


<b>UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE</b>	<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>  <b>YOUR CLAIM IS SCHEDULED AS:</b> Schedule/Claim ID: s588 Amount/Classification: \$27,777.50 Unsecured
Name of Debtor: AgFeed Industries, Inc. Case Number: 13-11762		<b>COURT USE ONLY</b>
Name of Creditor (the person or other entity to whom the debtor owes money or property):		
Name and address where notices should be sent:  32353332000783 ABERNATHY MACGREGOR GROUP INC. JEFF MALONEY <del>501 MADISON AVENUE</del> <b>277 PARK AVENUE</b> <del>NEW YORK, NY 10022</del> <b>NEW YORK, NY 10172</b>  Telephone number: <b>212-371-9999</b> email: <b>JRM@ABMAC.COM</b>		<input type="checkbox"/> Check this box if this claim amends a previously filed claim.  <b>Court Claim Number:</b> _____ <i>(If known)</i>  <b>Filed on:</b> _____
Name and address where payment should be sent (if different from above):  Telephone number: _____ email: _____		<input type="checkbox"/> 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.
<b>1. Amount of Claim as of Date Case Filed:</b> \$ <u>27,777.50</u>		<b>RECEIVED</b> <b>OCT 18 2013</b> <b>BMC GROUP</b>
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.		
<input type="checkbox"/> 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.		
<b>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:</b> \$ _____ (See instruction #1a)		
<b>2. Basis for Claim:</b> <u>SERVICES PERFORMED</u> (See instruction #2)		
<b>3. Last four digits of any number by which creditor identifies debtor:</b> _____	<b>3a. Debtor may have scheduled account as:</b> _____ (See instruction #3a)	<b>3b. Uniform Claim Identifier (optional):</b> _____ (See instruction #3b)
<b>4. Secured Claim (See instruction #4)</b> 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.		<b>Amount of arrearage and other charges, as of the time case was filed, included in secured claim, if any:</b> \$ _____
<b>Nature of property or right of setoff:</b> <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe: _____		<b>Basis for perfection:</b> _____
<b>Value of Property:</b> \$ _____		<b>Amount of Secured Claim:</b> \$ _____
<b>Annual Interest Rate</b> _____% <input type="checkbox"/> Fixed or <input type="checkbox"/> Variable (when case was filed)		<b>Amount of Unsecured:</b> \$ _____
<b>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.</b>		
<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).	<b>Amount entitled to priority:</b> \$ _____
<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"/> Contributions to an employee benefit plan – 11 U.S.C. § 507 (a)(5).
		<input type="checkbox"/> Other – Specify applicable paragraph of 11 U.S.C. § 507 (a)( )
<b>*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 adjustment</b>		
<b>6. Amount of Claim that qualifies as an Administrative Expense under 11 U.S.C. § 503(b)(9):</b> _____ (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:

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**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.       I am a guarantor, surety, indorser, or other codebtor. (See Bankruptcy Rule 3005.)  
(See Bankruptcy Rule 3004.)

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: JEFFREY R. TARONEY  
 Title: CEO, ABERNATHY TRAILER CO  
 Company: Abernathy Trailer Co  
 Address and telephone number (if different from notice address above): \_\_\_\_\_ (Signature) [Signature] (Date) 10/16/13

Telephone number: 212-371-1999

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.

**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.



AgFeed Industries, Inc.  
 Attn: Ivan Gothner  
 Vice Chairman  
 744 Horizon Ct., Suite 350  
 Grand Junction, CO 81506

10/17/2013

**STATEMENT OF ACCOUNT**

DATE	INVOICE NO.	DESCRIPTION	PAYMENTS	FEES	EXPENSES	TOTAL
05/25/12	039925	April 2012 Public Relations		\$9,012.50	\$75.50	\$9,088.00
10/31/12	040808	September 2012 Public Relations		\$4,325.00	\$25.50	\$4,350.50
12/26/12	041161	November 2012 Public Relations		\$8,126.25	\$75.50	\$8,201.75
01/02/13	041361	December 2012 Public Relations		\$6,035.00	\$75.50	\$6,110.50
02/26/13	041440	January 2013 Public Relations		\$6,361.25	\$75.50	\$6,436.75
03/28/13	041673	February 2013 Public Relations		\$1,090.00	\$0.00	\$1,090.00
05/31/13		Wire 5/31/13	-\$7,500.00			-\$7,500.00
			<b>-\$7,500.00</b>	<b>\$34,950.00</b>	<b>\$327.50</b>	<b>\$27,777.50</b>

Current	30 DAYS	60 DAYS	90 DAYS	120 Days
0.00	0.00	0.00	0.00	27,777.50

PAYABLE, PLEASE, IMMEDIATELY UPON RECEIPT TO  
 THE ABERNATHY/MACGREGOR GROUP, INC., P.O. BOX 30483, NEW YORK, NY 10087-0483



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INVOICE TO:	NUMBER:	DATE:
AgFeed Industries, Inc. Attn: Ivan Gothner Vice Chairman 744 Horizon Ct., Suite 350 Grand Junction, CO 81506	041673	03/28/13

Project No. 2373 AgFeed Industries, Inc.

