

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

PROOF OF CLAIM

In re ALLEGIANCE TELECOM SERVICE CORPORATION, Debtor

Case Number 03-13103



CRDID 67316

FILED

SOUTHERN DISTRICT OF NEW YORK ALLEGIANCE TELECOM, INC 03-13057 (RRD)

921

NOTE This form should not be used to make a claim for an administrative expense arising after the commencement of the case A request for payment of an administrative expense may be filed pursuant to 11 U S C § 503

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

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

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

If you have already filed a proof of claim with the Bankruptcy Court or BMC you do not need to file again

Name of Creditor and Address TOMPKINS MCGUIRE WACHENFELD & BARRY FOUR GATEWAY CTR 100 MULBERRY ST NEWARK NJ 07102-4070

Creditor Telephone Number ()

CREDITOR TAX ID # 22-249-1440

ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR 1126-121

Check here if this claim replaces or amends a previously filed claim dated

1 BASIS FOR CLAIM Services performed, Money loaned, Personal injury/wrongful death, Taxes, Other, Retiree benefits, Wages salaries and compensation

2 DATE DEBT WAS INCURRED 6/3/02-03/01/03 3 IF COURT JUDGMENT, DATE OBTAINED

4 TOTAL AMOUNT OF CLAIM AS OF PETITION DATE \$ 6,038.05 (unsecured) \$ (secured) \$ 6,038.05 (total)

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

5 SECURED CLAIM Check this box if your claim is secured by collateral (including a right of setoff) Brief description of collateral Value of collateral \$

6 UNSECURED PRIORITY CLAIM Check this box if you have an unsecured priority claim Specify the priority of the claim Wages salaries or commissions, Contributions to an employee benefit plan, etc.

7 CREDITS The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim

8 SUPPORTING DOCUMENTS Attach copies of supporting documents, such as promissory notes purchase orders invoices itemized statements of running accounts contracts court judgments mortgages security agreements and evidence of perfection of lien DO NOT SEND ORIGINAL DOCUMENTS

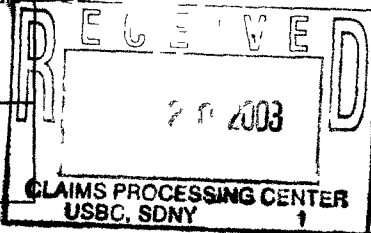
9 DATE-STAMPED COPY To receive an acknowledgment of your claim, please enclose a self-addressed stamped envelope and an additional copy of this proof of claim

The original of this completed proof of claim form must be sent by mail or hand delivered (FAXES NOT ACCEPTED) so that it is received on or before 4 00 p m, October 1, 2003, Eastern Daylight Time BY MAIL TO United States Bankruptcy Court re Allegiance Telecom Inc et al P O Box 95 Bowling Green Station New York, NY 10274



00958

BY HAND OR OVERNIGHT DELIVERY TO Clerk of the United States Bankruptcy Court re Allegiance Telecom Inc et al One Bowling Green 6th Floor New York NY 10004-11408



DATE SIGNED 10/10/03

SIGN and print the name and title if any of the creditor or other person authorized to file this claim (attach copy of power of attorney, if any) Tompkins, McGuire, Wachenfeld & Barry LLP By Andrew T. Malecki, Controller

Penalty for presenting fraudulent claim is a fine of up to \$500,000 or imprisonment for up to 5 years, or both 11 U.S.C. §§ 152 AND 3571

See Other Side For Instructions

REPRINT OF BILLED DETAILS (as billed)

Bill number 1126 -00121-003 FSK
 Bill date 12/20/02

Allegiance Telecom, Inc
 9201 Central Expressway
 Dallas, Texas 75231

Tweel Home Furnishings, Inc v Allegiance Telecom, Inc et als
 Claim No 618-003073
 Policy No 278-92-57

