

## REQUEST TO ESTABLISH DOCKET (PLEASE TYPE)

Date January 30, 2002	Docket No. <u>020083</u>
. Division Name/Staff Name Competitive Markets & P	Enforcement/Isler
. OPR Competitive Markets & Enforcement/Isler	
. OCR Office of General Counsel	
. Suggested Docket TitleBankruptcy Cancellation by the Flori	ida Public Service Commission for Interexchang
arrier Certificate No. 7088 and Alternative Local Exchange Car-	rier Certificate No. 7089 issued to BroadStrea
orporation, Effective 12/31/01.	
. Suggested Docket Mailing List (attach separate she	eet if necessary)
A. Provide NAMES ONLY for regulated companies or A	ACRONYMS ONLY regulated industries,
as shown in Rule 25-22.104, F.A.C. B. Provide COMPLETE name and address for all other	rs. (Match representatives to clients.)
<ol> <li>Parties and their representatives (if any)</li> </ol>	
2. Interested Persons and their representatives	3 (if any)
6. Check one:	
XX Documentation is attached.	
Documentation will be provided with	recommendation.
:\PSC\RAR\WP\ESTDKT.	property standard for

PSC/RAR 10 (Revised 01/96)

J1156 UMM308

Printed on 01/11/2002 at 14:11:12 by PJI

Complete Name: BroadStream Corporation

Mailing Name: BroadStream Corporation

Company Code: TJ236 FEID Number: 46-0449153

RAF ACCOUNT FOR THE PERIOD 01/01/1999 THROUGH 12/31/1999

Req. Date:

08/03/1999

Inactive Date:

Service:

IXC - Interexchange Telephone

Received:

Actual RAF Form

Status:

Pending

Amended:

No

Extension:

No

Frozen:

No

Comments:

No

Operating Rev:

Payment Count: 1 Payment Made to Date

\$0.00

Interstate Rev:

\$0.00

RAF Rate:

0.0015

Net RAF Due:

\$50.00

Assessment	Due	Paid	Owe
RAF	\$50.00	\$50.00	\$0.00
Penalty	\$2.50	\$0.00	\$2.50
Interest	\$0.50	\$0.00	<b>\$0.</b> 50
Extension Fee	\$0.00	\$0.00	\$0.00
Total	\$53.00	\$50.00	\$3.00

Last modification was made on Tuesday, December 5, 2000 at 8:42 AM by Jackie Knight

Period covered: 01/01/1999 through 12/31/1999 RAF rate: 0.0015

Operating revenue:

\$0.00 Interstate revenue:

\$0.00

Documents: Actual RAF form received on 02/01/2000

RAF form mailed on 12/02/1999 RAF form mailed on 12/02/1999

Postmarked Trans Date Date Posted-By Dep # Check # Check Amount 02/01/2000 02/25/2000 02/25/2000-JIK FH244 1085 \$50.00

> RAF paid FH244

\$50.00

Printed on 01/11/2002 at 14:11:19 by PJI

Complete Name: BroadStream Corporation

Mailing Name: BroadStream Corporation

Company Code: TJ236 FEID Number: 46-0449153

RAF ACCOUNT FOR THE PERIOD 01/01/2000 THROUGH 12/31/2000

Reg. Date: 08/03/1999 Inactive Date:

Service: IXC - Interexchange Telephone

Received: No RAF Form

Status: Pending

Amended: No Extension: No Frozen: No Comments: No

Payment Count: 0 Payments Made to Date

Operating Rev: \$0.00 Interstate Rev: \$0.00 RAF Rate: \$0.00

Assessment	Due	Paid	Owe
RAF	\$0.00	\$0.00	\$0.00
Penalty	\$0.00	\$0.00	\$0.00
Interest	\$0.00	\$0.00	\$0.00
Extension Fee	\$0.00	\$0.00	\$0.00
Total	\$0.00	\$0.00	\$0.00

Last modification was made on Tuesday, December 5, 2000 at 10:06 AM by Jackie Knight

Period covered: 01/01/2000 through 12/31/2000 RAF rate:

