

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF COLORADO
Bankruptcy Judge Elizabeth E. Brown

FILED
BRADFORD L. BOLTON, CLERK
JUN 12 2001
U.S. BANKRUPTCY COURT
DISTRICT OF COLORADO

In re:)
)
CONVERGENT COMMUNICATIONS,)
INC.,)
EIN: 84-1337265)
)
Debtor.)
)
In re:)
)
CONVERGENT COMMUNICATIONS)
SERVICES, INC.,)
EIN: 84-1387594)
)
Debtor.)

Bankruptcy Case No. 01-15488 EEB
Chapter 11
-
Bankruptcy Case No. 01-15489 EEB
Chapter 11
✓(Jointly Administered Under
Bankruptcy Case No. 01-15488 EEB

**ORDER ESTABLISHING BAR DATE FOR THE FILING OF PROOFS OF CLAIM
PURSUANT TO BANKRUPTCY RULE 3003(c)(3)**

THIS COURT, having reviewed the Motion for Order Establishing Bar Date for the Filing of Proofs of Claim pursuant to Bankruptcy Rule 3003(c)(3) (the "Motion"), filed by Convergent Communications, Inc. and Convergent Communications Services, Inc., debtors in possession, being advised in the premises and good cause having been shown, hereby:

ORDERS that the motion is GRANTED.

IT IS FURTHER ORDERED that the Proofs of Claim in the above-captioned Chapter 11 bankruptcy case, except for Proofs of Claim by governmental units, must be filed no later than 5:00 P.M. PREVAILING MOUNTAIN TIME ON OR BEFORE JULY 18, 2001 (the "Bar Date").

IT IS FURTHER ORDERED that any claims filed after the Bar Date shall be DISALLOWED, except for the claims of a governmental unit. Any individual or entity that is required to file a Proof of Claim and that fails to do so by the bar date shall not be treated as a creditor for the purposes of voting or distribution, shall not receive any further notices of mailings in these chapter 11 cases and any claim of such individual or entity shall be forever barred against Convergent Communications, Inc. and Convergent Communications Services, Inc.

IT IS FURTHER ORDERED that the Debtors, shall forthwith give notice of this Order in

ORIGINAL

the form attached hereto as Exhibit A to all known creditors and those who have requested notice of all filings in this matter together with the Proof of Claim form attached hereto as Exhibit B.

IT IS FURTHER ORDERED that any governmental unit asserting a claim should be required to file a proof of such claim no later than 5:00 P.M. PREVAILING MOUNTAIN TIME BY OCTOBER 16, 2001 (THE Governmental Bar Date), pursuant to Bankruptcy Code § 502(b)(9).

IT IS FURTHER ORDERED that following the Bar Date, or in the case of governmental units, the Governmental Bar Date, a creditor shall not be allowed to amend a claim deemed filed on its behalf pursuant to Bankruptcy Code § 1111(a) by virtue of the listing of such claim by debtors in their respective bankruptcy schedules.

IT IS FURTHER ORDERED that a copy of this Order shall be served on all parties-in-interest pursuant to Fed.R.Bankr.P. 2002(a)(7) by June 15, 2001.

IT IS FURTHER ORDERED that the form of Proof of Claim transmitted to creditors shall comply with Official Form B10 in all respect, including the information contained on its reverse side except as expressly noted in debtors' motion.

Dated this 12 day of June, 2001.

BY THE COURT:

Elizabeth E. Brown
Elizabeth E. Brown
United States Bankruptcy Judge

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**UNITED STATES BANKRUPTCY COURT
COLORADO (DENVER)**

**PROOF OF
CLAIM**

In re (Name of Debtor) CONVERGENT COMMUNICATIONS, INC.
EIN 84-1337265, CONVERGENT COMMUNICATIONS SERVICES, INC.
EIN 84-1387594

**Jointly administered under
Case No. 15488 EEB**

Name of Creditor (*The person or other entity to whom the debtor owes money or property*):

Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach a copy of statement giving particulars.

