

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE	<u>REGULAR MAIL:</u> BMC GROUP, INC. ATTN: AGFEED USA, LLC CLAIMS PROCESSING PO BOX 3020 CHANHASSEN, MN 55317-3020  <u>MESSENGER/OVERNIGHT DELIVERY</u> BMC GROUP, INC. ATTN: AGFEED USA, LLC CLAIMS PROCESSING 18675 LAKE DRIVE EAST CHANHASSEN, MN 55317	<b>PROOF OF CLAIM / REQUEST FOR PAYMENT OF ADMINISTRATIVE EXPENSE</b>
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Name of Debtor: <b>Agfeed USA LLC et al</b>	Case Number: <b>13 - 11761</b>	<b>COURT USE ONLY</b>
Name of Creditor (the person or other entity to whom the debtor owes money or property): <b>ROBERT YATCHAK TOO # 80102611</b>		

Name and address where notices should be sent: <b>ROBERT Yatchak</b> <b>1080 PARK BLVD UNIT 617</b> <b>SAN DIEGO CA 92101</b>	<input type="checkbox"/> Check this box if this claim amends a previously filed claim.  Court Claim Number: _____ (If known)  Filed on: _____
Telephone number: <b>358-429-9386</b> email: <b>ryatclb@gmail.com</b>	

Name and address where payment should be sent (if different from above): <b>[ Same as above ]</b>	<b>RECEIVED</b> <b>OCT 30 2013</b> <b>BMC GROUP</b>
Telephone number: _____ email: _____	

1. Amount of Claim as of Date Case Filed: \$ **5986.53**

If all or part of the claim is secured, complete item 4.  
 If all or part of the claim is entitled to priority, complete item 5.  
 If all or part of the claim qualifies as an Administrative Expense under 11 U.S.C. § 503(b)(9), complete item 6:

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

1a. Amount of Administrative Claim (see Definitions) solely with respect to AgFeed USA, LLC or any other Debtor (excluding Debtor AgFeed Industries, Inc.) arising from the period from July 15, 2013, through September 12, 2013: \$ \_\_\_\_\_  
 (See instruction #1a)

2. Basis for Claim: **Securities purchased from 4/20/2010 to 12/11/2012**  
 (See instruction #2)

3. Last four digits of any number by which creditor identifies debtor: <b>8106</b>	3a. Debtor may have scheduled account as: _____ (See instruction #3a)	3b. Uniform Claim Identifier (optional): _____ (See instruction #3b)
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4. Secured Claim (See instruction #4) Check the appropriate box if the claim is secured by a lien on property or a right of setoff, attach required redacted documents, and provide the requested information.  Nature of property or right of setoff: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe: _____  Value of Property: \$ _____  Annual Interest Rate _____% <input type="checkbox"/> Fixed or <input type="checkbox"/> Variable (when case was filed)	Amount of arrearage and other charges, as of the time case was filed, included in secured claim, if any: \$ _____  Basis for perfection: _____  Amount of Secured Claim: \$ _____  Amount of Unsecured: \$ _____
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5. Amount of Claim Entitled to Priority under 11 U.S.C. § 507(a). If any part of the claim falls into one of the following categories, check the box specifying the priority and state the amount.

<input type="checkbox"/> Domestic support obligations under 11 U.S.C. § 507 (a)(1)(A) or (a)(1)(B).	<input type="checkbox"/> Wages, salaries, or commissions (up to \$12,475*) earned within 180 days before the case was filed or the debtor's business ceased, whichever is earlier – 11 U.S.C. § 507 (a)(4).	<input type="checkbox"/> Contributions to an employee benefit plan – 11 U.S.C. § 507 (a)(5).
<input type="checkbox"/> Up to \$2,775* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use – 11 U.S.C. § 507 (a)(7).	<input type="checkbox"/> Taxes or penalties owed to governmental units – 11 U.S.C. § 507 (a)(8).	<input type="checkbox"/> Other – Specify applicable paragraph of 11 U.S.C. § 507 (a)( )

Amount entitled to priority: \$ \_\_\_\_\_

\*Amounts are subject to adjustment on 4/01/16 and every 3 years thereafter with respect to cases commenced on or after the date of adjust.

6. Amount of Claim that qualifies as an Administrative Expense under 11 U.S.C. § 503(b)(9): \_\_\_\_\_  
 (See instruction #6)



7. Credits. The amount of all payments on this claim has been credited for the purpose of making this proof of claim (See instruction #7)

8. Documents: Attached are redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, security agreements, or, in the case of a claim based on an open-end or revolving consumer credit agreement, a statement providing the information required by FRBP 3001(c)(3)(A). If the claim is secured, box 4 has been completed and redacted copies of documents providing evidence of perfection of a security interest are attached. If the claim is secured by the debtor's principal residence, the Mortgage Proof of Claim Attachment is being filed with this claim. (See instruction #7, and the definition of "redacted".)

DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.

If the documents are not available, please explain:

9. Signature: (See instruction #9)

Check the appropriate box.

- I am the creditor.
- I am the creditor's authorized agent.
- I am the trustee, or the debtor, or their authorized agent. (See Bankruptcy Rule 3004.)
- I am a guarantor, surety, indorser, or other codebtor. (See Bankruptcy Rule 3005.)

I declare under penalty of perjury that the information provided in this claim is true and correct to best of my knowledge, information, and reasonable belief.

Print Name: ROBERT Yafchak

Title: \_\_\_\_\_

Company: \_\_\_\_\_

Address and telephone number (if different from notice address above):

1000 same as above

R A Y (Signature) 10/27/2013 (Date)

Telephone number: \_\_\_\_\_ email: \_\_\_\_\_

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

**INSTRUCTIONS FOR PROOF OF CLAIM FORM**

The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the debtor, exceptions to these general rules may apply.

**Items to be completed in Proof of Claim form**

**Court, Name of Debtor, and Case Number:**

Fill in the debtor's full name, and the bankruptcy case number. If the creditor received a notice of the case from the bankruptcy court, all of this information is at the top of the notice.

AgFeed USA, LLC	13-11761
AgFeed Industries, Inc.	13-11762
Genetics Land, LLC	13-11776
Genetics Operating, LLC	13-11769
Heritage Farms, LLC	13-11767
Heritage Land, LLC	13-11768
M2P2 AF JV, LLC	13-11774
M2P2 Facilities, LLC	13-11770
M2P2 General Operations, LLC	13-11772
MGM, LLC	13-11771
Midwest Finishing, LLC	13-11775
New Colony Farms, LLC	13-11766
New Colony Land Company, LLC	13-11773
New York Finishing, LLC	13-11764
Pork Technologies, LC	13-11765
TS Finishing, LLC	13-11763

If your claim is against multiple Debtors, complete a separate form for each Debtor.

**Creditor's Name and Address:**

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP 2002(g)).

**1. Amount of Claim as of Date Case Filed:**

State the total amount owed to the creditor on the date of the bankruptcy filing. Follow the instructions concerning whether to complete items 4, 5, and 6. Check the box if interest or other charges are included in the claim.

**1a. Amount of Administrative Claim arising after Date Case Filed:**

State the total amount owed pursuant to section 503(b), *excluding* any amounts owed under section 503(b)(9), on account of claims arising from the period

**3b. Uniform Claim Identifier:**

If you use a uniform claim identifier, you may report it here. A uniform claim identifier is an optical 24-character identifier that certain large creditors use to facilitate electronic payment in chapter 13 cases.

**4. Secured Claim:**

Check whether the claim is fully or partially secured. Skip this section if the Claim is entirely unsecured. (See Definitions.) If the claim is secured, check the box for the nature and value of property that secures the claim, attach copies of lien documentation, and state, as of the date of the bankruptcy filing, the annual interest rate (and whether it is fixed or variable), and the amount past due on the claim.

**5. Amount of Claim Entitled to Priority Under 11 U.S.C. § 507(a):**

If any portion of the claim falls into any category shown, check the appropriate box(es) and state the amount entitled to priority. (See Definitions.) A claim may be partly priority and partly non-priority. For example, in some of the categories, the law limits the amount entitled to priority.

**6. Amount of Claim that qualifies as an Administrative Expense under 11 U.S.C. § 503(b)(9):**

State the value of any goods received by the debtor within 20 days before the date of commencement in which the goods have been sold to the debtor in the ordinary course of the debtor's business.

**7. Credits:**

An authorized signature on this proof of claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

**8. Documents:**

Attach redacted copies of any documents that show the debt exists and a lien secures the debt. You must also attach copies of documents that evidence perfection of any security interest and documents required by FRBP 3001(c) for claims based on an open-end or revolving consumer credit agreement or secured by a security interest in the debtor's principal residence. You may also attach a summary in addition to the documents themselves. FRBP 3001(c) and (d). If the claim is based on delivering health care goods or services, limit disclosing confidential health care information. Do not send original documents, as attachments may be destroyed after scanning.