Operating revenue: \$0.00 Interstate revenue: \$0.00

Documents: Delinquent letter mailed on 02/21/2001

RAF form mailed on 12/05/2000

## Printed on 01/11/2002 at 14:11:26 by PJI

Complete Name: BroadStream Corporation

Mailing Name: BroadStream Corporation

Company Code: TJ236 FEID Number: 46-0449153

## RAF ACCOUNT FOR THE PERIOD 01/01/2001 THROUGH 12/31/2001

Reg. Date: 08/03/1999 Inactive Date:

Service: IXC - Interexchange Telephone

Received: No RAF Form

Status: Pending

Amended: No Extension: No Frozen: No Comments: No

Payment Count: 0 Payments Made to Date

Operating Rev: \$0.00 Interstate Rev: \$0.00 RAF Rate: \$0.00

Assessment	Due	Paid	Owe
RAF	\$0.00	\$0.00	\$0.00
Penalty	\$0.00	\$0.00	\$0.00
Interest	\$0.00	\$0.00	\$0.00
Extension Fee	\$0.00	\$0.00	\$0.00
Total	\$0.00	\$0.00	\$0.00

Last modification was made on Thursday, December 6, 2001 at 2:54 PM by Jackie Knight

Period covered: 01/01/2001 through 12/31/2001 RAF rate:

Operating revenue: \$0.00 Interstate revenue: \$0.00

Documents: RAF form mailed on 12/06/2001

Printed on 01/11/2002 at 14:12:23 by PJI

Complete Name: BroadStream Corporation

Mailing Name: BroadStream Corporation

Company Code: TX294 FEID Number: 46-0449153

RAF ACCOUNT FOR THE PERIOD 01/01/1999 THROUGH 12/31/1999

Reg. Date: 08/06/1999 Inactive Date:

Service: ALX - Alternative Local Exchange

Received: Actual RAF Form

Status: Pending

Amended: No Extension: No Frozen: No Comments: No

Payment Count: 1 Payment Made to Date

Operating Rev: \$0.00 Interstate Rev: \$0.00 RAF Rate: 0.0015 Net RAF Due: \$50.00

Assessment	Due	Paid	Owe
RAF	\$50.00	\$50.00	\$0.00
Penalty	\$2.50	\$0.00	\$2.50
Interest	\$0.50	\$0.00	\$0.50
Extension Fee	\$0.00	\$0.00	\$0.00
Total	\$53.00	\$50.00	\$3.00

Last modification was made on Tuesday, December 5, 2000 at 8:42 AM by Jackie Knight

Period covered: 01/01/1999 through 12/31/1999 RAF rate: 0.0015

Operating revenue: \$0.00 Interstate revenue: \$0.00

Documents: Actual RAF form received on 02/01/2000

RAF form mailed on 12/02/1999

 Postmarked
 Trans Date
 Date Posted-By
 Dep #
 Check #
 Check Amount

 02/01/2000
 02/25/2000
 02/25/2000-JIK
 FH244
 1086
 \$50.00

 RAF paid
 FH244
 \$50.00

Printed on 01/11/2002 at 14:12:32 by PJI

Complete Name: BroadStream Corporation

Mailing Name: BroadStream Corporation

FEID Number: Company Code: TX294 46-0449153

RAF ACCOUNT FOR THE PERIOD 01/01/2000 THROUGH 12/31/2000

Reg. Date: 08/06/1999 Inactive Date:

Service: ALX - Alternative Local Exchange

Received: No RAF Form

Status: Pending

Amended: Extension: Νo No Frozen: No Comments: No

Payment Count: 0 Payments Made to Date

Operating Rev: \$0.00 \$0.00 Interstate Rev: RAF Rate: Net RAF Due: \$0.00

Assessment	Due	Paid	Owe
RAF	\$0.00	\$0.00	\$0.00
Penalty	\$0.00	\$0.00	\$0.00
Interest	\$0.00	\$0.00	\$0.00
Extension Fee	\$0.00	\$0.00	\$0.00
Total	\$0.00	\$0.00	\$0.00

Last modification was made on Tuesday, December 5, 2000 at 9:54 AM by Jackie Knight

Period covered: 01/01/2000 through 12/31/2000

RAF rate: Operating revenue: \$0.00 Interstate revenue:

\$0.00

Documents: Delinquent letter mailed on 02/20/2001

RAF form mailed on 12/05/2000

Printed on 01/11/2002 at 14:12:39 by PJI

Complete Name: BroadStream Corporation

Mailing Name: BroadStream Corporation

Company Code: TX294 FEID Number: 46-0449153

RAF ACCOUNT FOR THE PERIOD 01/01/2001 THROUGH 12/31/2001

Reg. Date:

08/06/1999

Inactive Date:

Service:

ALX - Alternative Local Exchange

Received:

No RAF Form

Status:

Pending

Amended:

No

Extension:

No

Frozen:

No

Comments:

No

Payment Count: 0 Payments Made to Date Operating Rev:

\$0.00

Interstate Rev:

\$0.00

RAF Rate:

Net RAF Due:

\$0.00

Assessment	Due	Paid	0we
RAF	\$0.00	\$0.00	\$0.00
Penalty	\$0.00	\$0.00	\$0.00
Interest	\$0.00	\$0.00	\$0.00
Extension Fee	\$0.00	\$0.00	\$0.00
Total	\$0.00	\$0.00	\$0.00

Last modification was made on Thursday, December 6, 2001 at 2:35 PM by Jackie Knight

Period covered: 01/01/2001 through 12/31/2001

RAF rate:

Operating revenue:

\$0.00 Interstate revenue:

\$0.00

Documents: RAF form mailed on 12/06/2001

Alternative Local Exchange Company Regulatory Assessment Fee Return FOR PSC USE ONLY Florida Public Service Commission STATUS. (See Filing Instructions on Back of Form) TX294-01-0-R Actual Return Estimated Return BroadStream Corporation Amended Return 4513 Pin Oak Court 0603006 004011 Sioux Falls, SD 57103-1967 PERIOD COVERED: 01/01/2001 TO 12/31/2001 Rosimark Date Initials of Preparer Please Complete Below If Official Mailing Address (City/State) (Zip) (Name of Company) (Address) **FLORIDA** ACCOUNT CLASSIFICATION LINE NO GROSS OPERATING REVENUE INTRASTATE REVENUE Basic Local Services 1 Long Distance Services (IntraLATA only)\*\* 2. Access Services 1 Private Line Services 5 Leased Facilities & Circuits Services Miscellaneous Services **TOTAL REVENUES** LESS: Amounts Paid to Other Telecommunications Companies\* (see "2. Fees" on Fack) Q Net Intrastate Operating Revenue for Regulatory Assessment Fee Calculation (Line 7 less Line 8) 10. Regulatory Assessment Fee Due (Multiply Line 9 by 0.0015) 11 Penalty for Late Payment (see "3. Failure to File by Due Date" on back) Interest for Late Payment (see "3. Failure to File by Due Date" on back) TOTAL AMOUNT DUE These amounts must be intrastate only and must be verifiable. Other long distance revenue must be listed on the Interexchange Regulatory Assessment Fee Return. AS PROVIDED IN SECTION 364.336, FLORIDA STATUTES, THE MINIMUM ANNUAL FEE IS \$50 **CURRENT COMPANY STATUS** ) Facilities-Based Provider ( ) Reseller ( ) Other: **BILLING INFORMATION** complete below if billing agent if other than yourself. (Name) (Address: City/State/Zip) (Telephone) COMPANY INFORMATION to you lease telecommunications' facilities? ( ) YES YES, who do you lease these facilities from? Name: Address: I, the undersigned owner/officer of the above-named company, have read the foregoing and declare that to the best of my knowledge and belief the above information is a ue and correct statement. I am aware that pursuant to Section 837 06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a ablic servant in the performance of his/her duty/shall be guilty of a misdemeanor of the second degree. (Signature of Company Official) (Date) (Title) Telephone Number ( ) Fax Number ( ) (Preparer of Form - Please Print Name) F.E.I. No

TO AVOID PENALTY AND INTEREST CHARGES. THE REGULATORY ASSESSMENT FEE RETURN MUST BE FILED ON OR BEFORE 01/30/2002

## Paula Isler

From:

Nonnye Grant

Sent:

Friday, June 22, 2001 11:35 AM

To: Subject: Paula Isler RE: Bankruptcy

Will do. Thanks, N

----Original Message----

From: Paula Isler

Sent: Friday, June 22, 2001 11:29 AM

To: Nonnye Grant Subject: Bankruptcy

RE: Commco Technology, L.L.C. d/b/a Broadstream Communications Corporation

We've had this one going back to December 2000 and have never marked any company became the FEID # does not match. However, I just called the Commission's liaison, Laurie Arthur, and she confirmed that TJ236 and TX294 (BroadStream Corporation) is the same company as Commco Technology, L.L.C. d/b/a Broadstream Communications Corporation.