Name and Addresses Where Notices Should Be Sent:

Check box if you have never received any notices from the bankruptcy court in this case.

Telephone Number:

Check box if the address differs from the address on the envelope sent to you by the court

THIS SPACE IS FOR
COURT USE ONLY

Check the debtor entity involving this claim:

- Convergent Communications, Inc. ID No. 84-1337265
 Convergent Communications Services, Inc. ID No. 84-1387594

ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR:

Check here if this claim: replaces a previously filed claim dated: _____
 amends

1. BASIS FOR CLAIM:

- Goods sold
 Services performed
 Money loaned
 Personal injury/wrongful death
 Taxes
 Other _____

- Retiree benefits as defined in 11 U.S.C. 1114(a)
 Wages, salaries, and compensation (Fill out below)
Unpaid compensations for services performed form _____ to _____
(date) (date)

2. DATE DEBT WAS INCURRED:

3. IF COURT JUDGMENT, DATED OBTAINED:

4. TOTAL AMOUNT OF CLAIM AT TIME CASE FILED \$ _____

If all or part of your claim is administrative, secured or entitled to priority, also complete Item 5, 6, or 7 below.

Check this box if claim includes interest or other charges in addition to the principal amount of the claim. Attach itemized statement of all interest or addition charges.

5. ADMINISTRATIVE CLAIM Check this box if your claim is an administrative priority expense pursuant to 11 U.S.C. § 503(b)

6. SECURED CLAIM

Check this box if your claim is secured by collateral (including a right of setoff)

Brief Description of Collateral:

- Real Estate Motor Vehicle
 Other (described briefly) _____

Value of Collateral: \$ _____

Amount of arrearage and other charges at time case filed included in secured claim, if any: \$ _____

7. UNSECURED PRIORITY CLAIM

Check this box if you have an unsecured priority claim
Amount entitled to priority \$ _____

Specify the priority of the claim:

- Wages, salaries, or commissions (up to \$4,300)*, earned within 90 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier – 11 U.S.C. § 507(a)(3).
 Contributions to an employee benefit plan – 11 U.S.C. § 507(a)(4).
 Up to \$1,950* of deposits toward purchase, lease or rental of property or services for personal, family, or household use – 11 U.S.C. § 507(a)(6).
 Alimony, maintenance or support owed to a spouse, former spouse, or child – 11 U.S.C. § 507(a)(7).
 Taxes or penalties owed to governmental units – 11 U.S.C. § 507(a)(8).
 Other – specify applicable paragraph of 11 U.S.C. § 507(a)(1).

*Amounts are subject to adjustment on 4/1/01 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.

8. CREDITS. The amounts of all payments on this claim have been credited and deducted for making this proof of claim.

9. SUPPORTING DOCUMENTS. Attach copies of supporting documents, such as promissory notes, purchase, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security interests, and evidence of perfection of lien. DO NOT SEND ORIGINAL DOCUMENTS. If documents are not available, explain. If the documents are voluminous, attach a summary.

10. DATE-STAMPED COPY: To receive an acknowledgment of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim.

THIS SPACE FOR COURT
USE ONLY

Date

Sign and print the name and title, if any, of the creditor or any other person authorized to file this claim (attach copy of power of attorney, if any):

INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In particular types of cases or circumstances, such as bankruptcy cases that are not filed voluntarily by a debtor, there may be exceptions to these general rules.

