167624)

James E. O'Neill (Bar No. 4042)

Timothy P. Cairns (Bar No. 4228)

919 North Market Street, 17<sup>th</sup> Floor

Wilmington, Delaware 19801

Telephone: (302) 652-4100 Facsimile: (302) 652-4400

ljones@pszjlaw.com E-mail:

dbertenthal@pszjlaw.com joneill@pszjlaw.com tcairns@pszilaw.com

[Proposed] Counsel to Debtors and **Debtors in Possession** 

### ATTACHMENT -- FULL CAPTION OF PLAINTIFF NAMES - CASE NO. 09-6491

Lee, Jamie, Gloria Turner, Billy Bridges, Carlina Vaughn, Louise Vaughn, Glen Summers, Carolyn Morrow, Joshua Fairchild, Michael Fairchild, Samantha Dickson, Earnstine Breland, Lucille Waters, as Representative of the Estate of Vicki Haynes, deceased, Elnora Jenkins, Horace Jenkins, Lucille Waters, John Feaster, Nakisha Feaster, Fecil Jenkins, Jeffery Morrow, Tasha Barousse, Darrell Morrow, Ahmad Peters, Ryan Preston, Melissa Preston, Carietta Preston, Erica Payton, Tasha Barousse, as Next Friend of C.B., a minor, and L.M., a minor, Carretta Payton, as Next Friend of N.P. a minor, N.P., a minor, N.P., a minor, and R.R., a minor, Melissa Preston, as Next Friend of B.R., a minor, K.R., a minor, M.R., a minor, Carolyn Morrow as Next Friend of H.M., a minor, Beatrice Hart as Next Friend of Z.T., a minor, Ingrid Perrilloux, as Next Friend of M.H., a minor, P.W., a minor, Michael Fairchild, as Next Friend of C.F., a minor, Carlina Vaughn, as Next Friend of K.S., a minor, G.V., a minor, Tiwana Gillispie, as Next Friend of A.P., a minor, Nakisha Feaster, as Next Friend of J.B., a minor, J.F., a minor, Paul Roberts, Douglas Triplett, Juanita Waldron, Chasity Sinitiere, Brian Wheeler, Louanna Wheeler, Holly Roberts, Brandy Bridenbaker, Holly Roberts, as Next Friend of D.R., a minor, S.R., a minor, S.B., a minor, D.W., a minor, Douglas Trippett, as Next Friend of D.T., a minor, Chasity Sinittiere, as Next Friend of A.S., a minor, E.S., a minor, J.S., a minor, L.S., a minor, M.S., a minor and P.S., a minor v Dutch Housing, Inc. d/b/a Champion Homes, Bechtel National, Inc., CH2M Hill Construction, Inc., Fluor Enterprises, Inc. and Shaw Environmental, Inc.

# **EXHIBIT A**

## United States Bankruptcy Court District of Delaware

## **Notice of Bankruptcy Case Filing**

A bankruptcy case concerning the debtor(s) listed below was filed under Chapter 11 of the United States Bankruptcy Code, entered on 11/15/2009 at 8:27 PM and filed on 11/15/2009.

#### Champion Enterprises, Inc.

755 W. Big Beaver Suite 1000 Troy, MI 48084 Tax ID / EIN: 38-2743168



The case was filed by the debtor's attorney:

#### Laura Davis Jones

Pachulski Stang Ziehl & Jones LLP 919 N. Market Street 17th Floor Wilmington, DE 19899-8705 usa 302 652-4100

The case was assigned case number 09-14019-KG to Judge Kevin Gross.

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.

If you would like to view the bankruptcy petition and other documents filed by the debtor, they are available at our *Internet* home page www.deb.uscourts.gov or at the Clerk's Office, 824 Market Street, 3rd Floor, Wilmington, DE 19801.

You may be a creditor of the debtor. If so, you will receive an additional notice from the court setting forth important deadlines.

