


<b>UNITED STATES BANKRUPTCY COURT DISTRICT OF SOUTH CAROLINA</b>	<b>PROOF OF CLAIM</b>
--	-----------------------

<b>Name of Debtor:</b> The Cliffs at Mountain Park Golf & Country Club, LLC	<b>Case Number:</b> 12-01225
--	---------------------------------

*NOTE: See reverse and attached for List of Debtors/Case Numbers/important details. Other than claims under 11 U.S.C. § 503(b)(9), this form should not be used to make a claim for Administrative Expenses 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(a).*

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

Name and address where notices should be sent:

 29347867003879  
 Utpaul, Panna and Connie  
 556 Water Oak Road  
 Virginia Beach, VA 23452

RECEIVED

APR 26 2012

BMC GROUP

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

THIS SPACE IS FOR COURT USE ONLY

Creditor Telephone Number ( ) email:

Name and address where <b>payment</b> should be sent (if different from above):	<input type="checkbox"/> 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.
Payment Telephone Number ( ) email:	<input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim. <b>Court Claim Number (if known):</b> _____ Filed on: _____

**1. AMOUNT OF CLAIM AS OF DATE CASE FILED** \$ 37,500

If all or part of your claim is secured, complete item 4.  
 If all or part of your claim is entitled to priority, complete item 5.

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

**2. BASIS FOR CLAIM:** (See instruction #2) Refund of 2009 membership downgrade

<b>3. LAST FOUR DIGITS OF ANY NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR:</b> <u>1225</u>	<b>3a. Debtor may have scheduled account as:</b> _____ (See instruction #3a)	<b>3b. Uniform Claim Identifier (optional):</b> _____ (See instruction #3b)
--	--	---

**4. SECURED CLAIM:** (See instruction #4)

Check the appropriate box if your claim is secured by a lien on property or a right of set off, attach required redacted documents, and provide the requested information.

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

**Value of Property:** \$ \_\_\_\_\_

**Annual Interest Rate:** \_\_\_\_\_ %  Fixed or  Variable (when case was filed)

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

**Basis for Perfection:** \_\_\_\_\_

**Amount of Secured Claim:** \$ \_\_\_\_\_

**Amount Unsecured:** \$ \_\_\_\_\_

**5. Amount of Claim Entitled to Administrative Expense status under 11 U.S.C. § 503(b)(9) or 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 administrative expense or priority and state the amount.**


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

Amount entitled to administrative expense under 11 U.S.C. § 503(b)(9): \$ \_\_\_\_\_

**You MUST specify the priority of the claim:**

<input type="checkbox"/> Domestic support obligations under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).	<input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(8).
<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"/> Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(5).
<input type="checkbox"/> Wages, salaries, or commissions (up to \$11,725*), earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. § 507(a)(4).	<input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. § 507(a) ( _____ ).
	<input type="checkbox"/> Value of goods received by the debtor within 20 days before the date of the bankruptcy filing - 11 U.S.C. § 503(b)(9).

\* 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.

Cliffs POC  
  
 00303

**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 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 definition of "redacted"). DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.  
If the documents are not available, please explain:

**DATE-STAMPED COPY:** To receive an acknowledgment of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim.

The original of this completed proof of claim form must be sent by mail or hand delivered (FAXES OR EMAIL NOT ACCEPTED) so that it is actually received on or before 4:00 pm prevailing Eastern Time on May 31, 2012 for Non-Governmental Claimants OR on or before 4:00 pm prevailing Eastern Time on August 27, 2012 for Governmental Claimants.

**BY MAIL TO:**  
BMC Group, Inc  
Attn: Cliffs Claims Processing  
PO Box 3020  
Chanhassen, MN 55317-3020

**BY MESSENGER OR OVERNIGHT DELIVERY TO:**  
BMC Group, Inc  
Attn: Cliffs Claims Processing  
18675 Lake Drive East  
Chanhassen, MN 55317

**8. SIGNATURE:** (See instruction #8)

Check the appropriate box.

I am the creditor.       I am the creditor's authorized agent.  
(Attach copy of power of attorney, if any.)       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 the best of my knowledge, information, and reasonable belief.

Print Name: Panna + Connie Utpaul  
Title: \_\_\_\_\_  
Company: \_\_\_\_\_

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

[Signature]      4-23-12  
(Signature)      (Date)  
Connie Utpaul      4-23-12

Telephone number: \_\_\_\_\_ email: cutpaul@hotmail.com  
757 525 7706

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.

