

**Information and FAQs Regarding Floyd's Insurance Agency, Inc.
U. S. Bankruptcy Court Case No.: 20-01982-5-JNC**

This page is posted to provide general information and answers to common questions regarding the status of the bankruptcy case of Floyd's Insurance Agency, Inc. The information on this page is not a substitute for legal advice and while the information contained in this update is believed to be accurate as of the date shown, it could be affected or superseded by subsequent occurrences, proceedings, and orders of the Bankruptcy Court. Therefore, you should be sure to read very carefully all notices you receive from Bankruptcy Court, Bankruptcy Clerk, or Trustee about this case, and if you have legal questions about the case or your rights you should contact an attorney.

Information up to date as of December 30, 2020:

LATEST UPDATES:

- **The § 341 Meeting of Creditors in the case of Floyd's Insurance Agency, Inc. was conducted on August 21, 2020. At the conclusion of the Debtor's testimony on that date, the meeting was adjourned to 10:00 am on September 23, 2020 and was concluded at that time without any further testimony by the Debtor. An audio recording of the meeting and the testimony of the Debtor's representative is available via the link below.**

<https://www.nceba.uscourts.gov/media/Floyds341Mtg.mp3>

- **The Chapter 7 Trustee in the process of his investigation and administration of the bankruptcy case and its assets. This process may involve litigation and is expected to take some time. Ultimately, a distribution to unsecured creditors is expected – however, the timing and amount of such distribution is unknowable at this time.**
- **Individual Bankruptcy Cases filed by the Principals of Floyd's Insurance Agency, Inc.: On August 3, 2020 involuntary petitions for relief under Chapter 7 of the Bankruptcy Code were filed with the U.S. Bankruptcy Court against Joseph W. Floyd, IV and William F. Floyd, Jr. individually (the "Floyds") who were the 50% owners and President and Vice-President, respectively, of the Debtor. On August 24, 2020, the Floyds each filed a voluntary petition under Chapter 11 of the Bankruptcy Code, and on September 29, 2020, the Bankruptcy Court entered Consent Orders consolidating the voluntary case with the involuntary case of each of the Floyds. On December 2, 2020, the Court entered Orders appointing John C. Bircher III as Chapter 11 Trustee in the bankruptcy cases for each of the Floyds. The bankruptcy cases for each of the Floyds individually are proceeding under the following Case Nos., and reference to those cases should be made for proceedings therein:**
 - **Joseph W. Floyd, IV, Case No. 20-02745-5-JNC**
 - **William F. Floyd, Jr., Case No. 20-02743-5-JNC**

- **This may be the last update published for some time. However, further updates may be issued in the event of significant events or developments in the case that can be communicated publicly.**

What happened? On May 20, 2020 (“Petition Date”), Floyd’s Insurance Agency, Inc. (“Debtor”) of Whiteville, NC filed with the U.S. Bankruptcy Court for the Eastern District of North Carolina (“Bankruptcy Court”) a petition under Chapter 11 of the U.S. Bankruptcy Code. On July 28, 2020 the Bankruptcy Court entered an order converting the case to Chapter 7.

What does this mean for creditors? As a result of the bankruptcy filing and pursuant to § 362 of the Bankruptcy Code, an automatic stay has been imposed against most collection activities. This means that creditors generally may not take action to collect debts from the Debtor or the Debtor's property. For example, while the stay is in effect, creditors cannot sue, assert a deficiency, repossess property, or otherwise try to collect from the Debtor. Creditors cannot demand repayment from the Debtor by mail, phone, or otherwise.

Will monthly payments to creditors continue? No. Due to the bankruptcy filing, the Debtor is prohibited from paying any debts that arose before the Petition Date. As a result, all payments to creditors of the Debtor have been discontinued and no more monthly payments to creditors may be made.

Who is in charge of the bankruptcy estate? On May 29, 2020 and July 28, 2020, the Bankruptcy Court entered orders appointing Algernon L. Butler, III as Trustee for the Debtor (“Trustee”). As a result of the Trustee’s appointment, the Debtor is no longer operating as a debtor-in-possession and the Debtor and its affairs are under the supervision and control of the Chapter 7 Trustee.

The Trustee is in the process of administering the bankruptcy estate of the Debtor with the goal of recovering funds to pay creditors back as much as possible.

Should I file a proof of claim? Creditors who are owed money from the Debtor should timely file a proof of claim with the Bankruptcy Court in order to be eligible to receive a distribution from the bankruptcy estate.

Currently, the deadlines to file a proof of claim are:

October 6, 2020 - for non-governmental creditors

November 16, 2020 - for governmental creditors

How long will all this take? It is unknown exactly how long the process of administering the estate could take. The Trustee is in the process of administering the bankruptcy estate of the Debtor with the goal of recovering funds to pay creditors back as much as possible. The amount of time it will take to fully administer the case is not known at this time but it likely will take several years to complete.

Can I view documents filed in the case? Yes, you can view documents through PACER (Public Access to Court Electronic Records) by visiting www.pacer.gov. You will be required to register for an account and will incur fees; however, if you accrue \$30.00 or less of charges in a quarter, fees are waived for that period. Refer to their "Frequently Asked Questions" for more information.

Who should I contact if I have information that may help in recovering assets or in the administration of the case? If you believe that you have important information about the Debtor or its management or assets that might be helpful in the process of recovering assets for creditors or in the administration of the case, you may contact the office of the Trustee, Algernon L. Butler, III, as follows:

Address: 111 N. 5th Avenue, Wilmington, NC 28401
Telephone: (910) 762-1908

Who should I contact for additional information or assistance? While the offices of the U.S. Bankruptcy Clerk and Trustee work hard to make sure that bankruptcy cases run smoothly and are as successful as possible, unfortunately neither the Clerk nor the Trustee can give you any legal advice. If you have legal questions about the case or your rights, you should contact an attorney.