

UNITED STATES BANKRUPTCY COURT District of South Carolina		PROOF OF CLAIM
Name of Debtor: Cliffs Club Hospitality Service Company LLC	Case Number: 12-01237	
NOTE: Do not use this form to make a claim for an administrative expense that arises after the bankruptcy filing. You may file a request for payment of an administrative expense according to 11 U.S.C. § 503.		
Name of Creditor (the person or other entity to whom the debtor owes money or property): David & Patricia Tompkins		
Name and address where notices should be sent: David & Patricia Tompkins 212 Bentwood Way Salem, SC 29676		RECEIVED MAR 15 2012 DMC GROUP
Telephone number: (864) 944-7108 email: davidthompkins@bellsouth.net		COURT USE ONLY
Name and address where payment should be sent (if different from above): David & Patricia Tompkins 212 Bentwood Way Salem, SC 29676		<input type="checkbox"/> Check this box if this claim amends a previously filed claim. Court Claim Number: _____ (If known) Filed on: _____
Telephone number: (864) 944-7108 email: davidthompkins@bellsouth.net		<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to this claim. Attach copy of statement giving particulars.
1. Amount of Claim as of Date Case Filed: \$ <u>895.25</u>		
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.		
<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.		
2. Basis for Claim: <u>Remaining club "incentive" credits due from property purchas</u> (See instruction #2)		
3. Last four digits of any number by which creditor identifies debtor: 9 6 6 5	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: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe:		Basis for perfection: _____
Value of Property: \$ _____		Amount of Secured Claim: \$ _____
Annual Interest Rate _____ % <input type="checkbox"/> Fixed or <input type="checkbox"/> Variable (when case was filed)		Amount Unsecured: \$ <u>895.25</u>
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 \$11,725*) 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).	Amount entitled to priority: \$ _____
<input type="checkbox"/> Up to \$2,600* 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)().
*Amounts are subject to adjustment on 4/1/13 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.		
6. Credits. The amount of all payments on this claim has been credited for the purpose of making this proof of claim. (See instruction #6)		



7. 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, and security agreements. 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. (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:

8. Signature: (See instruction #8)

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.
- (Attach copy of power of attorney, if any.) (See Bankruptcy Rule 3004.) (See Bankruptcy Rule 3005.)

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

Print Name: David & Patricia Tompkins

Title: _____

Company: _____

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

David Tompkins
Patricia Tompkins

(Signature)

03/12/2012

(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 federal judicial district in which the bankruptcy case was filed (for example, Central District of California), the debtor's full name, and the 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.

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 and 5. Check the box if interest or other charges are included in the claim.

2. Basis for Claim:

State the type of debt or how it was incurred. Examples include goods sold, money loaned, services performed, personal injury/wrongful death, car loan, mortgage note, and credit card. If the claim is based on delivering health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information. You may be required to provide additional disclosure if an interested party objects to the claim.

3. Last Four Digits of Any Number by Which Creditor Identifies Debtor:

State only the last four digits of the debtor's account or other number used by the creditor to identify the debtor.

3a. Debtor May Have Scheduled Account As:

Report a change in the creditor's name, a transferred claim, or any other information that clarifies a difference between this proof of claim and the claim as scheduled by the debtor.

3b. Uniform Claim Identifier:

If you use a uniform claim identifier, you may report it here. A uniform claim identifier is an optional 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. 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.

7. 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. 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.

8. 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 specifying what constitutes a signature. If you sign this form, you declare under penalty of perjury that the information provided is true and correct to the best of your knowledge, information, and reasonable belief. Your signature is also a certification that the claim meets the requirements of FRBP 9011(b). Whether the claim is filed electronically or in person, if your name is on the signature line, you are responsible for the declaration. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer's address and telephone number if it differs from the address given on the top of the form for purposes of receiving notices. If the claim is filed by an authorized agent, attach a complete copy of any power of attorney, and provide both the name of the individual filing the claim and the name of the agent. If the authorized agent is a servicer, identify the corporate servicer as the company. Criminal penalties apply for making a false statement on a proof of claim.

DEFINITIONS

Debtor

A debtor is the person, corporation, or other entity that has filed a bankruptcy case.

Creditor

A creditor is a person, corporation, or other entity to whom debtor owes a debt that was incurred before the date of the bankruptcy filing. See 11 U.S.C. §101 (10).

