

Business First of Columbus - April 6, 2009
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Friday, April 3, 2009

Nicole Energy affiliates put into bankruptcy court

Business First of Columbus - by [Dan Eaton](#)

Three affiliates of a natural gas wholesaler that hasn't operated for years are being forced into bankruptcy.

Four creditors asked March 23 to have Nicole Energy Marketing Inc., Nicole Gas Marketing Inc. and Nicole Gas Production Ltd. liquidated under Chapter 7. Creditors' attorney Sara Daneman said the filings are tied to the 2003 bankruptcy of Westerville-based Nicole Energy Services Inc. and none of the businesses is operating.

The court said Long Grove, Ill.-based Kemper Casualty Insurance Co. is owed \$230,093, and Larry McClatchey, a lawyer at Kegler Brown Hill & Ritter Co. LPA who was the trustee for the Nicole Energy Services bankruptcy, is owed \$16,303.

Columbus-based Midwest Business Capital is listed in two of the filings, owed \$346,742. Pennsylvania is listed in all three, for \$54,169, \$24,082 and \$8,313.

Nicole entities owner Fred Fulson could not be reached for comment.

Nicole Energy Services fought a legal battle with multiple Columbia Gas entities starting in 2001, with Fulson saying Columbia wasn't properly measuring and paying for gas. Columbia said it had paid for gas Nicole Energy Services didn't deliver, according to court filings.

Columbia in 2003 forced Nicole Energy Services into Chapter 7 bankruptcy, which in 2004 became a voluntary Chapter 11 reorganization case.

McClatchey negotiated a settlement in which Columbia Gas paid Nicole Energy Services \$3.5 million in 2006, with the money going to creditors, according to court documents. Fulson wanted to go to trial, according to court filings. A judge ruled against him in April 2008.

McClatchey said the new Chapter 7 filings are an attempt to resolve potential claims from the remaining Nicole companies against Columbia Gas, if any, which could mean an additional \$500,000 for the creditors.

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