

Fill in this information to identify your case:

United States Bankruptcy Court for the:

DISTRICT OF OREGON

Case number (if known) _____ Chapter 11

Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

4/19

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 Hermiston Foods, LLC

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) 20-1093927

4. Debtor's address	Principal place of business	Mailing address, if different from principal place of business
	<u>2278 Kelli Blvd.</u> <u>Hermiston, OR 97838</u> Number, Street, City, State & ZIP Code <u>Umatilla</u> County	<u>POB 14444</u> <u>Salem, OR 97309</u> P.O. Box, Number, Street, City, State & ZIP Code Location of principal assets, if different from principal place of business _____ Number, Street, City, State & ZIP Code

5. Debtor's website (URL) www.norpac.com

6. Type of debtor

Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

Partnership (excluding LLP)

Other. Specify: _____



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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>.

3114

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 \$2,725,625 (amount subject to adjustment on 4/01/22 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 See Attachment	Relationship _____
District _____	When _____ Case number, if known _____

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

Debtor **Hermiston Foods, LLC**
Name

Case number (if known)

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 **August 22, 2019**
MM / DD / YYYY

X /s/ Shawn Campbell
Signature of authorized representative of debtor
Title **President**

Shawn Campbell
Printed name

18. Signature of attorney

X /s/ Albert N. Kennedy
Signature of attorney for debtor

Date **August 22, 2019**
MM / DD / YYYY

Albert N. Kennedy 821429
Printed name

Tonkon Torp LLP
Firm name

**1600 Pioneer Tower
888 SW Fifth Ave
Portland, OR 97204-2099**
Number, Street, City, State & ZIP Code

Contact phone **503-221-1440** Email address

821429 OR
Bar number and State

Debtor **Hermiston Foods, LLC**
Name

Case number (if known)

Fill in this information to identify your case:

United States Bankruptcy Court for the:
 DISTRICT OF OREGON

Case number (if known) _____ Chapter 11

Check if this an amended filing

FORM 201. VOLUNTARY PETITION
Pending Bankruptcy Cases Attachment

Debtor	NORPAC Foods, Inc.	Relationship to you	Affiliate
District	Oregon	When 8/22/19	Case number, if known
Debtor	Quincy Foods, LLC	Relationship to you	Affiliate of NORPAC Foods, Inc
District	Oregon	When 8/22/19	Case number, if known

1 Albert N. Kennedy, OSB No. 821429 (Lead Attorney)
Direct Dial: 503.802.2013
2 Facsimile: 503.972.3713
E-Mail: albert.kennedy@tonkon.com
3 Timothy J. Conway, OSB No. 851752
Direct Dial: (503) 802-2027
4 Facsimile: (503) 972-3727
E-Mail: tim.conway@tonkon.com
5 Michael W. Fletcher, OSB No. 010448
Direct Dial: (503) 802-2169
6 Facsimile: (503) 972-3867
E-Mail: michael.fletcher@tonkon.com
7 Ava L. Schoen, OSB No. 044072
Direct Dial: (503) 802-2143
8 Facsimile: (503) 972-3843
E-Mail: ava.schoen@tonkon.com
9 TONKON TORP LLP
888 SW Fifth Avenue, Suite 1600
10 Portland, OR 97204-2099

11 Attorneys for Debtor

13 UNITED STATES BANKRUPTCY COURT
14 DISTRICT OF OREGON

15 In re	Case No.
16 Hermiston Foods, LLC,	DISCLOSURE OF COMPENSATION OF ATTORNEYS FOR DEBTOR PURSUANT TO RULE 2016(b)
17 Debtor.	

18 Tonkon Torp LLP ("Tonkon"), pursuant to Bankruptcy Rule 2016(b), states
19 that:

- 20 1. Tonkon has been engaged by Debtor herein to act as its general
21 bankruptcy counsel in this case.
- 22 2. In the 12 months preceding the filing of this Chapter 11 case, Tonkon
23 received the payments set forth in its Rule 2014 Verified Statement for Proposed
24 Professional. As of August 22, 2018, Tonkon also held a retainer balance of \$10,000 from
25 NORPAC Foods, Inc. in its trust account. Tonkon received additional retainer payments
26

1 from NORPAC Foods, Inc. of \$50,000 on July 16, 2019, \$250,000 on August 16, 2019, and
2 \$250,000 on August 22, 2019. Immediately prior to filing the Petition, \$102,151 was applied
3 from the retainer to current fees and costs incurred prior to the Petition, which includes the
4 bankruptcy filing fee of \$1,717. The remaining retainer balance of \$457,849 is held in
5 Tonkon's trust account. All payments were made to Tonkon by Debtor.

