

**Fill in this information to identify the case:**

United States Bankruptcy Court for the:  
 \_\_\_\_\_ District of Delaware  
(State)  
 Case number (if known): \_\_\_\_\_ Chapter \_\_\_\_\_

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 Tough Mudder Incorporated

3. Other names you know the debtor has used in the last 8 years Tough Mudder, LLC  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Include any assumed names, trade names, or *doing business as* names.

4. Debtor's federal Employer Identification Number (EIN)  Unknown  
4 6 - 5 6 5 2 5 7 6  
EIN

5. Debtor's address **Principal place of business**  
15 MetroTech Center  
Number Street  
 \_\_\_\_\_  
Brooklyn NY 11201  
City State ZIP Code  
 \_\_\_\_\_  
Kings County  
County

**Mailing address, if different**  
 \_\_\_\_\_  
Number Street  
 \_\_\_\_\_  
P.O. Box  
 \_\_\_\_\_  
City State ZIP Code

**Location of principal assets, if different from principal place of business**  
 \_\_\_\_\_  
Number Street  
 \_\_\_\_\_  
City State ZIP Code

Debtor Tough Mudder Incorporated  
Name

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

6. Debtor's website (URL) www.toughmudder.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 Tough Mudder Event Production Incorporated Relationship Affiliate  
 District Delaware Date filed 01/07/2020 Case number, if known \_\_\_\_\_  
MM / DD / YYYY  
 Debtor \_\_\_\_\_ Relationship \_\_\_\_\_  
 District \_\_\_\_\_ Date filed \_\_\_\_\_ Case number, if known \_\_\_\_\_  
MM / DD / YYYY

**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 Tough Mudder Incorporated  
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
	<u>Valley Builders, LLC</u>	<u>Services rendered</u>	<u>\$ 307,189.53</u>
	<u>Trademarc Associates Inc.</u>	<u>Services rendered</u>	<u>\$ 292,454.93</u>
	<u>David Watkins Homes Inc.</u>	<u>Services rendered</u>	<u>\$ 256,014.75</u>
	Total of petitioners' claims		<u>\$ 854,558.40</u>

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  
Valley Builders, LLC  
 Name  
775 Furnace Street  
 Number Street  
Emmaus PA 18049  
 City State ZIP Code

Name and mailing address of petitioner's representative, if any  
 Name  
 Number Street  
 City State ZIP Code

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

Executed on 01/07/2020  
 MM / DD / YYYY  
 \* [Signature]  
 Signature of petitioner or representative, including representative's title

**Attorneys**

David W. Carickhoff  
 Printed name  
Archer & Greiner, P.C.  
 Firm name, if any  
300 Delaware Avenue, Suite 1100  
 Number Street  
Wilmington DE 19801  
 City State ZIP Code

Contact phone (302) 777-4350 Email dcarickhoff@archerlaw.com  
 Bar number 3715  
 State Delaware

\* [Signature]  
 Signature of attorney  
 Date signed 01/07/2020  
 MM / DD / YYYY

Debtor Tough Mudder Incorporated  
Name

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

**Name and mailing address of petitioner**  
Trademarc Associates Inc.  
 Name  
880 Cara Court  
 Number Street  
Bangor PA 18013  
 City State ZIP Code

**Name and mailing address of petitioner's representative, if any**  
MARC POLICELLI  
 Name  
880 CARA CT  
 Number Street  
BANGOR PA 18013  
 City State ZIP Code

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

Executed on 01/06/2020  
 MM / DD / YYYY

*Marc Policelli*  
 Signature of petitioner or representative, including representative's title

David W. Carickhoff  
 Printed name  
Archer & Greiner, P.C.  
 Firm name, if any  
300 Delaware Avenue, Suite 1100  
 Number Street  
Wilmington DE 19801  
 City State ZIP Code

Contact phone (302) 777-4350 Email dcarickhoff@archerlaw.com

Bar number 3715

State Delaware

*[Signature]*  
 Signature of attorney

Date signed 01/07/2020  
 MM / DD / YYYY

**Name and mailing address of petitioner**  
David Watkins Homes Inc.  
 Name  
659 Wexford Drive  
 Number Street  
Lafayette IN 47905  
 City State ZIP Code

**Name and mailing address of petitioner's representative, if any**  
 Name  
 Number Street  
 City State ZIP Code

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

Executed on \_\_\_\_\_  
 MM / DD / YYYY

\_\_\_\_\_  
 Signature of petitioner or representative, including representative's title