FOR PROFESSIONAL SERVICES RENDERED

06/03/02	FSK	(166) Other Correspondence - E-mail from and to K Comstock (10),	10 hrs	180 /hr	18 00
06/04/02	FSK	(166) Other Correspondence - e-mail to and from K Comstock (10),	10 hrs	180 /hr	18 00
06/06/02	FSK	(163) Agreed-To Litigation Plan Letter - Drafting agreed-to plan and budget (50),	50 hrs	180 /hr	90 00
06/07/02	FSK	(150) Telephone Time with K Comstock re ATLP and Missry deposition (30), (163) Agreed-To Litigation Plan Letter - Revising ATLP (10), (129) Preparing Narrative Report of Testimony - Drafting report of Missry deposition (40),	80 hrs	180 /hr	144 00
06/10/02	FSK	(163) Agreed-To Litigation Plan Letter - Finalize and send agreed-to-plan and budget (20), (129) Preparing Narrative Report of Testimony - Revising deposition report (10),	30 hrs	180 /hr	54 00
06/11/02	FSK	(166) Other Correspondence - Letter sent to K Comstock (10),	10 hrs	180 /hr	18 00
06/20/02	FSK	(167) Receive and Review Mail from K Comstock (10),	10 hrs	180 /hr	18 00
06/28/02	FSK	(170) New Research regarding preemption of state law claims (30),	30 hrs	180 /hr	54 00
07/02/02	FSK	(167) Receive and Review Mail from C Powers (10), (121) Motion to Dismiss - Drafting letter to Judge Rosa joining in motion (20),	30 hrs	180 /hr	54 00
07/08/02	FSK	(167) Receive and Review Mail from F Pisani re discovery end date (10),	10 hrs	180 /hr	18 00

REPRINT OF BILLED DETAILS (as billed)

1126 -00121-003 FSK

Page 2

07/10/02	FSK	(135) Review opposing Discovery Demand - Review Second Notice to Produce (10),	10 hrs	180 /hr	18 00
07/17/02	FSK	(167) Receive and Review Mail - Review notice from court re discovery extension (10),	10 hrs	180 /hr	18 00
07/18/02	FSK	(167) Receive and Review Mail from C Powers re depositions (10),	10 hrs	180 /hr	18 00
07/23/02	FSK	(167) Receive and Review Mail from F Pisani re deps (10), (166) Other Correspondence - Review audit letter and Drafting response (40),	50 hrs	180 /hr	90 00
07/24/02	FSK	(166) Other Correspondence - Revising and send audit letter response (20),	20 hrs	180 /hr	36 00
07/29/02	FSK	(167) Receive and Review Mail from F Pisani, C Powers (2), (132) Scheduling Deposition - Letters to C Powers, F Pisani regarding deposition schedule (2),	40 hrs	180 /hr	72 00
07/30/02	FSK	(150) Telephone Time with R Cabral,	20 hrs	180 /hr	36 00
08/01/02	FSK	(150) Telephone Time with F Pisani re discovery issues and schedule,	20 hrs	180 /hr	36 00
08/06/02	FSK	(122) Discovery Motion - Review motion for out-of-state deposition (10),	10 hrs	180 /hr	18 00
08/12/02	FSK	(138) Review Responses to Discovery Demand - Review plaintiff's supplemental answers to rogs and response to document request, including documents re amended damage claim (80),	80 hrs	180 /hr	144 00
09/03/02	FSK	(150) Telephone Time - Telephone call with C Powers (1),	10 hrs	180 /hr	18 00
09/04/02	FSK	(150) Telephone Time - Telephone call with F Pisani (2)	20 hrs	180 /hr	36 00
09/05/02	FSK	(122) Discovery Motion - Review order re motion for out-of-state deposition (1),	10 hrs	180 /hr	18 00
09/12/02	FSK	(125) Other Motions - Review motion to extend discovery and supporting certification (2),	20 hrs	180 /hr	36 00
09/17/02	FSK	(132) Scheduling Deposition - Review deposition notice (1),	10 hrs	180 /hr	18 00
09/18/02	FSK	(122) Discovery Motion - Review application to N			

REPRINT OF BILLED DETAILS (as billed)