6 3. The filing fee for commencing this Chapter 11 case will be paid in full.

7 4. The payments to be made by Debtor to Tonkon for legal services,
8 filing fees, and costs incurred in or in connection with this case will be from Debtor and from
9 property of the bankruptcy estate. Tonkon has not shared or agreed to share with any person,
10 other than its members, any compensation paid or to be paid.

11 DATED this 22nd day of August, 2019.

12 TONKON TORP LLP

13
14 By /s/ Albert N. Kennedy

15 Albert N. Kennedy, OSB NO. 821429

16 Timothy J. Conway, OSB No. 851752

17 Michael W. Fletcher, OSB No. 010448

18 Ava L. Schoen, OSB No. 044072

19 Attorneys for Debtor

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009684/00004/10283117v1

Fill in this information to identify the case:

Debtor name **Hermiston Foods, LLC**
 United States Bankruptcy Court for the: **DISTRICT OF OREGON**
 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
Heller & Sons Distributing Inc POB 66 Hermiston, OR 97838	Mike Heller hellers@eotnet.net 541-567-6582	Goods/Services Provided				\$2,592.00
IJCS LLC POB 188 Irrigon, OR 97844	541-701-1420	Goods/Services Provided				\$1,244.00
Aramark POB 101179 Pasadena, CA 91189-0005	800-272-6275	Money Transferable to Aramark				\$347.00
City of Hermiston 180 NE 2nd St Hermiston, OR 97838-1860	city@hermiston.or.us 541-567-5521	Government Agency/ Utilities				\$314.00
Coleman Oil POB 1308 Lewiston, ID 83501	Bob Coleman bob@colemanoil.com 888-799-2000	Goods/Services Provided				\$127.00
Pea Ridge Embroidery & Signs 80874 N Highway 395 Hermiston, OR 97838	pearidge00@gmail.com 541-567-0968	Goods/Services Provided				\$120.00
Hermiston Quicky Lube POB 928 Hermiston, OR 97838	541-564-9297	Goods/Services Provided				\$57.00
Smitty's Ace Hardware 1845 N 1st Street Hermiston, OR 97838	manager@smittysace.com 541-567-6816	Goods/Services Provided				\$9.00

1 Albert N. Kennedy, OSB No. 821429 (Lead Attorney)
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8 Facsimile: (503) 972-3843
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9 TONKON TORP LLP
888 SW Fifth Avenue, Suite 1600
10 Portland, OR 97204-2099

11 Attorneys for Debtor

13 UNITED STATES BANKRUPTCY COURT
14 DISTRICT OF OREGON

15 In re	Case No.
16 Hermiston Foods, LLC,	CERTIFICATE OF SERVICE OF LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS ON THE U.S. TRUSTEE
17 Debtor.	
18	

19 I hereby certify that I served (1) a copy of the List of Creditors Holding 20
20 Largest Unsecured Claims; (2) address mailing labels for Debtor, Debtor's attorney, and a
21 contact person for each creditor on the list; and (3) this Certificate of Service, on the U.S.
22 Trustee at 620 SW Main Street, Room 213, Portland, Oregon 97205, by mailing copies

23 * * *
24 * * *
25 * * *
26 * * *

1 thereof to the address set forth and depositing in the U.S. mail at Portland, Oregon on August
2 22, 2019.

3 DATED this 22nd day of August, 2019.

4 TONKON TORP LLP

5
6 By /s/ Albert N. Kennedy

7 Albert N. Kennedy, OSB NO. 821429

8 Timothy J. Conway, OSB No. 851752

9 Michael W. Fletcher, OSB No. 010448

10 Ava L. Schoen, OSB No. 044072

11 Attorneys for Debtor

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Fill in this information to identify the case:

Debtor name Hermiston Foods, LLC

United States Bankruptcy Court for the: DISTRICT OF OREGON

Case number (if known) _____

Check if this is an amended filing

Official Form 202

Declaration Under Penalty of Perjury for Non-Individual Debtors

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud 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.

Declaration and signature

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- Schedule A/B: Assets—Real and Personal Property* (Official Form 206A/B)
- Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 206D)
- Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G)
- Schedule H: Codebtors* (Official Form 206H)
- Summary of Assets and Liabilities for Non-Individuals* (Official Form 206Sum)
- Amended Schedule*
- Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- Other document that requires a declaration _____

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

Executed on August 22, 2019

X /s/ Shawn Campbell

Signature of individual signing on behalf of debtor

Shawn Campbell

Printed name

President

Position or relationship to debtor