

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

In re	}	Case No. 08-62733
	}	
Triad Energy Corporation,	}	Chapter 11
	}	
Debtor.	}	JUDGE C. KATHRYN PRESTON

NOTICE OF MECHANIC’S LIENS PURSUANT TO 11 U.S.C. §546

Now comes Miller Supply of West Virginia, Inc. (hereinafter “Miller”) by and through counsel and hereby provides notice of its secured mechanic’s liens pursuant to 11 U.S.C. §546(b)(2). Miller holds five (5) pre-petition, perfected mechanics liens against debtor’s oil and gas leases. The oil and gas leases are for the debtor’s rights to extract oil and gas from real estate. Miller filed mechanics liens pursuant to West Virginia state law for materials it supplied to debtor.

West Virginia code section 38-2-34 entitled “Time within which suit to enforce lien may be brought; right of other lienors to intervene” provides that the holder of a mechanics lien must preserve those liens within the statutory period of six months from filing/recording or lose those perfected interests.

West Virginia code section 38-2-34 provides: “Unless a suit in chancery to enforce any lien authorized by this article is commenced within six months after the person desiring to avail himself thereof shall have filed his notice in the clerk’s office, as hereinbefore provided in this article, such lien shall be discharged; but a suit commenced by any person having such lien shall, for the purpose of preserving the same, inure to the benefit of all other persons having a lien under this article on the same property, and such person may intervene in such suit for the purpose of enforcing their liens, in the same manner as in other chancery suits.”

Miller filed "NOTICE OF MECHANIC'S LIEN" in the appropriate county in West Virginia to perfect its mechanics liens:

Belcher Lease recorded 12/23/2008 in the amount of \$80,072.94.
Belcher Lease #2 recorded 12/26/08 in the amount of \$216,197.37
BGS Sennett recorded 12/23/08 in the amount \$1,457.28
Hicks recorded 12/23/08 in the amount of \$54,771.12
Radeker recorded 12/23/08 in the amount of \$23,697.87

The mechanics liens total \$376,196.58. The liens represent materials furnished and delivered to Triad Energy Corporation of West Virginia for use on wells. A proof of claim has been filed on April 6, 2009 for \$376,196.58, with a copy of all mechanic's liens.

Bankruptcy Code §546(b)(2) provides "If (A) law described in paragraph (1) requires seizure of such property or commencement of an action to accomplish such perfection, or maintenance or continuation of perfection of an interest in property; and (B) such property has not been seized or such an action has not been commenced before the date of the filing of the petition; such interest in such property shall be perfected, or perfection of such interest shall be maintained or continued, by giving notice within the time fixed by such law for such seizure or such commencement."

The purpose of this Notice is for Miller to perfect its interest in lieu of filing an action pursuant to West Virginia Code §38-2-34 et. seq.

Respectfully submitted,

/s/ Geoffrey J. Peters

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Counsel for Movant,
Miller Supply of West Virginia, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on April 6, 2009, a copy of the foregoing Notice of Mechanic's Lien was served on the following registered ECF participants, **electronically** through the court's ECF System at the email addresses registered with the court:

Christopher B. Wick, Esq., Daniel A. DeMarco, Esq., Rocco I. Debitetto, Esq., 200 Public Square, Suite 2800, Cleveland, OH 44114-2301, Attorney for the Debtor(s)
MaryAnne Wilsbacher, U.S. TRUSTEE
Official Committee of Unsecured Creditors
Ronald E. Gold, Esq., Counsel for Capital One National Association
Donald W. Mallory, Esq., Counsel for K&N Contracting, Inc.
William L. Wallander, Esq., Counsel for Capital One
James S. Huggins, Esq., Counsel for Peoples Bank
Cynthia A. Jeffrey, Esq., Counsel for Ford Motor Credit Company, LLC
Reginald W. Jackson, Esq., Counsel for Official Committee of Unsecured Creditors
Dennis M. Ostrowski, Esq., Counsel for DCFS USA LLC
Robert L. Bays, Esq., Counsel for Houchin Construction Limited Liability Company
Robert L. Bays, Esq., Counsel for Arvilla Oilfield Services, LLC
Amy M. Paul, VP, General Counsel for BakerCorp
James P. Botti, Esq., Counsel for Key Equipment Finance

and on the following by **ordinary U.S. Mail** addressed to:

Triad Energy Corporation, PO Box, 430, Reno, OH 45773
Consolidated List of Creditors Holding 30 Largest Unsecured Claims

/s/ Geoffrey J. Peters

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Counsel for Creditor,
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