

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

REGULAR MAIL: BMC GROUP, INC. ATTN: AGFEED USA, LLC CLAIMS PROCESSING PO BOX 3020 CHANHASSEN, MN 55317-3020

MESSENGER/OVERNIGHT DELIVERY BMC GROUP, INC. ATTN: AGFEED USA, LLC CLAIMS PROCESSING 18675 LAKE DRIVE EAST CHANHASSEN, MN 55317

PROOF OF CLAIM / REQUEST FOR PAYMENT OF ADMINISTRATIVE EXPENSE

Name of Debtor: AG Feed USA, LLC

Case Number: 13-11761

Name of Creditor (the person or other entity to whom the debtor owes money or property): Dinzel Ray Earnest

COURT USE ONLY

Name and address where notices should be sent: Dinzel Ray Earnest 3034 Edgemont Dr. Abilene, TX 79605

Check this box if this claim amends a previously filed claim.

Court Claim Number: (If known)

Filed on:

Telephone number: 325-692-8621 email: dear42700@sbcglobal.net

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

Name and address where payment should be sent (if different from above):

Telephone number: email:

RECEIVED

1. Amount of Claim as of Date Case Filed: \$ 22,199.00

NOV 07 2013

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.

BMC GROUP

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: \$

2. Basis for Claim: I own stock in the company

3. Last four digits of any number by which creditor identifies debtor: 5748

3a. Debtor may have scheduled account as: (See instruction #3a)

3b. Uniform Claim Identifier (optional): (See instruction #3b)

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.

Amount of arrearage and other charges, as of the time case was filed, included in secured claim, if any: \$

Nature of property or right of setoff: Real Estate Motor Vehicle Other Describe:

Basis for perfection:

Value of Property: \$

Amount of Secured Claim: \$

Annual Interest Rate % Fixed or Variable (when case was filed)

Amount of Unsecured: \$

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.

Domestic support obligations under 11 U.S.C. § 507 (a)(1)(A) or (a)(1)(B).

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).

Contributions to an employee benefit plan - 11 U.S.C. § 507 (a)(5).

Amount entitled to priority: \$

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).

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)()

\$

*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 adjus

6. Amount of Claim that qualifies as an Administrative Expense under 11 U.S.C. § 503(b)(9): 22,199.00 (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: Daniel Ray Earnest
 Title: Creditor
 Company: _____
 Address and telephone number (if different from notice address above): _____

Daniel R. Earnest 11-4-13
 (Signature) (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



10/11/13

*YANGUARD BROKERAGE SERVICES
ATTN: SEC REQ
455 DEVON PARK DRIVE
WAYNE, PA 19087-1815*

NOTICE OF PROOF OF CLAIM
SECURITY DESCRIPTION: AGFEED INDUSTRIES INC

CUSIP#: 00846L101
ACCOUNT#:
QUANTITY: 18,000

*****AUTO**MIXED AADC 117
DINZEL R EARNEST
TRAD IRA VFIC AS CUSTODIAN
3034 EDGEMONT DR
ABILENE TX 79605-6913

Dear Client,

We have been requested to forward you the enclosed material. Please review the enclosed documents for instructions on how to submit a claim. If you have any questions pertaining to this notice or on how to submit a claim, please contact your Financial Institution prior to the deadline indicated.

FOR INFORMATION CALL: YOUR FINANCIAL CONSULTANT

(800) 716-4079



My accounts ▸

Balances and holdings

[Customize this page](#)

Current balances
 Balances over time
 Balances compared to year-end
 Balances by date

Text size: [A](#) [A](#) [A](#)

\$33,481.31 Total assets

Markets as of 11/1/2013 5:16 p.m., ET

DJIA	15,615.55	69.80	0.45%	NASDAQ	3,922.04	2.34	0.06%
S&P 500	1,761.64	5.10	0.29%	10-year T-note	2.62%	0.08	3.07%

Dinzel R. Earnest Registration details **\$1,293.91**

Buy and sell | [Order status](#) | [Transaction history](#) | [Cost basis](#) | [More](#)

Symbol	Name	Expense ratio	Fund & account	Quantity	Price as of 11/01/2013	Change	Current balance	
VMMXX	Vanguard Prime Money Market Fund Sweep account-88083357	0.16%	0030-88061654200	1,293.910	\$1.00	—	\$1,293.91	Buy Sell Exch Bank transfer
Total							\$1,293.91	

Dinzel R. Earnest—Brokerage Account—88083357* Registration details **\$2,897.91**

Sweep account—0030—88061654200

[Discounted trades available](#)
[Account balance detail](#)

Buy and sell | [Order status](#) | [Transaction history](#) | [Cost basis](#) | [More](#)

Symbol	Name	Expense ratio	Quantity	Price as of 11/01/2013 3:55 p.m., ET	Change	Current balance	
Stocks							
FEEDQ	AGFEED INDUSTRIES INC	—	10,733.000	\$0.270	\$0.00	\$2,897.91	Buy Sell
Other pending activity							
Total credits and debits							\$0.00
Total							\$2,897.91

Dinzel R. Earnest—Traditional IRA Registration details **\$24,418.69**

Buy and sell | [Order status](#) | [Transaction history](#) | [Cost basis](#) | [More](#)

Symbol	Name	Expense ratio	Fund & account	Quantity	Price as of 11/01/2013	Change	Current balance	
VMMXX	Vanguard Prime Money Market Fund Sweep account-Traditional IRA, 48348611	0.16%	0030-09957208370	24,418.690	\$1.00	—	\$24,418.69	Buy Sell Exch