**LIST OF DEBTORS:**

Case Name	Case Nbr
The Cliffs Club & Hospitality Group, Inc.	12-01220
CCHG Holdings, Inc.	12-01223
The Cliffs at Mountain Park Golf & Country Club, LLC	12-01225
The Cliffs at Keowee Vineyards Golf & Country Club, LLC	12-01226
The Cliffs at Walnut Cove Golf & Country Club, LLC	12-01227
The Cliffs at Keowee Falls Golf & Country Club, LLC	12-01229
The Cliffs at Keowee Springs Golf & Country Club, LLC	12-01230
The Cliffs at High Carolina Golf & Country Club, LLC	12-01231
The Cliffs at Glassy Golf & Country Club, LLC	12-01234
The Cliffs Valley Golf & Country Club, LLC	12-01236
Cliffs Club & Hospitality Service Company, LLC	12-01237



September 30, 2009

Mr. and Mrs. Panna Utpaul  
556 Water Oak Road  
Virginia Beach, VA 23452

Dear Mr. and Mrs. Utpaul,

We are writing at this time to confirm acknowledgement of your Mountain Park Golf Membership resignation in conjunction with Section Cliffs Estates, Lot 54. Your resignation is effective with the receipt of your written resignation notice and will be effective September 27, 2009. The lot reference mentioned above will now hold a Mountain Park Family Membership.

Your refund will be processed in accordance with the refund policies and procedures as outlined in the Master Membership Plan. If you need a copy of this document, please let us know. In summary, the refund is processed as follows:

- Your Mountain Park Golf Membership refund of \$37,500 is placed in a priority waiting list based on the classification and location of your membership. The Master Membership Plan outlines the refund procedure and explains that such refund will be paid within a reasonable period of time following such re-issuance of the original membership, consistent with the Cliffs Clubs processing of accounts payable, and will be processed only on the basis of one (1) refund for every five (5) memberships issued by the Club from its previously unissued memberships within the same classification as the original membership.

It is important to mention that the Membership Plan does not provide for this resigned Golf Membership to be reactivated in the future. Specifically, Section 20 (I) states, "A Member that voluntarily resigns his/her membership may not reactivate the resigned membership in order to have the membership available to the resale purchaser of the resigned Member's property." Please consider this section of the Plan as it may impact you going forward.

If you have any questions regarding your refund or this process, please call the Membership Office at 864.660.1160.

Kind regards,

Nate Weyand  
Membership Director

The Cliffs Golf and Country Clubs  
Membership Office  
3598 Highway 11, Travelers Rest, South Carolina 29690  
(864) 660-1100  
[www.cliffscommunities.com](http://www.cliffscommunities.com)

**RE: Membership Downgrade**

From: **Magan Boggs** (mboggs@cliffscommunities.com)  
Sent: Mon 9/28/09 4:31 PM  
To: 'Panna Utpaul' (putpaul@hotmail.com)  
Cc: connie utpaul (cutpaul@hotmail.com)

Hi Mr. and Mrs. Utpaul,

Thank you for your email. I will downgrade your Golf Membership to Family effective today, September 28. I will also send a letter via US Mail confirming your downgrade shortly.

If you need anything further, please let me know.

Best regards,  
Magan



**Magan Boggs**  
*Membership Services Assistant*

864.371.1047 | office  
864.371.1538 | fax  
800.371.1000 | toll-free  
[mboggs@cliffscommunities.com](mailto:mboggs@cliffscommunities.com)  
[www.cliffscommunities.com](http://www.cliffscommunities.com)

*"World's Best International Development 2007,"  
CNBC International Property Awards*



Please consider the environment before printing this e-mail.

---

**From:** Panna Utpaul [mailto:putpaul@hotmail.com]  
**Sent:** Sunday, September 27, 2009 8:24 PM  
**To:** Magan Boggs  
**Cc:** connie utpaul  
**Subject:** Membership Downgrade

Hello Megan,

We would like to downgrade our membership from Golf to a Family membership effective immediately. Please let us know if you need anything else to complete this request.

Thanks

Panna and Connie Utpaul

April 23, 2012

BMC Group, Inc.  
Attn: Cliffs Claims Processing  
PO Box 3020  
Chanhassen, MN 55317-3020

Panna and Connie Utpaul  
556 Water Oak Road  
Virginia Beach, VA 23452


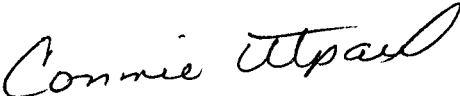
Case Number 12-01225

On September 27, 2009, we downgraded our Cliffs membership from Golf to Family Membership (see attached email and acknowledgement notice) entitling us to a refund of \$37,500. (\$87,500 paid towards Golf Membership – \$50,000 for Family Membership = \$37,500.)

To date, the refund has not been remitted to us. We are thus submitting this proof of claim for the aforementioned refund.

Sincerely,

Panna and Connie Utpaul

Utpaul  
556 Water Oak Rd  
Va. Beach, VA 23452

BMC Group, Inc.

Attn: Cliffs Claims Processing USPS

PO Box 3020

Chanhassen, MN 55317-3020  
RECEIVED  
APR 26 2012  
BMC GROUP



USA FIRST-CLASS FOREVER  
HAMPDEN  
APR 23 2012  
USA FIRST-CLASS FOREVER