David D. Bird Clerk, U.S. Bankruptcy Court

| B I (Official Form I) (1/08)  |  |   |  | 71 334 3   | or and a second second                           |  |
|---|--|---|--|--|--|--|
| United States Bankruptcy Court District of Delaware   |  |   |  | Voluntary Peti   | lion   |  |
| Name of Debtor (if individual, enter Last, First, Middle):  |  | Name of Joi   | Name of Joint Debtor (Spouse) (Last, First, Middle):   |  |  |  |
| Champion Enterprises, Inc.  All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):  |  |   | 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): 38-2743168   |  |   | 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. and Street, City, and State): 755 W. Big Beaver   |  |   | Street Address of Joint Debtor (No. and Street, City, and State):  |  |  |  |
| Ste. 1000 Troy, MI ZIP CODE 48084   |  |   | ZIP CODE   |  |  |  |
| Troy, MI ZIP CODE 48084  County of Residence or of the Principal Place of Business:  Oakland County, MI   |  | County of Re  | County of Residence or of the Principal Place of Business:   |  |  |  |
| Mailing Address of Debtor (if different from street address): same as mailing address   |  |   | Mailing Address of Joint Debtor (if different from street address):  |  |  |  |
|   | ZIP CODE   |   |  | ZIP  | CODE   |  |
| Location of Principal Assets of Business Debtor (if diff  | ferent from street address above   | s):<br>·  |  | ZIP  | CODE   |  |
| Type of Debtor<br>(Form of Organization)  | Nature of Busi<br>(Check one box.)   | ness  |  | Bankruptcy Code I<br>tion is Filed (Check                                  | Inder Which                                      |  |
| (Check one box.)  (Check one box.)  Individual (includes Joint Debtors)  See Exhibit D on page 2 of this form  Corporation (includes LLC and LLP)  Partnership  Other (If debtor is not one of the above entities.  |  | te as defined in Chapter 7 Chapter 15  Chapter 9 Recognition  Chapter 11 Main Proce |  | Petition for<br>n of a Foreign<br>ceding<br>Petition for<br>n of a Foreign |  |  |
| check this box and state type of entity below.)   | Clearing Bank Other factory built housing  |   | Nature of Debts<br>(Check one box.)  |  |  |  |
|   | Tax-Exempt Ea<br>(Check box, if appli<br>Debtor is a tax-exempt<br>under Title 26 of the U<br>Code (the Internal Rev | icable.)<br>organization<br>inited States   | Debts are primaril debts defined in 1 § 101(8) as "incur individual primari personal, family, o purpose."  | I U.S.C.<br>red by an<br>ly for a  | Debts are primarily<br>business debts            |  |
| Filing Fee (Check one box   |  |   |  | er 11 Debtors  |  |  |
| Full Filing Fee attached.   |  | Debtor  | Check one box:  Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D).  |  |  |  |
| 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.  Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51)  Check if:  Debtor's aggregate noncontingent liquidated debts (excluding debts over the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. |  |   |  |  |  |  |
| Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.   |  |   | insiders or affiliates) are less than \$ 2,190,000.  Check all applicable boxes:  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). |  |  |  |
| Statistical/Administrative Information  Debtor estimates that funds will be available for distribution to unsecured creditors.  Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.  |  |   |  |  |  |  |
| Estimated Number of Creditors   |  |   | 5,001- 50,001-<br>0,000 100,000  | Over<br>100,000  |  |  |
| \$50,000 \$100,000 \$500,000 to \$1   | to \$10 to \$50  | to \$100 to   | 100,000,001 \$500,000,<br>\$500 to \$1 billi   | ,001 More than on \$1 billion  |  |  |
| Betimated Liabilities   | 51,000,001 \$10,000,001 : to \$10 to \$50  | \$50,000,001 \$1<br>to \$100 to   |  | ,001 More than on \$1 billion  |  |  |
|   |  |   | •  |  | American LegalNet, Inc.<br>www.FormsWorkflow.com |  |