Therefore, please mark TJ236 and TX294 as having filed for bankruptcy. Thanks!

## State of Florida



## Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

**DATE:** June 20, 2001

TO: Paula Isler, Division of Competitive Services

FROM: Nonnye Grant, Division of Records and Reporting

RE: Bankruptcy Notice

Forwarding copy of the following bankruptcy notice that I received for your information, review and verification:

1. Commco Technology, L.L.C. d/b/a Broadstream Communications Corporation

Could not find any company listed in MCD under this name.

Please advise if this is correct and if you find any other company (ies) that should be marked accordingly.

Thanks for your help.

/nbg
Attachment (1)

73.5 FLA 02 MOC 1033

## UNITED STATES BANKRUPTCY COURT DISTRICT OF CONNECTICUT

In Re:

CHAPTER 11

COMMCO TECHNOLOGY, L.L.C. d/b/a BROADSTREAM COMMUNICATIONS CORPORATION.

CASE NO: 00-51488 (AHWS)

Debtor.

JUNE 15, 2001

## MOTION FOR ORDER PURSUANT TO 11 U.S.C. § 554 AUTHORIZING THE DEBTOR TO ABANDON CERTAIN PERSONAL PROPERTY BELONGING TO THE ESTATE

Pursuant to 11 U.S.C. §554 and Rule 6007 of Federal Rules of Bankruptcy Procedure, the debtor, Commco Technology L.L.C. d/b/a BroadStream Communications Corporation (the "Debtor" and/or "Commco") respectfully seeks from this Court an order authorizing it to abandon certain personal property belonging to the estate. In support of this motion, the Debtor represents the following:

- 1. On December 18, 2000 (the "Petition Date"), Commo filed with this Court a voluntary petition for relief under Chapter 11 of the Bankruptcy Code.
- 2. Commoo is continuing to operate its business and manage its property as a Debtorin-Possession pursuant to §§1107 and 1108 of the Bankruptcy Code.

41233100 1 18336-00000 June 15, 2001 12 56 PM DOCUMENT NUMBER-DATE

07516 JUN 185

FPSC-RECORDS/REPORTING



- A committee of unsecured creditors was appointed by the office of the United States Trustee on February 1, 2001, which appointment was thereafter amended on February 9. 2001.
  - 4. No examiner has been appointed or designated herein.
- Immediately prior to the commencement of this Chapter 11 case. Commo closed two (2) out-of-state offices and consolidated all business and financial operations from its third and remaining office at Two Stamford Plaza. 281 Tresser Boulevard in Stamford. Connecticut, also the Debtor's principal place of business. In connection with the (2) office closings and subsequent business consolidations, all staff members were laid off. The office supplies (scotch tape, paper clips, staples, post-it notes) purchased for use by the Debtor's former employees are located at the Debtor's principal place of business in Stamford, Connecticut and have remained there since the commencement of this case.
- 6. On June 12, 2001, an emergency hearing was held before this Court on the Debtor's motion to employ Bid4Assets, Inc. to liquidate at auction certain personal property belonging to the Debtor which property is also housed at Two Stamford Plaza, 281 Tresser Boulevard in Stamford, Connecticut, the Debtor's principal place of business. The auction is expected to occur before the end of June, 2001.

7. Prior to the auction, however, the Debtor would like to assemble and donate the aforementioned office supplies that have de minimis value and not marketability to a worthy cause. Specifically, the Debtor would like to donate these items to the 399th Combat Support Hospital in Kosovo which, while working along with the Task Force Medical Falcon IV, is collecting any and all supplies for the schools and orphanages that have been devastated by the conflict in Kosovo. Although the office supplies are of no consequential value or benefit to the estate, they will certainly be of consequential value to the school children and orphans of Kosovo. Attached hereto as Exhibit A is a list of the office supplies.