DEFINITIONS

Debtor	Secured Claim	Unsecured Claim
The person, corporation, or other entity that has filed a bankruptcy case is called the debtor.	A claim is a secured claim to the extent that the creditor has a lien on property of the debtor (collateral) that gives the creditor the right to be paid from that property before creditors who do not have liens on the property.	If a claim is not a secured claim it is an unsecured claim. A claim may be partly secured and partly unsecured if the property on which a creditor has a lien is not worth enough to pay the creditor in full.
Creditor	Examples of liens are a mortgage on real estate and a security interest in a car, truck, boat, television set, or other item of property. A lien may have been obtained through a court proceeding before the bankruptcy case began; in some states a court judgment is a lien. In addition, to the extent a creditor also owes money to the debtor (has a right of setoff), the creditor's claim may be a secured claim. (See also <i>Unsecured Claim</i> .)	Unsecured Priority Claim
A creditor is any person, corporation, or other entity to whom the debtor owed a debt on the date that the bankruptcy case was filed.		Certain types of unsecured claims are given priority, so they are to be paid in bankruptcy cases before most other unsecured claims (if there is sufficient money or property available to pay these claims). The most common types of priority claims are listed on the proof of claim form. Unsecured claims that are not specifically given priority status by the bankruptcy laws are classified as <i>Unsecured Nonpriority Claims</i> .
Proof of Claim		
A form telling the bankruptcy court how much the debtor owed a creditor at the time the bankruptcy case was filed (the amount of the creditor's claim). This form must be filed with the clerk of the bankruptcy court where the bankruptcy case was filed.		

Items to be completed in Proof of Claim form (if not already filled in)

Court, Name of Debtor, and Case Number:

Fill in the name of the federal judicial district where the bankruptcy case was filed (for example, Central District of California), the name of the debtor in the bankruptcy case, and the bankruptcy case number. If you received a notice of the case from the court, all of this information is near the top of the notice.

Information about Creditor:

Complete the section giving the name, address, and telephone number of the creditor to whom the debtor owes money or property, and the debtor's account number, if any. If anyone else has already filed a proof of claim relating to this debt, if you never received notices from the bankruptcy court about this case, if your address differs from that to which the court sent notice, or if this proof of claim replaces or changes a proof of claim that was already filed, check the appropriate box on the form.

1. Basis for Claim:

Check the type of debt for which the proof of claim is being filed. If the type of debt is not listed, check "Other" and briefly describe the type of debt. If you were an employee of the debtor, fill in your social security number and the dates of work for which you were not paid.

2. Date Debt Incurred:

Fill in the date when the debt first was owed by the debtor.

3. Court Judgments:

If you have a court judgment for this debt, state the date the court entered the judgment.

4. Total Amount of Claim at Time Case Filed:

Fill in the total amount of the entire claim. If interest or other charges in addition to the principal amount of the claim are included, check the appropriate place on the form and attach an itemization of the interest and charges.

5. Secured Claim:

Check the appropriate place if the claim is a secured claim. You must state the type and value of property that is collateral for the claim, attach copies of the documentation of your lien, and state the amount past due on the claim as of the date the bankruptcy case was filed. A claim may be partly secured and partly unsecured. (See DEFINITIONS, above).

6. Unsecured Priority Claim:

Check the appropriate place if you have an unsecured priority claim, and state the amount entitled to priority. (See DEFINITIONS, above). A claim may be partly priority and partly nonpriority if, for example, the claim is for more than the amount given priority by the law. Check the appropriate place to specify the type of priority claim.

7. Credits:

By signing this proof of claim, you are stating under oath that in calculating the amount of your claim you have given the debtor credit for all payments received from the debtor.

8. Supporting Documents:

You must attach to this proof of claim form copies of documents that show the debtor owes the debt claimed or, if the documents are too lengthy, a summary of those documents. If documents are not available, you must attach an explanation of why they are not available.

