

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF SOUTH CAROLINA

PROOF OF CLAIM



Your Claim is Scheduled As Follows:  
Schedule/Claim ID: s15035  
AMOUNT/CLASSIFICATION:  
\$31.74 UNSECURED

Name of Debtor:  
The Cliffs at Walnut Cove Golf & Country Club, LLC

Case Number:  
12-01227

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:

29347866901177  
Baumgardt, James  
912 Seagrove Lane  
Vero Beach, FL 32963

RECEIVED

APR 30 2012

BMC GROUP

The amounts reflected above constitute your claim as scheduled by the Debtor or pursuant to a filed claim. If you agree with the amounts set forth herein, and have no other claim against the Debtor, you do not need to file this proof of claim EXCEPT as stated below.

If the amounts shown above are listed as Contingent, Unliquidated or Disputed, a proof of claim must be filed except as provided in the accompanying bar date notice.

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

Creditor Telephone Number ( ) email:

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

James P. Baumgardt  
912 Seagrove Ln.  
Vero Beach, FL 32963

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.

THIS SPACE IS FOR COURT USE ONLY

Check this box to indicate that this claim amends a previously filed claim.

Court Claim Number (if known):

Filed on:

Payment Telephone Number (371)61-1026 email: yegidal1@yahoo.com

1. AMOUNT OF CLAIM AS OF DATE CASE FILED \$ 75,000

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: Golf Club (Walnut Cove) Association membership Fee

3. LAST FOUR DIGITS OF ANY NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR:

3a. Debtor may have scheduled account as:  
Walnut Cove Sec. 6 Lot 88  
(See instruction #3a)

3b. Uniform Claim Identifier (optional):  
(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: \$ 100,000 purchase  
↳ 75,000 Equity stake

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

You MUST specify the priority of the claim:

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

Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(8).

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).

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

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).

Other - Specify applicable paragraph of 11 U.S.C. § 507(a) ( ).

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



00393

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

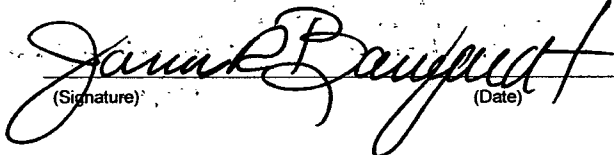
**8. SIGNATURE:** (See instruction #8)

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: JAMES E BAUMBARDT  
Title: \_\_\_\_\_  
Company: \_\_\_\_\_

  
(Signature)      (Date)

Address and telephone number (if different from notice address above):  
912 Seagrape Ln  
Uro Beach, Fl 32963  
37-691-1026      yogidad1@yahoo.com  
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.

**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

## 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](http://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.

### ELECTION TO PURCHASE

SECTION 6, LOT: 88, LIST PRICE: \$700,000.00

COMMUNITY: Cliffs at Walnut Cove and AGREEMENT DATE: \_\_\_\_\_

For and in consideration of the Purchase Price set forth below, and the mutual covenants and agreements set forth in the Agreement dated as set forth above, to which this Election to Purchase will be attached upon execution by the undersigned Developer, as "Seller," and the undersigned Prospective Purchaser, as "Purchaser," and the covenants and agreements set forth herein which will be incorporated in and become a part of the Agreement, the Developer and the Purchaser agree as follows:

- 1. The List Price of the Lot does not include a membership in the Golf and Country Club (the "Club"), which is reserved solely to its members in accordance with the use rights conferred by the Club Membership Plan for the categories and classifications of membership offered. Seller does not operate the Club. The Club is operated by The Cliffs Golf & Country Club, Inc. Seller will, however, discount the List Price of the Lot by \$25,000 if Purchaser agrees to acquire a membership, and Purchaser will pay that amount at Closing toward a membership.