WHEREFORE. Commoo respectfully requests that this Court enter an order authorizing the Debtor to abandon the personal property (office supplies) set forth in **Exhibit A** attached hereto so that the Debtor can donate those items to the 399th Combat Support Hospital in Kosovo.

DEBTOR..

Commco Technology, L.L.C., d/b/a
BroadStream Communications Corporation,

By:

ames J. Tanefedi, ct 06819

Day, Berry & Howard

CityPlace

Hartford, CT 06103-3499

(860) 27/5-0100

## EXHIBIT A

	s18 1/2" x 11" 3 hole punched copy paper
1:	2 assoried size ring binders
	xiring binder index dividers - blank
1 bo:	x ring binder indexes - numbered
3 00	z large binder clips
5 ac	z medium binder clips
9 00	z small binder clips
	2 18" wood rulers
	2 12" wood rulers
1	1 12" plastic ruler
1 doz	red pens
2	chalkboard erasers
2	markerboard erasers
1 doz	black pens
2 doz	assorted markerboard markers
	large assorted hi liter markers
2 ocz	small assorted hi liter markers
3 boxes	push pins
4	all purpose scissors
	staple pulls
• 11	pink pearl pencil erasers
	all purpose white out
1	1.27 oz. Glue Stick
7 boxes	standard staples
7	rolls invisible scotch tape
12 pads	3" x 3" post it notes
2 pads	3" x 5" post it notes
1 box	heavy duty staples
1 box	assorted rubber bands
	small paper clips
8 boxes	jumbo paper clips
	5" x 8" legal pads
	8 1/2" x 11" legal pads
	hanging folders
12 rolls	1 1/2" x 3/4" white labels
	scotch tape dispensers
18	standard staplers
12	assorted size ring binders
	,

## UNITED STATES BANKRUPTCY COURT DISTRICT OF CONNECTICUT

In Re:

CHAPTER 11

COMMCO TECHNOLOGY, L.L.C. d/b/a BROADSTREAM COMMUNICATIONS CORPORATION.

CASE NO: 00-51488 (AHWS)

Debtor.

# ORDER AUTHORIZING THE DEBTOR TO ABANDON CERTAIN PERSONAL PROPERTY OF THE ESTATE

Upon the application of Commco Technology, L.L.C. d/b/a BroadStream Communications Corporation ("Commco") requesting from this Court an order authorizing Commco to abandon certain personal property belonging to the estate, is here hereby

ORDERED that Commoo is authorized, pursuant to 11 U.S.C. § 554, to abandon the personal property (specifically office supplies) set forth in **Exhibit A** to the Debtor's Application so that the Debtor can donate said items to a worthy cause, specifically, the 399th Combat Support Hospital in Kosovo.

41233100 1 18336-00000 June 14, 2001 11 46 AM

Dated at Bridgeport. Connecticut this	day of	, 2001.
	The Honorable Alan H.	W. Shiff
	United States Bankrupte	

41233100 1 18336-00000 June 14 2001 11 46 AM

## UNITED STATES BANKRUPTCY COURT DISTRICT OF CONNECTICUT

In Re:

CHAPTER 11

COMMCO TECHNOLOGY, L.L.C. d/b/a BROADSTREAM COMMUNICATIONS CORPORATION,

CASE NO: 00-51488 (AHWS)

Debtor.

JUNE 15, 2001

# NOTICE OF BAR DATE FOR OBJECTION TO PROPOSED ORDER OR REQUEST FOR HEARING

The debtor and movant herein, Commco Technology, L.L.C. d/b/a BroadStream Communications Corporation, has filed the following documents:

1) Motion for Order Pursuant to 11 U.S.C. §554 Authorizing the Debtor to Abandon Certain Personal Property Belonging to the Estate, a copy of which is attached to this Notice.

Please take notice that unless you file a written objection to contest the matter or a written request for a hearing and serve a copy on the undersigned Movant no later than June 29, 2001, the proposed Order thereon may enter without a hearing or any further notice.

41234135 1 18336-00000 June 15 2001 1 02 PM

## DEBTOR,

Commoo Technology, L.L.C. d/b/a
Broadstream Communications Corporation.