David W. Carickhoff  
 Printed name  
Archer & Greiner, P.C.  
 Firm name, if any  
300 Delaware Avenue, Suite 1100  
 Number Street  
Wilmington DE 19801  
 City State ZIP Code

Contact phone (302) 777-4350 Email dcarickhoff@archerlaw.com

Bar number 3715

State Delaware

\_\_\_\_\_  
 Signature of attorney

Date signed \_\_\_\_\_  
 MM / DD / YYYY

Debtor Tough Mudder Incorporated  
Name

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

Name and mailing address of petitioner

Trademarc Associates Inc.  
Name

880 Cara Court  
Number Street

Bangor PA 18013  
City State ZIP Code

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

\_\_\_\_\_  
Name

\_\_\_\_\_  
Number Street

\_\_\_\_\_  
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

David W. Carickhoff  
Printed name

Archer & Greiner, P.C.  
Firm name, if any

300 Delaware Avenue, Suite 1100  
Number Street

Wilmington DE 19801  
City State ZIP Code

Contact phone (302) 777-4350 Email dcarickhoff@archerlaw.com

Bar number 3715

State Delaware

**x** \_\_\_\_\_  
Signature of attorney

Date signed \_\_\_\_\_  
MM / DD / YYYY

Name and mailing address of petitioner

David Watkins Homes Inc.  
Name

659 Wexford Drive  
Number Street

Lafayette IN 47905  
City State ZIP Code

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

\_\_\_\_\_  
Name

\_\_\_\_\_  
Number Street

\_\_\_\_\_  
City State ZIP Code

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

Executed on 01/04/2020  
MM / DD / YYYY

**x** \_\_\_\_\_  
Signature of petitioner or representative, including representative's title

David W. Carickhoff  
Printed name

Archer & Greiner, P.C.  
Firm name, if any

300 Delaware Avenue, Suite 1100  
Number Street

Wilmington DE 19801  
City State ZIP Code

Contact phone (302) 777-4350 Email dcarickhoff@archerlaw.com

Bar number 3715

State Delaware

**x** \_\_\_\_\_  
Signature of attorney

Date signed 01/07/2020  
MM / DD / YYYY

**Corporate Ownership Statements**



UNITED STATES BANKRUPTCY COURT  
DISTRICT OF DELAWARE

-----X

In re:

Chapter 11

TOUGH MUDDER INCORPORATED and  
TOUGH MUDDER EVENT PRODUCTION  
INCORPORATED,

Case No. -

Case No. -

Alleged Debtors.

-----X

CORPORATE OWNERSHIP STATEMENT

Valley Builders LLC ("Valley Builders"), petitioning creditor in the above-captioned cases, pursuant to Fed. R. Bank. P. 7007.1, states that there is no corporation that, directly or indirectly, owns 10% or more of any classes of the equity interest in Valley Builders.

Dated: Emmaus, Pennsylvania  
January 7, 2020



\_\_\_\_\_  
William Wall  
President of Valley Builders LLC

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF DELAWARE**

-----X

In re:

Chapter 11

TOUGH MUDDER INCORPORATED and  
TOUGH MUDDER EVENT PRODUCTION  
INCORPORATED,

Case No. -

Case No. -

Alleged Debtors.

-----X

**CORPORATE OWNERSHIP STATEMENT**

Trademarc Associates Inc. ("**Trademarc**"), petitioning creditor in the above-captioned cases, pursuant to Fed. R. Bank. P. 7007.1, states that there is no corporation that, directly or indirectly, owns 10% or more of any classes of the equity interest in Trademarc.

Dated: Bangor, Pennsylvania  
January 6, 2020

  
\_\_\_\_\_  
Marc Policelli  
President of Trademarc Associates Inc.



UNITED STATES BANKRUPTCY COURT  
DISTRICT OF DELAWARE

-----X

In re:

Chapter 11

TOUGH MUDDER INCORPORATED and  
TOUGH MUDDER EVENT PRODUCTION  
INCORPORATED,

Case No. –  
Case No. –

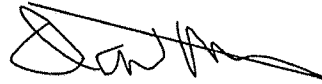
Alleged Debtors.

-----X

**CORPORATE OWNERSHIP STATEMENT**

David Watkins Homes Inc. ("**David Watkins Homes**"), petitioning creditor in the above-captioned cases, pursuant to Fed. R. Bank. P. 7007.1, states that there is no corporation that, directly or indirectly, owns 10% or more of any classes of the equity interest in David Watkins Homes.

Dated: Lafayette, Indiana  
January 06 2020



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David Watkins  
*President of David Watkins Homes Inc.*