Claim

A claim is the creditor's right to receive payment for a debt owed by the debtor on the date of the bankruptcy filing. See 11 U.S.C. §101 (5). A claim may be secured or unsecured.

Proof of Claim

A proof of claim is a form used by the creditor to indicate the amount of the debt owed by the debtor on the date of the bankruptcy filing. The creditor must file the form with the clerk of the same bankruptcy court in which the bankruptcy case was filed.

Secured Claim Under 11 U.S.C. § 506 (a)

A secured claim is one backed by a lien on property of the debtor. The claim is secured so long as the creditor has the right to be paid from the property prior to other creditors. The amount of the secured claim cannot exceed the value of the property. Any amount owed to the creditor in excess of the value of the property is an unsecured claim. Examples of liens on property include a mortgage on real estate or a security interest in a car. A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In some states, a court judgment is a lien.

A claim also may be secured if the creditor owes the debtor money (has a right to setoff).

Unsecured Claim

An unsecured claim is one that does not meet the requirements of a secured claim. A claim may be partly unsecured if the amount of the claim exceeds the value of the property on which the creditor has a lien.

Claim Entitled to Priority Under 11 U.S.C. § 507 (a)

Priority claims are certain categories of unsecured claims that are paid from the available money or property in a bankruptcy case before other unsecured claims.

Redacted

A document has been redacted when the person filing it has masked, edited out, or otherwise deleted, certain information. A creditor must show only the last four digits of any social-security, individual's tax-identification, or financial-account number, only the initials of a minor's name, and only the year of any person's date of birth. If the claim is based on the delivery of health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information.

Evidence of Perfection

Evidence of perfection may include a mortgage, lien, certificate of title, financing statement, or other document showing that the lien has been filed or recorded.

INFORMATION

Acknowledgment of Filing of Claim

To receive acknowledgment of your filing, you may either enclose a stamped self-addressed envelope and a copy of this proof of claim or you may access the court's PACER system (www.pacer.psc.uscourts.gov) for a small fee to view your filed proof of claim.

Offers to Purchase a Claim

Certain entities are in the business of purchasing claims for an amount less than the face value of the claims. One or more of these entities may contact the creditor and offer to purchase the claim. Some of the written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court or the debtor. The creditor has no obligation to sell its claim. However, if the creditor decides to sell its claim, any transfer of such claim is subject to FRBP 3001(e), any applicable provisions of the Bankruptcy Code (11 U.S.C. § 101 *et seq.*), and any applicable orders of the bankruptcy court.

STATEMENT



The Cliffs Club & Hospitality Service Company, LLC
DEBTOR IN POSSESSION
PO Box 1279
Travelers Rest, SC 29690
Phone: (864) 371-1075 Fax: (864) 836-1249

MEMBER NUMBER	STATEMENT DATE
T00205	02-29-12
CHECK NUMBER	AMOUNT TO PAY

DAVID THOMPkins.
 212 BENTWOOD WAY
 SALEM, SC 29676

REMITTANCE ADDRESS
: 296901201794:
The Cliffs Club & Hospitality Service Company, LLC
PO Box 1279
Travelers Rest, SC 29690

PLEASE DETACH AND RETURN TOP PORTION WITH PAYMENT

DATE	REF. NO.	DESCRIPTION	AMOUNT	SVC / GRAT	TAX	TOTAL
		Balance Forward				-1,357.81
02-02-12	23010109	Vineyards Marina - Fuel	77.66	0.00	0.00	77.66 ✓
02-06-12	53026769	Falls South MDR - Food	49.90	0.00	2.99	52.89 ✓
02-06-12	53026769	Falls South MDR - Wine	9.00	3.00	0.54	12.54 ✓
02-06-12	76018720	Bar - KFS	15.00	3.00	0.90	18.90 ✓
02-13-12	76018851	Bar - KFS	12.00	0.00	1.32	13.32 ✓
02-17-12	53026952	Falls South MDR - Food	48.90	0.00	2.93	51.83 ✓
02-17-12	53026952	Falls South MDR - Wine	24.00	5.00	1.44	30.44 ✓
02-17-12	53026954	Keowee Falls South Main Dining	44.98	0.00	2.70	47.68 ✓
02-17-12	76018914	Bar - KFS	12.00	0.00	1.32	13.32 ✓
02-17-12	76018914	Bar - KFS	6.00	3.00	0.36	9.36 ✓
02-20-12	76018967	Bar - KFS	11.00	0.00	1.21	12.21 ✓
02-24-12	53027046	Falls South MDR - Food	58.80	0.00	3.53	62.33 ✓
02-24-12	53027046	Falls South MDR - Wine	18.00	5.00	1.08	24.08 ✓
02-24-12	76019026	Bar - KFS	12.00	0.00	1.32	13.32 ✓
02-24-12	76019026	Bar - KFS	6.00	3.00	0.36	9.36 ✓
* 02-27-12	PREP	PREP CREDIT	895.25	0.00	0.00	895.25
02-27-12	76019088	Bar - KFS	12.00	0.00	1.32	13.32 *
02-29-12	SJ3163/63	Dues - Keowee Falls - Wellness	147.62	0.00	7.38	155.00
02-29-12	SJ3163/63	FS - Service Charge - Resident	31.44	0.00	1.89	33.33