Day, Berry & Howard CityPlace Hartford, CT 06103-3499 (860) 275-0100 Its Attorneys

41234135 1 18336-00000° June 14, 2001 1 46 PM

FORM B10 (Official Form 10)(4/98)

UNITED STATES BANKRUPTCY COURT DISTRICT OF CONNECTICUT (BRIDGEPORT)		PROOF OF CLAIM		
		SKILUGEFOR I)		
Name of Debto Commoo Tech		Case Number 00-51488 - ahws		
NOTE: 7	This form should not be used to make a claim for easent of the case. A "request" for payment of	r an administrative expense arising after		
pursuant to 11	U.S.C. §503			
Name of Credit owes money or	tor (The person or other entity to whom the debtor	Check box it you are aware that anyone else has filed a proof of	00-51≟%s	
Horida Public Se	ress where notices should be sent.	claim relating to your claim. Attach	 	
		copy of statement giving particulars.  Check box if you have never	2/25/23	
Florida Public Se 2540 Shumard O	ervice Commission ak Blvd	received any notices from the	2425233	
Tallahassee FL 3	2399-0876	bankruptcy court in this case.  Check box if the address differs	This Space is for Court Use Only	
}		from the address on the envelope		
Telephone Nun	nber;	sent to you by the court.		
Account or other	number by which creditor identifies debtor:	Check here if replaces this claim amends a previously	filed claim, dated	
1. Basis for C  Goods sold		Retiree benefits as defined in 11 U.S.C. Wages, salaries, and compensation (fil		
Services p	erformed	Your SS #:		
☐ Money loa	aned njury/wrongful death	Unpaid compensation for services perf	formed	
☐ Taxes	ijury/wrongrai acaai	from to(date)		
2. Date debt v	vas incurred:	3. If court judgment, date obtained:		
,	nt of Claim at Time Case Filed:			
If all or part of	your claim is secured or entitled to priority, also col			
Check this be interest or addit	box if claim includes interest or other charges in add	dition to the principal amount of the claim.	Attach itemized statement of all	
5. Secured Cla	im.	6. Unsecured Priority Claim.		
Check this be (including a right)	nox if your claim is secured by collateral ht of setoff).	☐ Check this box if you have an unsecured Amount entitled to priority \$	l priority claim	
Brief Descri	iption of Collateral:	Specify the priority of the claim:		
	ate  Motor Vehicle	☐ Wages, salaries, or commissions (up to \$4,300),* earned within 90 days before filing of the bankruptcy petition or cessation of the debtor's		
	ollateral: \$	business, whichever is earlier - 11 U.S.C. § 507(a)(3).		
value of Co	materal: \$	☐ 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).		
	arrearage and other charges at time case filed arred claim, if any: \$	☐ Taxes or penalties owed to governmenta☐ Other - Specify applicable paragraph of		
	,			
		*Amounts are subject to adjustment on 4/1 with respect to cases commenced on or or	after the date of adjustment.	
	The amount of all payments on this claim has been roof of claim.	credited and deducted for the purpose of	THIS SPACE IS FOR COURT USE ONLY	
8. Supporting	Documents: Attach copies of supporting docume			
	es, itemized statements of running accounts, contra and evidence of perfection of lien. DO NOT SE			
documents are not available, explain. If the documents are voluminous, attach a summary.				
<ol> <li>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.</li> </ol>				
Date	Sign and print the name and title, if any, of the cre	editor or other person authorized to file		
	this claim (attach copy of power of attorney, if any			
	<u>'</u>			
Penalty for pres	enting fraudulent claim: Fine of up to \$500,000 or i	mprisonment for up to 5 years, or both, 18 U	I.S.C. §§ 152 and 3571.	

## 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 ---

#### Debior

The person, corporation, or other entity that has filed a bankrupicy case is called the debtor.

### Creditor

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.

#### 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.

### Secured Claim

A claim is a secured claim to the exient 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.

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 hen may have been obtained through a court proceeding before the bankruptcy case began; in some states a court judgment is a hen. 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 Unsecured Claim.)

# Unsecured Claim

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.

### Unsecured Priority Claim

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 Unsecured Nonpriority Claims.

## ltems 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.