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF COLORADO
Bankruptcy Judge Elizabeth E. Brown

In re:)
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 CONVERGENT COMMUNICATIONS,)
 INC.,)
 EIN: 84-1337265) Bankruptcy Case No. 01-15488 EEB
) Chapter 11
 Debtor.)
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 In re:)
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 CONVERGENT COMMUNICATIONS)
 SERVICES, INC.,) Bankruptcy Case No. 01-15489 EEB
 EIN: 84-1387594) Chapter 11
)
 Debtor.) (Jointly Administered Under
) Bankruptcy Case No. 01-15488 EEB
)

NOTICE OF ORDER ESTABLISHING PROCEDURES AND BAR DATE FOR THE FILING OF PROOFS OF CLAIM PURSUANT TO BANKRUPTCY RULE 3003(c)(3)

TO INDIVIDUALS AND ENTITIES WHO MAY BE CREDITORS OF DEBTOR:

Please take notice that the Bankruptcy Court has entered an Order establishing procedures and a bar date for filing proofs of claim pursuant to Bankruptcy Rule 3003(c)(3) as follows:

- (a) All proofs of claim, other than proofs of claim by a governmental unit, must be filed with the Clerk of the Bankruptcy Court by mail or in person, such that they are received no later than 5:00 P.M. PREVAILING MOUNTAIN TIME ON OR BEFORE JULY 18, 2001 (the "Bar Date"), at the following address:

Clerk of the United States Bankruptcy Court
United States Customs House
721 19th Street
Denver, CO 80202.

CLAIMS ARE NOT DEEMED FILED UNTIL ACTUALLY RECEIVED BY THE CLERK.

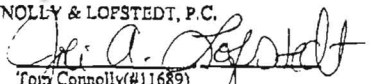
- (b) **ANY CLAIMS FILED AFTER THE BAR DATE SHALL BE DISALLOWED.** Any individual or entity that is required to file a proof of claim by the Bar Date and that fails to do so shall not be treated as a creditor for the purposes of voting or distribution, may not receive any further notices of mailings in these chapter 11 cases and any claim of such individual or entity shall be forever barred.

- (c) Any creditor holding a claim arising prior to date of Debtors' Chapter 11 bankruptcy filings, April 19, 2001, which is not scheduled or is scheduled as disputed, contingent, or unliquidated, such creditor disagrees with the amount of the scheduled claim or interest shall file a proof of claim with the Court.
- (d) Any governmental unit asserting a claim should be required to file a proof of such claim no later than 5:00 P.M. PREVAILING MOUNTAIN TIME BY OCTOBER 16, 2001 (the "Governmental Bar Date"), pursuant to Bankruptcy Code § 502(b)(9). The proofs of claim of a governmental unit shall be filed in the manner and at the address described in Paragraph (a) above.
- (e) Following the Bar Date, or in the case of governmental units, the Governmental Bar Date, a creditor shall not be allowed to amend a claim deemed filed on its behalf pursuant to Bankruptcy Code § 1111(a) by virtue of the listing of such claim by Debtors in their respective bankruptcy schedules. Allowance of such amendments would undermine the rationale of setting a bar date.
- (f) **CLAIMANTS WHO HAVE ALREADY FILED THEIR PROOFS OF CLAIM SHOULD NOT FILE A DUPLICATE CLAIM.** Claimants who have filed a Proof of Claim MAY file an amended Proof of Claim by the Bar Date or Governmental Bar Date.

ANY CLAIM NOT PROPERLY FILED WITH THE CLERK WITHIN THE TIME SET FORTH ABOVE WILL BE FOREVER BARRED FROM SHARING IN THE ESTATE OR BEING TREATED AS A CLAIM FOR PURPOSES OF VOTING OR DISTRIBUTION.

Dated: June 13, 2001.


CONNOLLY & LOFSTEDT, P.C.

By: 

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Joli Lofstedt (#21946)
287 Century Circle, Suite 200
Louisville, CO 80027
(303) 661-9292
(303) 661-9555 fax
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Counsel to Convergent Communications Services, Inc.

GIBSON, DUNN & CRUTCHER LLP

By: 

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Jeffrey Oraker, Esq. (#26893)
J. Owen Borum, Esq. (#28350)
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(303) 298-5700
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geurts@gibsondunn.com
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- and -

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Counsel to Convergent Communications, Inc.