Minimum Billing Period	01-01-12	12-31-12	Remaining Food Minimum Balance	502.69
188.33	0.00	0.00	0.00	0.00
CURRENT BAL.	30 DAYS BAL.	60 DAYS BAL.	90 DAYS BAL.	120 DAYS BAL.
				AMOUNT DUE
				188.33

Payments to the club are not deductible as charitable contributions for income tax purposes.
The Cliffs Club & Hospitality Service Company, LLC

Please call (864) 371-1075, email ar@cliffscommunities.com, or fax (864) 836-1249 with billing questions. A late fee of 1.5% will be applied on balances over 30 days.

ADDITIONAL DISBURSEMENTS EXHIBIT

Buyer: David E. Tompkins and Patricia L. Tompkins
Seller: Jennifer Ruth Jacobs-Dick, Trustee
Settlement Agent: Olson, Smith, Jordan & Cox, P.A.
 (864)654-3680
Place of Settlement: 600 College Avenue
 Clemson, SC 29631
Settlement Date: November 17, 2008
Property Location: Lot 11 Emerald Bay
 Salem, SC 29676
 Oconee County, South Carolina
 Lot 11 Emerald Bay
 The Cliffs at Keowee Falls
 South

PAYEE/DESCRIPTION	NOTE/REF NO	BUYER	SELLER
Keowee Property Owners Association Working Capital Contribution		141.66	
Cliffs Golf & Country Club Club Credit			20,000.00
Cliffs Golf & Country Club Initiation Deposit Credit			25,000.00
Cliffs Golf & Country Club Wellness Center Credit			4,000.00
Total Additional Disbursements shown on Line 1305		<u>\$ 141.66</u>	<u>\$ 49,000.00</u>

\$895²⁵ ←
 REMAINING CLUB
 CREDIT BALANCE

From: Megan Runion (mrunion@cliffscommunities.com)
To: davidthompkins@bellsouth.net;
Date: Thu, March 1, 2012 11:41:05 AM
Cc:
Subject: Bankruptcy Pre-petition Club Credits

The Cliffs Club & Hospitality Service Company
P.O. Box 1279
Travelers Rest, SC 29690

Mar 1, 2012

Mr. David Thompkins
212 Bentwood Way
Salem, SC 29676

Dear Mr. Thompkins:

As a result of the ClubCo bankruptcy filing on February 28, 2012, we are precluded by the Federal Bankruptcy Code from honoring certain Club Credits at this time. Under the bankruptcy code these credits are considered pre-petition liabilities and cannot be used to offset charges incurred after the bankruptcy filing date.

Your member account has been identified as one having such credits. Your February statement will reflect an adjustment to reclassify the remaining credit balance, as of close of business on Monday, February 27th, as a prepetition liability. Any charges recorded after that date will be due and payable to the Club as they become due. The status of the credits will be addressed in the plan of reorganization.

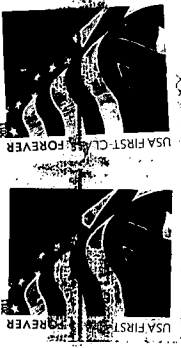
We trust you understand our position and apologize for the inconvenience.

Sincerely,

Club Management

TOMPKINS, D
212 BENTWOOD WAY
SALEM, SC 29676

GREENVILLE SC 29601
MAR 15 2012 11 20 AM



RECEIVED
MAR 15 2012
BMC GROUP

BMC Group, Inc.
ATTN: CLIFFS CLUB & HOSPITALITY Group
et al, CLAIMS PROCESSING
P.O. Box 3020
CHANHASSEN, MN

5531743020 5531743020