John D. Albert
ALBERT & TWEET, LLP
242 Church St. SE
PO Box 968
Salem, OR 97308
Phone: (503)585-2056
Fax: (503)375-2649
Email: jalbert@albertandtweet.com

FILED
CLERK

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE: PIKE NURSERY HOLDING, LLC, DBA PIKE FAMILY NURSERIES, DBA PIKE NURSERIES, Debtor.	CHAPTER 7 CASE NO. 07-79129-MGD JUDGE MARY GRACE DIEHL

ISELI NURSERY, INC.'S NOTICE UNDER §546(b)
IN LIEU OF COMMENCEMENT OF ACTION

Iseli Nursery, Inc. has a perfected lien pursuant to ORS 87.700, et. seq., in certain produce delivered to the above debtor, and its inventory and accounts receivable, as more particularly described in its Notice of Agricultural Grain Produce Lien attached hereto as Exhibit A, and by this reference incorporated herein.

In lieu of commencing foreclosure proceedings in state court, and pursuant to 11 USC §546(b), and ORS 87.700, et. seq., and ORS 88.010, et. seq., Iseli Nursery, Inc. hereby notifies the trustee of its intent to maintain and continue said lien against the inventory and accounts receivable, or any proceeds or funds against which a replacement lien has been granted by Order of this Court, by this notice in lieu of commencement of a foreclosure.

Dated this 21st day of May, 2008.

Albert & Tweet, LLP

By ____________________
John D. Albert, OSB #76041
Of attorneys for Iseli Nursery, Inc.

I hereby certify that on May 21, 2008, I served the foregoing Notice upon the following parties at the addresses stated below by depositing a correct copy thereof, postage prepaid, and deposited in the post office at Salem, Oregon, on said day. Between the said post office and the addresses to which said copy was mailed there is a regular communication by US Mail:

Debtor
Pike Nursery Holding LLC
4020 Steve Reynolds Blvd.
Norcross, GA 30093

Counsel for Debtor
J. Robert Williamson
Scroggins and Williamson
1500 Candler Building
127 Peachtree St. NE
Atlanta, GA 30303

Trustee
Marcus A. Watson
Finley, Colmer and Company
Suite 450
3091 Governors Lake Drive
Norcross, GA 30071

Counsel for Trustee
J. Carole Thompson Hord
John A. Christy
Paul E. Vranicar
Schreeder, Wheeler & Flint, LLP
1100 Peachtree St., Suite 800
Atlanta, GA 30309-4516

US Trustee
Office of US Trustee
75 Spring St.
362 Richard B. Russell Bldg.
Atlanta, GA 30303

Counsel for US Trustee
Leroy Culton
US Trustee
75 Spring St. SW
Atlanta, GA 30303

Counsel for Creditor's Committee
Gwendolyn J. Godfrey
Powell Goldstein LLP
One Atlantic Center - 14th Flr.
1201 W. Peachtree St. NW
Atlanta, GA 30309

Jeffrey W. Dulberg
Pachulski Stang Ziehl & Jones LLP
11th Floor
10100 Santa Monica Blvd.
Los Angeles, CA 90067-4100

Albert & Tweet, LLP

By ______________________
John D. Albert, OSB #76041

State of Oregon
Initial Filing 6 Page(s)

9030743609

7804421
11/21/07 02:57 PM
OR Sec. of State

APL -1 Notice of Agricultural Produce Lien

In keeping with ORS 192.410-192.595, the information on the application is public record. Pursuant to ORS 87.710
We must release this information to all parties upon request and it may be posted on our website.

Please Type or Print Legibly in Black Ink. Attach Additional Sheet If Necessary.

DEBTOR

CHECK ONE If Individual, list last name first.

PURCHASER: NAME 1 Pike Nursery Holding LLC ☒-Business ☐-Individual

NAME 2 Pike Family Nurseries ☒-Business ☐-Individual

4020 Steve Reynolds Blvd
ADDRESS

Norcross GA 30093
CITY STATE ZIPCODE

PRODUCER: Iseli Nursery, Inc.
NAME

30590 SE Kelso Rd
ADDRESS

Boring OR 97009
CITY STATE ZIPCODE

STATEMENT AMOUNT OF PRODUCER'S DEMAND (after Deducting All Credits and Offsets): $ 18,711.20

DESCRIPTION OF PRODUCE DELIVERED OR TRANSFERRED BY:

Woody ornamentals - see attached invoices

DATE PAYMENT ORIGINALLY DUE: see attached summary

I (WE) Greg Pilcher swear/affirm that the amount claimed on this Notice is a true and bona fide existing debt as of the date of this filing.