| B I (Official Form 1) (1/   | 08)   |  | Page 2                    |  |  |  |
|---|---|--|---------------------------|--|--|--|
| Voluntary Petition  |   | Name of Debtor(s):   |                           |  |  |  |
| (1 nis page must be com   | pleted and filed in every case.)  | Champion Enterprises, Inc.   |                           |  |  |  |
| All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet.)   |   |  |                           |  |  |  |
| Location  |   | Case Number:   | Date Filed:               |  |  |  |
| Where Filed: none   | ······································  |  | Day Filed                 |  |  |  |
| Location Where Filed:   |   | Case Number:   | Date Filed:               |  |  |  |
| Pend  | ling Bankruptcy Case Filed by any Spouse, Partner, or Affil   | late of this Debtor (If more than one, attach add  | ditional sheet.)          |  |  |  |
| Name of Debtor:   | .1_1  | Case Number:   | Date Filed:<br>2009       |  |  |  |
| see attached Sched  | ue i  | pending Relationship:  | Judge:                    |  |  |  |
| District of Delawar   | e   | affiliate  | pending                   |  |  |  |
| 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.)  (To be completed if debtor is an individual whose debts are primarily consumer debts.)  1, the attorney for the petitioner named in the foregoing petition, thave informed the petitioner that [he or she] may proceed under consumer debts.)  2, or 13 of title 11, United States Code, and have explained available under each such chapter. I further certify that I have delighted the periodic reports (e.g., forms 10K and whose debts are primarily consumer debts.)  3, the attorney for the petitioner named in the foregoing petition, thave informed the petitioner that [he or she] may proceed under consumer debts.) |   |  |                           |  |  |  |
| Exhibit A is attack   | ned and made a part of this petition.   | Signature of Attorney for Debtor(s)  | (Date)                    |  |  |  |
|   | Exhibit (   | C  |                           |  |  |  |
| Does the debtor own or i  | have possession of any property that poses or is alleged to pose  | a threat of imminent and identifiable harm to pu   | blic 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.  |   |  |                           |  |  |  |
|   | so completed and signed by the John decitor is unac   | and made a part of and position.   |                           |  |  |  |
| 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.)   |   |  |                           |  |  |  |
| Lar   | Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)            |  |                           |  |  |  |
| (Name of landlord that obtained judgment)   |   |  |                           |  |  |  |
|   |   | (Address of landlord)  |                           |  |  |  |
| Deb<br>enti   | otor claims that under applicable nonbankruptcy law, there are c<br>re monetary default that gave rise to the judgment for possession | ircumstances under which the debtor would be pn, after the judgment for possession was entered | permitted to cure the and |  |  |  |
| Debtor has included with this petition the deposit with the court of any rent that would become due during the 30-day period after the filling of the petition.   |   |  |                           |  |  |  |
| ☐ Deb   | Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)).                                   |  |                           |  |  |  |

Page 3

#### UNITED STATES DISTRICT COURT

#### EASTERN DISTRICT OF LOUISIANA

| Lee, Jamie, Gloria Turner, Billy Bridges, et al. <sup>1</sup> | Case No. <b>09-6491</b> |  |  |
|---|-------------------------|--|--|
|   | )                       |  |  |
|   | )                       |  |  |
|   | )                       |  |  |
| Plaintiff(s)  | )                       |  |  |
|   | )                       |  |  |
| VS.   | )                       |  |  |
|   | )                       |  |  |
| Dutch Housing, Inc. d/b/a Champion Homes,                     | )                       |  |  |
| Bechtel National, Inc., CH2M Hill Construction                | )                       |  |  |
| , Inc., Fluor Enterprises, Inc. and )                         | )                       |  |  |
| Shaw Environmental, Inc.                                      | )                       |  |  |
| ,   | )                       |  |  |
| Defendant(s).   | Ć                       |  |  |

## **CERTIFICATE OF SERVICE**

I, Timothy P. Cairns, hereby certify that on the \_\_\_\_\_day of December, 2009, I caused a copy of the following document to be served on the individuals on the attached service list in the manner indicated:

SUGGESTION OF BANKRUPTCY REGARDING CHAMPION ENTERPRISES, INC.

<sup>&</sup>lt;sup>1</sup> Please see attachment of all plaintiff names.

Lee, Jamie, Gloria Turner, Billy Bridges, et al v. Dutch Housing.- Case No. 09-6491 05 – First Class Mail 01 – Overnight Delivery

#### First Class Mail

(Defense Counsel) Lamont Domingue Voorhies & Labbe 700 St. John Street Lafayette, LA 70502-3527

#### First Class Mail

(Plaintiff's Counsel) Robert C. Hillard, LLP 719 South Shoreline Blvd. Suite 500 Corpus Christi, TX 78401 (361) 882-1612

First Class Mail (Plaintiff's Counsel) Mikal C. Watts, P.C. 2506 N. Port Ave. Corpus Christi, TX 78401

First Class Mail
(Plaintiff's Counsel)
Richard P. Ieyoub
Carleton, Dunlap,
Olinde, & Moore, LLC
One American Place
Suite 900
Baton Rouge, LA 70825

First Class Mail
(Plaintiff's Counsel)
Daniel D. Ware
Carroll Louis Clifford, IV
Ware Clifford Law Firm, PLLC
2625 Ridgewood Road, Suite 100
Jackson, MS 39216

Overnight Delivery
Loretta G. Whyte
Clerk of Court
U.S. District Court
500 Poydras Street, Room C-151
New Orleans, LA 70130