FILED
BRADFORD L. BOLTON, CLERK
JUN 12 2001
U.S. BANKRUPTCY COURT
DISTRICT OF COLORADO

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF COLORADO
Bankruptcy Judge Elizabeth E. Brown

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In re:)
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CONVERGENT COMMUNICATIONS, INC.,) Bankruptcy Case No. 01-15488 EEB
EIN: 84-1337265,) Chapter 11
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Debtor.)
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In re:)
)
CONVERGENT COMMUNICATIONS) Bankruptcy Case No. 01-15489 EEB
SERVICES, INC.,) Chapter 11
EIN:)
) (Jointly Administered Under
Debtor.) Bankruptcy Case No. 01-15488 EEB)

ORDER GRANTING MOTION FOR ORDER TO LIMIT NOTICE

THIS MATTER comes before the Court on the Motion for Order to Limit Notice (the "Motion") filed by Convergent Communications, Inc. ("CCI") and Convergent Communications Services, Inc. ("CCSI" and together with CCI the "Debtors"). This Court having reviewed the Motion, and being advised in the premises, and finding good cause, hereby:

ORDERS that all notices required by Rule 2002(a)(2), (a)(3), and (a)(6) need only be sent to the Debtors' counsel, counsel for the Creditors' Committee, the United States Trustee, any affected creditor or other party-in-interest, the indenture trustee and all creditors, equity security holders or parties-in-interest who file with the Court and serve on the Debtors a request that all notices be mailed to them, and on such additional parties-in-interest as the Court may require by separate order. For this reason, all filings made by limited notice pursuant to this Order shall include an additional courtesy copy delivered to the chambers of this Court.

IT IS FURTHER ORDERED that Debtors shall mail a copy of this Order to all creditors and other parties-in-interest listed on the creditor matrix as of the date of this Order and any creditors or other parties-in-interest listed on Debtors' schedules and statements of financial affairs filed with the Court on May 18, 2001 but not yet included in the creditor matrix.

IT IS FURTHER ORDERED that any party requesting notice required under Rule 2002(a)(2), (a)(3) and (a)(6) shall file with the Court and serve on Debtors, Debtors' counsel, counsel for the Creditors' Committee and the United States Trustee at the following addresses, a request to receive such notices.

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- A. CCSI's Counsel:
 - Tom H. Connolly, Esq.
 - Joli A. Lofstedt, Esq.
 - CONNOLLY & LOFSTEDT, P.C.
 - 287 Century Circle, Suite 200
 - Louisville, CO 80027
 - (303) 661-9292 Ph
 - (303) 661-9555 Fx

- B. CCI's Counsel:
 - George Curtis, Esq.
 - Jeffrey Oraker, Esq.
 - GIBSON, DUNN & CRUTCHER, LLP
 - 1801 California Street, Suite 4100
 - Denver, CO 80202
 - (303) 298-5700 Ph
 - (303) 296-5310 Fx

- and -

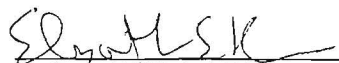
- James P. Ricciardi, P.C.
- GIBSON, DUNN & CRUTCHER, LLP
- 200 Park Avenue
- New York, NY 10166
- (212) 351-4000 Ph
- (212) 351-5223 Fx

- C. The Office of the United States Trustee:
 - Kelly J. Sweeney, Esq.
 - U.S. Trustee's Office
 - 721 19th Street, #408
 - Denver, CO 80202
 - Telephone: (303) 844-5188
 - Facsimile: (303) 844-5230

- D. Counsel for the Official Unsecured Creditors' Committee:
 - James T. Markus, Esq.
 - John F. Young, Esq.
 - Block Markus Williams LLC
 - 1700 Lincoln Street, Suite 3550
 - Denver, CO 80203
 - Telephone: (303) 830-0800
 - Facsimile: (303) 830-0809

Date: 6-12, 2001.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Elizabeth E. Brown", written over a horizontal line.

The Honorable Elizabeth E. Brown
United States Bankruptcy Court Judge