1126 -00121-003 FSK

Page 3

	Y court for Mendoza deposition (2),	20 hrs 180 /hr	36 00
09/25/02 FSK	(132) Scheduling Deposition -e-mails with C Powers re deposition dates (2), (150) Telephone Time with court to confirm extension (1),	30 hrs 180 /hr	54 00
09/30/02 FSK	(138) Review Responses to Discovery Demand - Review discovery re Z Angustovicz (5),	50 hrs 180 /hr	90 00
10/01/02 FSK	(150) Telephone Time with C Powers re Augustowicz deposition (2),	20 hrs 180 /hr	36 00
10/02/02 FSK	(150) Telephone Time with C Powers re Augustowicz deposition (2),	20 hrs 180 /hr	36 00
10/03/02 FSK	(167) Receive and Review Mail - Review order extending discovery (1),	10 hrs 180 /hr	18 00
10/04/02 FSK	(167) Receive and Review Mail from F Pisani (1),	10 hrs 180 /hr	18 00
10/07/02 FSK	(167) Receive and Review Mail from C Powers (1), (126) Attorney Preparation for Deposition - Review transcript of Missry deposition (4),	50 hrs 180 /hr	90 00
10/08/02 FSK	(166) Other Correspondence - Letter sent to C Powers (1),	10 hrs 180 /hr	18 00
10/16/02 FSK	(167) Receive and Review Mail - Review notices from court re discovery (1), (132) Scheduling Deposition - Telephone conference with F Pisani (1),	20 hrs 180 /hr	36 00
10/17/02 FSK	(132) Scheduling Deposition - Drafting letter to F Pisani,	20 hrs 180 /hr	36 00
10/21/02 FSK	(166) Other Correspondence - Letter sent to F Pisani (1),	10 hrs 180 /hr	18 00
11/01/02 FSK	(150) Telephone Time with F Pisani re depositions (1),	10 hrs 180 /hr	18 00
11/05/02 FSK	(167) Receive and Review Mail from F Pisani (1),	10 hrs 180 /hr	18 00
11/12/02 FSK	(167) Receive and Review Mail from C Powers (1), (150) Telephone Time with F Pisani, R Cabral (2),	30 hrs 180 /hr	54 00
11/14/02 FSK	(128) Attending Deposition of - Read transcript		

	of Augustowicz deposition in lieu of attending (6),			
		60 hrs	180 /hr	108 00
11/15/02 FSK	(150) Telephone Time with F Pisani (1), (166) Other Correspondence - e-mail to C Powers (1),			
		20 hrs	180 /hr	36 00
11/19/02 FSK	(163) Agreed-To Litigation Plan Letter - Drafting agreed to plan (6),			
		60 hrs	180 /hr	108 00
11/20/02 FSK	(126) Attorney Preparation for Deposition of D Tweel and R Cabral (2 0),			
		2 00 hrs	180 /hr	360 00
11/21/02 FSK	(150) Telephone Time with R Cabral re deposition and preparation (2),			
		20 hrs	180 /hr	36 00
11/22/02 FSK	(163) Agreed-To Litigation Plan Letter - Drafting and revising agreed to plan and budget (1 1),			
		1 10 hrs	180 /hr	198 00
11/25/02 FSK	(126) Attorney Preparation for Deposition - Preparation for meeting with defendant Cabral and for Cabral and Tweel depositions (8),			
		80 hrs	180 /hr	144 00
11/26/02 FSK	(127) Witness Preparation for Deposition - Meeting with R Cabral to prepare for deposition (1 5), (150) Telephone Time with F Pisani, C Powers (2), (166) Other Correspondence - E-mail to K Comstock (1),			
		1 80 hrs	180 /hr	324 00
11/27/02 FSK	(150) Telephone Time with F Pisani, R Cabral (2), (126) Attorney Preparation for Deposition of D Tweel and R Cabral (1 2)			
		1 40 hrs	180 /hr	252 00

	TOTAL FEES		\$	3,240 00

DISBURSEMENTS

11/30/02 03	Duplicating			5 70
11/30/02 037	Tolls - Parking Expense			1 75
11/30/02 04	Long Distance Telephone			34
11/30/02 41	Travel			16 79
11/30/02 46	Outside Duplicating			43 80

	TOTAL DISBURSEMENTS		\$	68 38

BILLING SUMMARY

TOTAL FEES	\$	3,240 00
TOTAL DISBURSEMENTS	\$	68 38

REPRINT OF BILLED DETAILS (as billed)
1126 -00121-003 FSK

Page 5

TOTAL CHARGES FOR THIS BILL

\$ 3,308 38

REPRINT OF BILLED DETAILS (as billed)

Bill number 1126 -00121-004 FSK
Bill date 05/13/03

Allegiance Telecom, Inc
9201 Central Expressway
Dallas, Texas 75231

Tweel Home Furnishings, Inc v Allegiance Telecom, Inc et als
Claim No 618-003073
Policy No 278-92-57