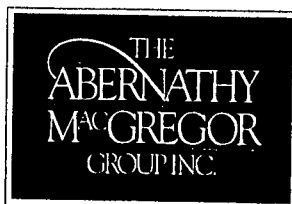
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For Public Relations services rendered: February 2013	\$ 1,090.00
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<b>TOTAL DUE</b>	<b>\$ 1,090.00</b>
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**The Abernathy MacGregor Group, Inc.**  
**Client Billing Summary for February 2013**

<u>AgFeed Industries, Inc.</u>		<u>Rate</u>	<u>Hours</u>	<u>Value</u>
MMP	Pascale.M.	545.00	2.00	\$1,090.00
		<b>Total</b>		<b><u><u>\$1,090.00</u></u></b>



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INVOICE TO:	NUMBER:	DATE:
AgFeed Industries, Inc. Attn: Ivan Gothner Vice Chairman 744 Horizon Ct., Suite 350 Grand Junction, CO 81506	041440	02/26/13

Project No. 2373 AgFeed Industries, Inc.

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For Public Relations services rendered: January 2013	\$ 6,361.25
Online service access fee	\$ 75.50
<b>TOTAL DUE</b>	<b>\$ 6,436.75</b>

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THE ABERNATHY/MACGREGOR GROUP INC., P.O. BOX 30483, NEW YORK, NY 10087-0483

# The Abernathy MacGregor Group, Inc.

## Client Billing Summary for January 2013

<u>AgFeed Industries, Inc.</u>		<u>Rate</u>	<u>Hours</u>	<u>Value</u>
ASF	Feng.A.	\$470.00	0.75	\$352.50
JTM	MacGregor.J.	\$675.00	3.25	\$2,193.75
MMP	Pascale.M.	\$545.00	7.00	\$3,815.00
		<b>Total</b>	<b>11.00</b>	<b><u><u>\$6,361.25</u></u></b>



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INVOICE TO:	NUMBER:	DATE:
AgFeed Industries, Inc. Attn: Ivan Gothner Vice Chairman 744 Horizon Ct., Suite 350 Grand Junction, CO 81506	041361	01/02/13

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Project No. 2373 AgFeed Industries, Inc.

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For Public Relations services rendered: December 2012	\$ 6,035.00
Online service access fee	\$ 75.50
<b>TOTAL DUE</b>	<b>\$ 6,110.50</b>

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THE ABERNATHY/MACGREGOR GROUP INC., P.O. BOX 30483, NEW YORK, NY 10087-0483



# The Abernathy MacGregor Group, Inc.

## Client Billing Summary for December 2012

<u>AgFeed Industries, Inc.</u>		<u>Rate</u>	<u>Hours</u>	<u>Value</u>
ASF	Feng.A.	\$470.00	0.25	\$117.50
JTM	MacGregor.J.	\$675.00	1.50	\$1,012.50
MMP	Pascale.M.	\$545.00	9.00	\$4,905.00
		<b>Total</b>	<b>10.75</b>	<b><u><u>\$6,035.00</u></u></b>



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INVOICE TO:	NUMBER:	DATE:
AgFeed Industries, Inc. Attn: Ivan Gothner Vice Chairman 744 Horizon Ct., Suite 350 Grand Junction, CO 81506	041161	12/26/12

Project No. 2373 AgFeed Industries, Inc.

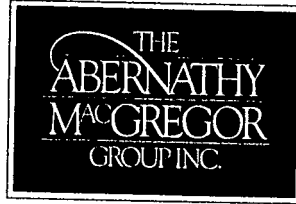
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For Public Relations services rendered: November 2012	\$ 8,126.25
Online service access fee	\$ 75.50
<b>TOTAL DUE</b>	<b>\$ 8,201.75</b>

# The Abernathy MacGregor Group, Inc.

## Client Billing Summary for November 2012

<u>AgFeed Industries, Inc.</u>		<u>Rate</u>	<u>Hours</u>	<u>Value</u>
ASF	Feng.A.	\$470.00	3.50	\$1,645.00
JRH	Hixson.J.	\$315.00	5.25	\$1,653.75
JTM	MacGregor.J.	\$675.00	1.50	\$1,012.50
MMP	Pascale.M.	\$545.00	7.00	\$3,815.00
		<b>Total</b>	<b>17.25</b>	<b><u><u>\$8,126.25</u></u></b>



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INVOICE TO:	NUMBER:	DATE:
AgFeed Industries, Inc. Attn: Ivan Gothner Vice Chairman 744 Horizon Ct., Suite 350 Grand Junction, CO 81506	040808	10/31/12

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Project No. 2373 AgFeed Industries, Inc.