**9. Date and Signature:**

The individual completing this proof of claim must sign and date it. FRBP 9011. If the claim is filed electronically, FRBP 5005(a)(2) authorizes courts to establish local rules



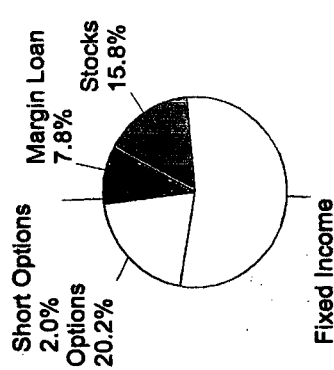
Statement Reporting Period:  
09/01/13 - 09/30/13

Statement for Account # 777-102611  
ROBERT YAFCHAK TOD  
1080 PARK BLVD  
APT 617  
SAN DIEGO, CA 92101

800-669-3900  
TD AMERITRADE  
DIVISION OF TD AMERITRADE INC  
PO BOX 2209  
OMAHA, NE 68103-2209  
TD Ameritrade Clearing, Inc., Member SIPC

**Announcements:**  
PLEASE NOTE THAT OUR STOCK  
CERTIFICATE WITHDRAWAL PROCESSING  
FEE WILL CHANGE TO \$500 AS OF  
NOVEMBER 30, 2013, FOR ALL CLIENTS.  
THIS IS THE FEE WE ARE CHARGED.  
QUESTIONS? PLEASE GIVE US A CALL.

Portfolio Summary							
Investment	Current Value	Prior Value	Period Change	% Change	Estimated Income	Estimated Yield	Portfolio Allocation
Margin Loan					\$		
Insr'd Dep Acct							
Money Market							
Short Balance							
Stocks				15.8%			Stocks 15.8%
Short Stocks							
Fixed Income				0.6%			Fixed Income 54.2%
Options				20.2%			Options 20.2%
Short Options							Short Options 2.0%
Mutual Funds							
Other							
<b>Total</b>							
<b>Margin Equity</b>							



Cash Activity Summary				Income & Expense Summary				Performance Summary				
	Current	YTD	Reportable	Non Reportable	Current	YTD	Reportable	Non Reportable	Current	YTD	Reportable	Non Reportable
<b>Opening Balance</b>												
Securities Purchased												
Securities Sold												
Funds Deposited												
Funds Disbursed												
Income												
Expense												
Other												
<b>Closing Balance</b>												

Statement for Account # 777-102611  
09/01/13 - 09/30/13

Online Cash Services Summary

Description	Current	Year To Date
<b>CREDITS</b>		
Electronic Transfer	\$ -	\$ [REDACTED]
<b>Subtotal</b>	0.00	\$ [REDACTED]
<b>DEBITS</b>		
Electronic Transfer	\$ [REDACTED]	\$ [REDACTED]
<b>Subtotal</b>	\$ [REDACTED]	\$ [REDACTED]
<b>TOTAL</b>		

Income Summary Detail\*

Description	Current	Year to Date
Interest Income - Securities	[REDACTED]	[REDACTED]
Ordinary Dividends	[REDACTED]	[REDACTED]
Margin Interest Charged	[REDACTED]	[REDACTED]

\*This section displays current and year to date taxation values for this account. The current totals may not equate to the total payments listed on this statement as corrections to tax reporting may also be included. These corrections can include changes made to previous payments and removal of payments reportable in a previous tax year (spillover dividends). The year to date totals will accurately reflect your cumulative amount for the year.

Account Positions

Investment Description	Symbol/ CUSIP	Current Price	Quantity	Market Value	Purchase Date	Cost Basis	Average Cost	Unrealized Gain(Loss)	Estimated Income	Yield
<b>Stocks - Margin</b>										
AGFEED INDUSTRIES INC COM	FEEDQ	\$ 0.261	4,600	\$ 1,200.60	10/07/11	\$ 5,819.99	\$ 1.27	\$ (4,619.39)	\$ -	-
ALPHA BANK A.E. ADR	ALBKY	0.213	6,000	1,278.00	08/13/13	1,197.00	0.20	81.00	-	-
AMR CORP COM	AAMRQ	4.11	2,000	8,220.00	08/19/13	5,880.00	2.94	2,340.00	-	-
DIREXION SHARES TRUST	TMV	67.99	150	10,198.50	06/20/13	9,968.46	66.46	230.04	-	-
20+ YEAR TREASURE BEAR 3X										
PROSHARES TRUST ULTRAPRO SHORT S&P 500	SPXU	20.75	500	10,375.00	12/21/12	23,106.08	46.21	(12,731.08)	-	-
<b>Total Stocks</b>				<b>\$31,272.10</b>		<b>\$45,971.53</b>		<b>\$ (14,699.43)</b>	<b>\$0.00</b>	<b>0.0%</b>