STATE OF Oregon

Greg Pilcher
CLAIMANT SIGNATURE

11/20/07
DATE

COUNTY OF Clackamas

SUBSCRIBED TO AND SWORN/AFFIRMED BEFORE ME THIS 20th DAY OF Nov., 2007.

by Greg Pilcher

OFFICIAL SEAL
MAUREEN COOMBS
NOTARY PUBLIC - OREGON
COMMISSION NO. 416116
MY COMMISSION EXPIRES APRIL 5, 2011

M Coombs
Notary Public of Oregon

My commission expires: 4-5-11

RETURN TO (Please Type or Print within the box):

John D. Albert
Albert & Tweet, LLP
PO Box 968
Salem, OR 97308

FEES

Required Processing Fee - $10 Processing Fees are nonrefundable.

Please make check payable to "Corporation Division."

NOTE:
Fees may be paid with VISA or MasterCard. The card number and expiration date should be submitted on a separate sheet for your protection.

430 (Rev. 6/06)

EXHIBIT A
Page 1 of 6

SUMMARY

Invoice Number	Amount	Date Payment Originally Due
SI-05791	$ 4,075.50	10/10/07
SI-05923	$ 4,975.00	10/25/07
SI-05927	$ 1,812.50.	10/25/07
SI-05962	$ 7,848.20	10/28/07
	$18,711.20	

p:\dd\iselisummary

Remit to:
ISELI NURSERY, INC.
36518 TREASURY CENTER
CHICAGO, IL 60694-6500
FOR QUESTIONS CALL: (800) 777-6202

INVOICE

Invoice Number: SI-05791
Invoice Date: 09/10/07
Page: 1

Bill To:
PIKE NURSERIES INC
MIKE ARY/IRENE KIELY/RBT.KING
4020 STEVE REYNOLDS BLVD
NORCROSS, GA 30093

Ship To:
PIKE FAMILY NURSERIES
JASON RODGERS / JEREMY POWEL
WHOLESALE DIVISION #46
350 MCFARLAND RD
ALPHARETTA, GA 30004

Ship Via	
Ship Date	09/10/07
Due Date	**10/10/07**
Terms	**Net 30 Days**

Customer ID	431
P.O. Number	46-2701
P.O. Date	08/31/07
Our Order No.	SO-6575
SalesPerson	Dave Gommoll

Item/Description		Unit	Order Qty	Quantity	Unit Price	Total Price
857006	Thuja, occid 'Smaragd'	#6	75	75	20.50	1,537.50
857010D	Thuja, occid 'Smaragd'	#10Dp	75	75	31.50	2,362.50
801320	Pinus, thunb 'Thunderhead'	#20	1	1	175.50	175.50

Subtotal:	4,075.50
Tax:	0.00
Pre-Paid Amount:	0.00
Pre-Paid Discount:	0.00
Balance:	4,075.50

EXHIBIT A
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Remit to:

ISELI NURSERY, INC.
36518 TREASURY CENTER
CHICAGO, IL 60694-6500
FOR QUESTIONS CALL: (800) 777-6202

INVOICE

Invoice Number: SI-05927
Invoice Date: 09/25/07
Page: 1

Bill
To: PIKE NURSERIES INC
MIKE ARY/IRENE KIELY/RBT.KING
4020 STEVE REYNOLDS BLVD
NORCROSS, GA 30093

Ship
To: PIKE FAMILY NURSERIES
SCOTT GARRETT / RENE SWIFT
WHOLESALE DIVISION #101
10 GREENHILL PARKWAY
HOOVER, AL 35242

Ship Via	
Ship Date	09/25/07
Due Date	**10/25/07**
Terms	**Net 30 Days**

Customer ID	431
P.O. Number	
P.O. Date	09/25/07
Our Order No.	SO-6798
SalesPerson	Dave Gommoll

Item/Description		Unit	Order Qty	Quantity	Unit Price	Total Price
857010D	Thuja, occid 'Smaragd'	#10Dp	25	25	31.50	787.50
857006	Thuja, occid 'Smaragd'	#6	50	50	20.50	1,025.00