FOR PROFESSIONAL SERVICES RENDERED

12/02/02 FSK	(105) Travel Time to Tenafly for deposition (8), (128) Attending Deposition of D Tweel (1 1), (173) Other Conferences - Conference with C Powers (2), (128) Attending Deposition of R Cabral (1 5), (105) Travel Time from Tenafly (7), 4 30 hrs 180 /hr	774 00
12/03/02 FSK	(122) Discovery Motion - Review motion for discovery extension and supporting papers (2), (166) Other Correspondence - e-mail from and to K Comstock (2), (163) Agreed-To Litigation Plan Letter - Revising agreed to plan (4), (129) Preparing Narrative Report of Testimony - Drafting deposition report re Cabral (5), 1 30 hrs 180 /hr	234 00
12/04/02 FSK	(129) Preparing Narrative Report of Testimony - Drafting deposition report re Tweel (5), (141) Review Documents - re Simchera (4), 90 hrs 180 /hr	162 00
12/09/02 FSK	(150) Telephone Time - Preparation for and participate in telephone conference with K Comstock re agreed-to-plan and budget (4), (163) Agreed-To Litigation Plan Letter - Revising agreed-to-plan and budget (2), 60 hrs 180 /hr	108 00
12/11/02 FSK	(163) Agreed-To Litigation Plan Letter - Finalize and send agreed-to-plan and budget (2), (129) Preparing Narrative Report of Testimony - Revising and send deposition reports (3), (150) Telephone Time with F Pisani re Mendoza deposition and Simchera dismissal (2), (117) Stipulations - Drafting stipulation of dismissal (2), (166) Other Correspondence - Letter sent to F Pisani and e-mail to C Powers (2), (150) Telephone Time with P Simchera (1), 1 00 hrs 180 /hr	180 00

REPRINT OF BILLED DETAILS (as billed)

1126 -00121-004 FSK

Page 2

12/24/02	FSK	(150) Telephone Time with F Pisani re extension of discovery (1),	10 hrs 180 /hr	18 00
12/27/02	FSK	(167) Receive and Review Mail - Review transcripts of Tweel and Cabral depositions (4),	40 hrs 180 /hr	72 00
01/03/03	FSK	(167) Receive and Review Mail - Review order extending discovery (1),	10 hrs 180 /hr	18 00
01/14/03	FSK	(150) Telephone Time with C Powers (1),	10 hrs 180 /hr	18 00
01/15/03	FSK	(150) Telephone Time with F Pisani (1),	10 hrs 180 /hr	18 00
01/21/03	FSK	(150) Telephone Time with F Pisani re Mendoza deposition (1),	10 hrs 180 /hr	18 00
01/27/03	FSK	(132) Scheduling Deposition - Review order for out-of-state deposition (1), (132) Scheduling Deposition - Review Mendoza deposition subpoena (1),	20 hrs 180 /hr	36 00
01/30/03	FSK	(125) Other Motions - Review plaintiff's motion for consolidation, letter-brief, certification and exhibits (5), (150) Telephone Time with C Powers (1), (125) Other Motions - Review cases cited in plaintiff's brief (3),	90 hrs 180 /hr	162 00
02/03/03	FSK	(150) Telephone Time with F Pisani re Mendoza deposition (10), (167) Receive and Review Mail from F Pisani re Simchera dismissal (10),	20 hrs 180 /hr	36 00
02/04/03	FSK	(170) New Research regarding consolidation (60),	60 hrs 180 /hr	108 00
02/06/03	FSK	(179) Stipulation of Dismissal with Prejudice - Review fully executed stipulation of dismissal as to Simchera (10), (179) Stipulation of Dismissal with Prejudice - Filing stipulation with court (10),	20 hrs 180 /hr	36 00
02/11/03	FSK	(125) Other Motions - Drafting letter-brief in opposition to consolidation (7), (150) Telephone Time with F Pisani re my request for dismissal (20),	1 90 hrs 180 /hr	342 00
02/12/03	FSK	(150) Telephone Time with F Pisani re dismissal (10), (179) Stipulation of Dismissal with Prejudice - Drafting stipulation of dismissal (20), (166) Other Correspondence - Letter sent to F Pisani confirming dismissal (10), (166) Other Correspondence -e-mail to C		