04/20/2010 15:17:42	Bought 250 FEED @ 4.4899	-1,127.48	—
Transaction ID: 5960777911		Order Number: 6265670490	
Underlying:		Strike:	
Put/Call:		Expiration:	
Session: Regular Market Hours		Routing:	
Date Entered: 04/20/2010		Time Entered: 15:17:41	
Commission: 5.00		Reg Fee:	
04/20/2010 15:40:21	Bought 150 FEED @ 4.4899	-678.49	—
Transaction ID: 5960817778		Order Number: 6265806285	
Underlying:		Strike:	
Put/Call:		Expiration:	
Session: Regular Market Hours		Routing:	
Date Entered: 04/20/2010		Time Entered: 15:40:19	
Commission: 5.00		Reg Fee:	
05/07/2010 11:53:09	Bought 100 FEED @ 3.68	-373.00	—
Transaction ID: 6021110385		Order Number: 6336725551	
Underlying:		Strike:	
Put/Call:		Expiration:	
Session: Regular Market Hours		Routing:	
Date Entered: 05/07/2010		Time Entered: 11:53:05	
Commission: 5.00		Reg Fee:	
05/19/2010 14:10:21	Bought 200 FEED @ 3.2899	-662.98	—
Transaction ID: 6049583416		Order Number: 6378985726	
Underlying:		Strike:	
Put/Call:		Expiration:	
Session: Regular Market Hours		Routing:	
Date Entered: 05/19/2010		Time Entered: 14:10:05	
Commission: 5.00		Reg Fee:	
08/10/2010 10:16:23	Bought 300 FEED @ 2.4899	-751.97	—
Transaction ID: 6277144592		Order Number: 6629252277	
Underlying:		Strike:	
Put/Call:		Expiration:	
Session: Regular Market Hours		Routing:	
Date Entered: 08/10/2010		Time Entered: 10:16:21	
Commission: 5.00		Reg Fee:	
08/25/2010 15:35:30	Bought 500 FEED @ 2.3199	-1,164.95	—
Transaction ID: 6308778514		Order Number: 6676966818	
Underlying:		Strike:	
Put/Call:		Expiration:	
Session: Regular Market Hours		Routing:	
Date Entered: 08/25/2010		Time Entered: 15:35:29	
Commission: 5.00		Reg Fee:	
09/29/2010 10:45:55	Bought 300 FEED @ 2.549	-769.70	—
Transaction ID: 6395189996		Order Number: 6775106689	
Underlying:		Strike:	
Put/Call:		Expiration:	

**Session:** Regular Market Hours  
**Date Entered:** 09/29/2010  
**Commission:** 5.00

**Routing:**  
**Time Entered:** 10:45:54  
**Reg Fee:**



01/20/2011 11:19:02	Bought 400 FEED @ 2.619	-1,052.60	—
Transaction ID:	6744706712	Order Number:	7154732322
Underlying:		Strike:	
Put/Call:		Expiration:	
Session:	Regular Market Hours	Routing:	
Date Entered:	01/20/2011	Time Entered:	11:19:02
Commission:	5.00	Reg Fee:	
03/09/2011 12:44:21	Bought 200 FEED @ 2.1899	-442.98	—
Transaction ID:	6920575019	Order Number:	7332588509
Underlying:		Strike:	
Put/Call:		Expiration:	
Session:	Regular Market Hours	Routing:	
Date Entered:	03/09/2011	Time Entered:	12:44:20
Commission:	5.00	Reg Fee:	
05/03/2011 15:03:00	Bought 1000 FEED @ 1.609	-1,614.00	—
Transaction ID:	7147846207	Order Number:	7526454973
Underlying:		Strike:	
Put/Call:		Expiration:	
Session:	Regular Market Hours	Routing:	
Date Entered:	05/03/2011	Time Entered:	15:02:59
Commission:	5.00	Reg Fee:	
08/02/2011 11:45:26	Sold 3400 FEED @ 1.43	4,856.90	—
Transaction ID:	7405914099	Order Number:	7812671437
Underlying:		Strike:	
Put/Call:		Expiration:	
Session:	Regular Market Hours	Routing:	
Date Entered:	08/02/2011	Time Entered:	11:45:25
Commission:	5.00	Reg Fee:	0.10
08/05/2011 14:25:52	Bought 1000 FEED @ 1.099	-1,104.00	—
Transaction ID:	7419903400	Order Number:	7832962410
Underlying:		Strike:	
Put/Call:		Expiration:	
Session:	Regular Market Hours	Routing:	
Date Entered:	08/05/2011	Time Entered:	14:25:51
Commission:	5.00	Reg Fee:	
08/09/2011 16:34:43	Bought 200 FEED @ 1.09	-223.00	—
Transaction ID:	7430613506	Order Number:	7849325468
Underlying:		Strike:	
Put/Call:		Expiration:	
Session:	Seamless session	Routing:	
Date Entered:	08/09/2011	Time Entered:	16:34:43
Commission:	5.00	Reg Fee:	
09/01/2011 11:50:07	Bought 300 FEED @ 0.9247	-282.41	—
Transaction ID:	7509806877	Order Number:	7934618629
Underlying:		Strike:	
Put/Call:		Expiration:	