Subtotal:	1,812.50
Tax:	0.00
Pre-Paid Amount:	0.00
Pre-Paid Discount:	0.00
Balance:	1,812.50

EXHIBIT A
Page 4 of 6

Remit to:
ISELI NURSERY, INC.
36518 TREASURY CENTER
CHICAGO, IL 60694-6500
FOR QUESTIONS CALL: (800) 777-6202

INVOICE

Invoice Number: SI-05923
Invoice Date: 09/25/07
Page: 1

Bill
To: PIKE NURSERIES INC
MIKE ARY/IRENE KIELY/RBT.KING
4020 STEVE REYNOLDS BLVD
NORCROSS, GA 30093

Ship
To: PIKE FAMILY NURSERIES
SCOTT GARRETT / RENE SWIFT
WHOLESALE DIVISION #101
10 GREENHILL PARKWAY
HOOVER, AL 35242

Ship Via
Ship Date 09/25/07
Due Date 10/25/07
Terms Net 30 Days

Customer ID 431
P.O. Number
P.O. Date 09/19/07
Our Order No. SO-6751
SalesPerson Dave Gommoll

Item/Description		Unit	Order Qty	Quantity	Unit Price	Total Price
418901	Junip, horiz 'Limeglow' ™	#1	50	50	5.75	287.50
857010D	Thuja, occid 'Smaragd'	#10Dp	100	100	31.50	3,150.00
857006	Thuja, occid 'Smaragd'	#6	75	75	20.50	1,537.50

Subtotal:	4,975.00
Tax:	0.00
Pre-Paid Amount:	0.00
Pre-Paid Discount:	0.00
Balance:	4,975.00

EXHIBIT A
Page 5 of 6

INVOICE

ISELI NURSERY, C.
36518 TREASURY CENTER
CHICAGO, IL 60694-6500
FOR QUESTIONS CALL: (800) 777-6202

Invoice Number: SI-05962
Invoice Date: 09/28/07
Page: 1

Bill
To: PIKE NURSERIES INC
MIKE ARY/IRENE KIELY/RBT.KING
4020 STEVE REYNOLDS BLVD
NORCROSS, GA 30093

Ship
To: PIKE FAMILY NURSERIES
SAM PRICE / JILL REEDER
WHOLESALE DIVISION #52
625 N GREENBRIAR PARKWAY
MARIETTA, GA 30062

Ship Via
Ship Date 09/28/07
Due Date 10/28/07
Terms Net 30 Days

Customer ID 431
P.O. Number 52-115
P.O. Date 09/25/07
Our Order No. SO-6788
SalesPerson Dave Gommoll

Item/Description		Unit	Order Qty	Quantity	Unit Price	Total Price
10550015	Acer, japon 'Aconitifolium'	#15	2	2	139.50	279.00
10550020	Acer, japon 'Aconitifolium'	#20	2	2	238.50	477.00
10550024	Acer, japon 'Aconitifolium'	#24	2	2	495.00	990.00
10561015	Acer, japon 'Green Cascade'	#15	2	2	184.50	369.00
10720015AB	Acer, palma 'Bloodgood'	#15	5	5	105.00	525.00
10720020	Acer, palma 'Bloodgood'	#20	3	3	211.50	634.50
11320015	Acer, palma 'Crimson Queen'	#15	4	4	184.50	738.00
11320024	Acer, palma 'Crimson Queen'	#24	1	1	612.00	612.00
10990015	Acer, palma 'Orange Dream'	#15	1	1	157.50	157.50
10990020	Acer, palma 'Orange Dream'	#20	2	2	256.50	513.00
11357015	Acer, palma 'Red Dragon'	#15	4	4	184.50	738.00
267006	Chama, obtus 'Nana'	#6	4	4	55.80	223.20
801315	Pinus, thunb 'Thunderhead'	#15	2	2	108.00	216.00
801320	Pinus, thunb 'Thunderhead'	#20	2	2	175.50	351.00
857006	Thuja, occid 'Smaragd'	#6	50	50	20.50	1,025.00

Subtotal:	7,848.20
Tax:	0.00
Pre-Paid Amount:	0.00
Pre-Paid Discount:	0.00
Balance:	7,848.20

EXHIBIT A
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