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For Public Relations services rendered: September 2012	\$ 4,325.00
Online service access fee	\$ 25.50
<b>TOTAL DUE</b>	<b>\$ 4,350.50</b>

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PAYABLE, PLEASE, IMMEDIATELY UPON RECEIPT TO  
THE ABERNATHY/MACGREGOR GROUP INC., P.O. BOX 30483, NEW YORK, NY 10087-0483

# The Abernathy MacGregor Group, Inc.

## Client Billing Summary for September 2012

<u>AgFeed Industries, Inc.</u>		<u>Rate</u>	<u>Hours</u>	<u>Value</u>
ASF	Feng.A.	\$470.00	1.25	\$587.50
JTM	MacGregor.J.	\$675.00	1.50	\$1,012.50
MMP	Pascale.M.	\$545.00	5.00	\$2,725.00
		<b>Total</b>	<b>7.75</b>	<b><u><u>\$4,325.00</u></u></b>



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INVOICE TO:	NUMBER:	DATE:
AgFeed Industries, Inc. Attn: Ivan Gothner Vice Chairman 744 Horizon Ct., Suite 350 Grand Junction, CO 81506	039925	05/25/12

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Project No. 2373 AgFeed Industries, Inc.

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For Public Relations services rendered: April 2012	\$ 9,012.50
Online service access fee	\$ 75.50
<b>TOTAL DUE</b>	<b>\$ 9,088.00</b>

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**The Abernathy MacGregor Group, Inc.**  
**Client Billing Summary for April 2012**

<u>AgFeed Industries, Inc.</u>		<b>Rate</b>	<b>Hours</b>	<b>Value</b>
ASF	Feng.A.	450.00	2.75	\$1,237.50
JTM	MacGregor.J.	650.00	5.50	\$3,575.00
MMP	Pascale.M.	525.00	8.00	\$4,200.00
		<b>Total</b>		<b><u><u>\$9,012.50</u></u></b>

From: (212) 371-5999  
JEFF MALONEY  
ABERNATHY MACGREGOR  
277 PARK AVENUE  
39TH FLOOR  
NEW YORK, NY 10172

Origin ID: JHCA



J13201306280326

Ship Date: 17OCT13  
ActWgt: 1.0 LB  
CAD: 1619605/INET3430

Delivery Address Bar Code



SHIP TO: (212) 371-5999  
**BILL SENDER**  
**AGFEED USA, LLC CLAIMS PROCESSING**  
**BMC GROUP, INC.**  
**18675 LAKE DRIVE EAST**  
  
**CHANHASSEN, MN 55317**

Ref # 0440  
Invoice #  
PO #  
Dept #

RECEIVED

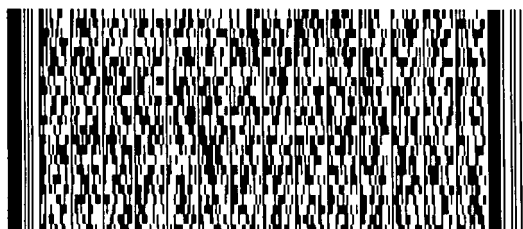
OCT 18 2013

BMC GROUP

FRI - 18 OCT 10:30A  
PRIORITY OVERNIGHT

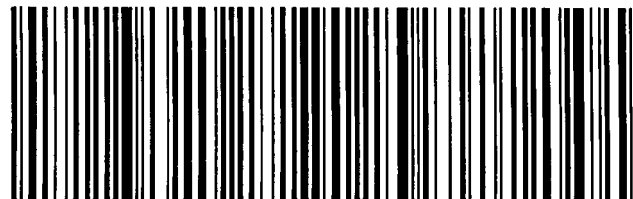
TRK# 7969 3740 0156

0201



**XH FBLA**

**55317**  
MN-US  
MSP



51AG1/AB1B/1AGE

**After printing this label:**

1. Use the 'Print' button on this page to print your label to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

**Warning:** Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on [fedex.com](http://fedex.com). FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$1,000, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.