Session: Regular Market Hours  
Date Entered: 09/01/2011  
Commission: 5.00

Routing:  
Time Entered: 11:50:06  
Reg Fee:

09/01/2011 11:50:07 Bought 500 FEED @ 0.9237

-461.85

Transaction ID: 7509806879  
Underlying:  
Put/Call:  
Session: Regular Market Hours  
Date Entered: 09/01/2011  
Commission: 0.00

Order Number: 7934618629  
Strike:  
Expiration:  
Routing:  
Time Entered: 11:50:06  
Reg Fee:

10/03/2011 18:11:18 Sold 2000 FEED @ 0.4122

819.38

Transaction ID: 7613893244  
Underlying:  
Put/Call:  
Session: Regular Market Hours  
Date Entered: 10/03/2011  
Commission: 5.00

Order Number: T316145582  
Strike:  
Expiration:  
Routing:  
Time Entered: 18:11:18  
Reg Fee: 0.02

10/07/2011 14:31:47 Bought 1500 FEED @ 0.66

-995.00

Transaction ID: 7634312168  
Underlying:  
Put/Call:  
Session: Regular Market Hours  
Date Entered: 10/07/2011  
Commission: 5.00

Order Number: T318106783  
Strike:  
Expiration:  
Routing:  
Time Entered: 14:31:47  
Reg Fee:





03/08/2012 21:56:52	Bought 500 FEED @ 0.27	-135.00	---
Transaction ID: 8190778161		Order Number: T374637000	
Underlying:		Strike:	
Put/Call:		Expiration:	
Session: Regular Market Hours		Routing:	
Date Entered: 03/08/2012		Time Entered: 15:56:14	
Commission: 0.00		Reg Fee:	
04/24/2012 15:12:34	Bought 1000 FEED @ 0.27	-275.00	---
Transaction ID: 8578439058		Order Number: T390886378	
Underlying:		Strike:	
Put/Call:		Expiration:	
Session: Regular Market Hours		Routing:	
Date Entered: 04/23/2012		Time Entered: 13:20:14	
Commission: 5.00		Reg Fee:	
09/11/2012 20:45:58	Bought 500 FEED @ 0.73	-365.00	---
Transaction ID: 9055305127		Order Number: T441280159	
Underlying:		Strike:	
Put/Call:		Expiration:	
Session: Regular Market Hours		Routing:	
Date Entered: 09/11/2012		Time Entered: 15:44:13	
Commission: 0.00		Reg Fee:	
09/12/2012 16:07:26	Bought 500 FEED @ 0.7	-350.00	---
Transaction ID: 9059540464		Order Number: T441587456	
Underlying:		Strike:	
Put/Call:		Expiration:	
Session: Regular Market Hours		Routing:	
Date Entered: 09/12/2012		Time Entered: 11:01:39	
Commission: 0.00		Reg Fee:	
12/11/2012 17:59:36	Bought 100 FEED @ 0.29	-34.00	---
Transaction ID: 9370041768		Order Number: T476259384	
Underlying:		Strike:	
Put/Call:		Expiration:	
Session: Regular Market Hours		Routing:	
Date Entered: 12/11/2012		Time Entered: 11:59:17	
Commission: 5.00		Reg Fee:	

2010 to present  
Basis for Claim =  
Total Purchases - Sales - Current Value  
\$ 12,863.41 - \$ 5676.28 - \$ 1200.60 =  
\$ 5986.53

Mr. Robert Yafchak  
1080 Park Blvd. Unit 617  
San Diego, CA 92101-5635



USA | Building a Nation

BMC Group, Inc.  
RECEIVED  
ATTN: Ag Feed USA LLC <100MS0209@bmcgroup.com>  
BMC GROUP  
P.O. Box 3020  
Channahassen, MN 55317-3020