	Powers, K Comstock, K Demro (10),			
		50 hrs 180 /hr		90 00
02/13/03 FSK	(179) Stipulation of Dismissal with Prejudice - Review filed stipulation of dismissal as to Simchera (10), (166) Other Correspondence - serve copies upon counsel (10), (166) Other Correspondence - Letter sent to P Simchera (10),			
		30 hrs 180 /hr		54 00
02/14/03 FSK	(150) Telephone Time with C Powers (10), (167) Receive and Review Mail from C Powers (10),			
		20 hrs 180 /hr		36 00
02/24/03 FSK	(167) Receive and Review Mail from F Pisani with signed stipulation (10), (166) Other Correspondence - Letter sent to C Powers (10),			
		20 hrs 180 /hr		36 00
03/03/03 FSK	(179) Stipulation of Dismissal with Prejudice - Review letter from C Powers and fully executed stipulation of dismissal re Cabral (10), (166) Other Correspondence - Letter sent to Court re filing of stipulation (10),			
		20 hrs 180 /hr		36 00
03/06/03 FSK	(150) Telephone Time with C Powers re Mendoza deposition (20),			
		20 hrs 180 /hr		36 00
03/07/03 FSK	Review filed stipulation of dismissal as to Cabral (10), (166) Other Correspondence - Letters sent to F Pisani, R Cabral (20),			
		30 hrs 180 /hr		54 00
	TOTAL FEES		\$	2,682 00

DISBURSEMENTS

04/30/03 03	Duplicating			31 00
04/30/03 037	Tolls - Parking Expense			1 70
04/30/03 41	Travel			14 97
	TOTAL DISBURSEMENTS		\$	47 67

BILLING SUMMARY

TOTAL FEES	\$	2,682 00
TOTAL DISBURSEMENTS	\$	47 67
TOTAL CHARGES FOR THIS BILL	\$	2,729 67

**TOMPKINS, McGUIRE,
WACHENFELD & BARRY**

A New Jersey Limited Liability Partnership

COUNSELORS AT LAW

FOUR GATEWAY CENTER
100 MULBERRY STREET
NEWARK, NEW JERSEY 07102-4070

NEWARK (973) 622 3000
NEW YORK (212) 714-1720
TELECOPIER (973) 623 7780

E MAIL ATTORNEYS@TOMPKINSMCGUIRE.COM

WILLIAM F TOMPKINS (1913 1989)
WILLIAM B McGUIRE, P.A.*
HOWARD G WACHENFELD
THEODORE L. ABELES
JOHN J BARRY (1940-2000)
WILLIAM J PROUT JR (1947 1996)
JAMES F FLANAGAN III
MARIANNE ESPINOSA MURPHY
EUGENE J SULLIVAN
FREDERIC S KESSLER
MARIANNE M DEMARCO
MICHAEL S MILLER
WILLIAM H TROUSDALE
JOSEPH K COBUZIO
RICHARD F CONNORS JR.
RICHARD A ULSAMER

WILLIAM C SANDELANDS
ANGELO R GIACCHI
COLLEEN DUFFY SHIARELLA
THOMAS F DOHERTY
BRIAN M ENGLISH
STEPHEN C MATTHEWS
GRANT W McGUIRE
ROBERT LEONARDO
MATTHEW P O MALLEY

OF COUNSEL
FRANCES S MARGOLIS
ELMER M. MATTHEWS
PAUL B THOMPSON
RAYMOND W TROY (1911 1992)
WILLIAM T WACHENFELD

COUNSEL
LEONORE C LEWIS

STEPHEN W DILL
WILLIAM R. FINIZIO
KIMBERLY D MATYSKIEL
MICHAEL P MCTIGUE
NICOLE T MINUTOLI
EILEEN O TOOLE
MARC C PAKRUL
LAURA A. STUTZ

CERTIFIED BY THE SUPREME COURT
OF NEW JERSEY AS A CIVIL TRIAL
ATTORNEY
CERTIFIED BY THE SUPREME COURT
OF NEW JERSEY AS A CRIMINAL TRIAL
ATTORNEY

October 10, 2003

United States Bankruptcy Court
re: Allegiance Telecom, Inc., et al
PO Box 95 Bowling Green Station
New York, NY 10274

Re: Allegiance Telecom Service Corp., Debtor
Case No. 03-13103

Gentlemen:

I enclose herewith original and copy PROOF OF CLAIM of
TOMPKINS MC GUIRE, WACHENFELD & BARRY LLP in the above
entitled case.

I will thank you to file the original and return to me
the copy thereof stamped "Filed". A return envelope is
enclosed for your convenience.

Very truly yours,


FRANCES S. MARGOLIS

FOR TOMPKINS, MC GUIRE, WACHENFELD & BARRY LLP

M:S
Encls.