Total **\$24,418.69**

Dinzel R. Earnest—Traditional IRA Brokerage **\$4,870.80**

Account—48348611* Registration details

Sweep account—Traditional IRA Account—0030-09957208370

Buy and sell Order status Transaction history | Cost basis More

Discounted trades available

Account balance detail

Symbol	Name	Expense ratio	Quantity	Price as of 11/01/2013 3:55 p.m., ET	Change	Current balance		
Stocks								
FEEDQ	AGFEED INDUSTRIES INC	—	18,000.000	\$0.270	\$0.00	\$4,860.00	Buy	Sell
PHRX	PHARMAGEN INC	—	3,000.000	\$0.003	\$0.00	\$10.80	Buy	Sell
Other pending activity								
Total credits and debits						\$0.00		
Total						\$4,870.80		

Mabel Iona Earnest, Dinzel R. Earnest Registration details **\$0.00**

Buy and sell Order status Transaction history | Cost basis More

Symbol	Name	Expense ratio	Fund & account	Quantity	Price as of 11/01/2013	Change	Current balance		
VMMXX	Vanguard Prime Money Market Fund Sweep account-48583438	0.16%	0030-09957640064	0.000	\$1.00	—	\$0.00	Buy	Sell Exch Bank transfer
Total							\$0.00		

Mabel Iona Earnest, Dinzel R. Earnest—Brokerage **\$0.00**

Account—48583438* Registration details

Sweep account—0030-09957640064

Buy and sell Order status Transaction history | Cost basis More

Discounted trades available

Account balance detail

Symbol	Name	Expense ratio	Quantity	Price	Change	Current balance
Other pending activity						
Total credits and debits						\$0.00
Total						\$0.00

Outside Investments

Outside investments allows you to view your non-Vanguard investments on your **Balances and holdings** page. [Learn more](#) about this service.

Total assets **\$33,481.31**



My Portfolio » Accounts & Activity » Order Status » Order Status Details

Order details

Mabel Iona Earnest—Traditional IRA Brokerage Account - 46704697

[< Previous Order](#) | [Next Order >](#)

Transaction

Order status	Executed	Order number	221190037
Transaction type	Buy	Account type	Cash
Order type	Limit AON	Duration	GTC 09/30/2011
Limit price	\$1.4000	Transaction method	Web

Quantity, price, and security

Quantity	7,000.000	Asset class	Equity
Full executed quantity	7,000.000	Leaves quantity	0.000
Execution price	\$1.4000	Security name	AGFEED INDUSTRIES INC
Ticker symbol	FEED		

Amount

Principal amount	\$9,800.00	Commission	\$7.00
Net amount	\$9,807.00	Miscellaneous fee	\$0.00

Date

Order received	08/02/2011 02:23 PM EDT	Trade date	08/02/2011
Settlement date	08/05/2011		
Previous order received	08/02/2011 02:18 PM EDT		

Order details**Mabel Iona Earnest—Traditional IRA Brokerage Account - 46704697**

Next Order >

Transaction

Order status	Executed	Order number	221508303
Transaction type	Buy	Account type	Cash
Order type	Limit AON	Duration	GTC 09/30/2011
Limit price	\$1.2100	Transaction method	Web

Quantity, price, and security

Quantity	7,000.000	Asset class	Equity
Full executed quantity	7,000.000	Leaves quantity	0.000
Execution price	\$1.2100	Security name	AGFEED INDUSTRIES INC
Ticker symbol	FEED		

Amount

Principal amount	\$8,470.00	Commission	\$7.00
Net amount	\$8,477.00	Miscellaneous fee	\$0.00

Date

Order received	08/03/2011 03:43 PM EDT	Trade date	08/03/2011
Settlement date	08/08/2011		
Previous order received	08/03/2011 03:42 PM EDT		

Mabel Iona Earnest—Traditional IRA Brokerage Account - 46704697

Next Order >

Transaction

Order status Executed
Transaction type Buy
Order type Limit AON
Limit price \$1.0900

Order number 222194626
Account type Cash
Duration GTC 10/04/2011
Transaction method Web

Quantity, price, and security

Quantity 4,000.000
Full executed quantity 4,000.000
Execution price \$1.0900
Ticker symbol FEED

Asset class Equity
Leaves quantity 0.000
Security name AGFEED INDUSTRIES
INC

Amount

Principal amount \$4,360.00
Net amount \$4,367.00

Commission \$7.00
Miscellaneous fee \$0.00

Date

Order received 08/05/2011 01:10 PM EDT
Settlement date 08/10/2011
Previous order received 08/05/2011 12:34 PM EDT

Trade date 08/05/2011

DINZEL R. EARNEST
3034 EDGEMONT DRIVE
ABILENE, TX 79605

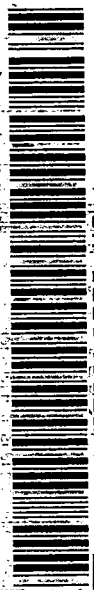
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Time Accepted	Mon <input type="checkbox"/> Tue <input type="checkbox"/> Wed <input type="checkbox"/> Thu <input type="checkbox"/> Fri <input type="checkbox"/> Sat <input type="checkbox"/> Sun	Non <input type="checkbox"/> 3 PM <input checked="" type="checkbox"/>	\$
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Dinzel H. Earnest
3034 Edgemont Dr.
Abilene TX 79605

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