Check one of the following:

*Handwritten initials*  
(Initial)

- If checked and initialed, Purchaser wishes to acquire a membership in the Club, either a Cliffs Family Membership or a Cliffs Golf Membership, and wishes to receive a \$25,000 property discount and apply it toward the required membership deposit, and has attached hereto a signed Club Membership Addendum. While Purchaser is guaranteed the availability of a golf membership under the Membership Plan only if Purchaser acquires one within 30 days following Purchaser's Closing, Purchaser will receive the discount only if the membership is acquired at the Closing. If this paragraph is checked and initialed, the Purchase Price in Paragraph 2 below is net of the discount.

(Initial)

- If checked and initialed, Purchaser does not wish to acquire a membership in the Club at this time. Purchaser understands that membership is subject to availability at the time Purchaser may wish to acquire one, and is not guaranteed. Purchaser will NOT receive any discount off the listed Purchase Price because Purchaser elects not to receive a membership.

- 2. Purchase Price. The "Purchase Price" is calculated and payable as follows:

Total Purchase Price: \$ 675,000.00

*Handwritten initials*  
(Initial)

- (a)  Discount Applied to Membership Deposit. If checked and initialed, Purchaser has checked the first box in 1 above and wishes to acquire Full Family Membership privileges, paying at the Closing \$50,000. \$ 50,000.00
- (b)  Golf Membership, Initiation Deposit Add-on. If checked and initialed, Purchaser has checked the first box in 1 above and wishes to upgrade to a Golf Membership by paying at the Closing an additional sum of \$50,000. \$ 50,000.00
- (c) SUB-TOTAL, Purchase Price of Lot plus Membership Upgrade Deposit Due at Closing \$ 775,000.00
- (d) Initial Earnest Money Deposit. The Escrow Deposit paid under Part I of the Agreement \$ 10,000.00
- (e) Additional Deposit Due. An additional Earnest Money Deposit due Escrow Agent within 0 days of the Effective Date hereof. \$ 0.00
- (f) Balance at Closing. The balance required at Closing in cash or certified funds (not including all of Purchaser's closing costs, prepaids, and escrow deposits) \$ 765,000.00

3. Purchaser's Acknowledgements Concerning Representations. The Purchaser understands that any person representing the Developer does not have the authority to make any statements in conflict with or in addition to the information contained in the Agreement and this Election to Purchase, and any other documents received from the Developer, including without limitation, any representation made regarding the resale of Purchaser's Lot or its rental or investment potential, and that Seller, for itself and in behalf of any such agent, specifically disclaims any responsibility for such statements. Further, if any such statements were made, the Purchaser acknowledges that the Purchaser may cancel the transaction now by not executing this Election to Purchase. By execution of this Election to Purchase, the Purchaser affirms that the Purchaser has not relied upon any such statements, if any, and waives any rights that the Purchaser might have as a result of such statements unless they are incorporated into this Election to Purchase or in the Agreement to which a form of this Election to Purchase is attached as Exhibit A.

4. Additional Documents Received By Purchaser. Pursuant to Section 9.5(e) of the Agreement, the Purchaser acknowledges having received and reviewed prior to the execution of this Agreement the following (if none, leave blank):

- Seller's Property Report made effective March 22, 2007 by the Department of Housing & Urban Development
- Cliffs Golf Membership Addendum
- Prepaid Interest Addendum
- 
- 

**PURCHASER'S INITIAL HERE TO EVIDENCE HAVING RECEIVED THE DOCUMENTS LISTED ABOVE**

JRB  
For Purchaser

**YOU HAVE THE OPTION TO CANCEL YOUR CONTRACT OR AGREEMENT OF SALE BY NOTICE TO THE SELLER UNTIL MIDNIGHT OF THE SEVENTH DAY AFTER YOU HAVE RECEIVED A FULLY SIGNED COPY OF THE CONTRACT OR AGREEMENT.**

**IF YOU DID NOT RECEIVE A PROPERTY REPORT PREPARED PURSUANT TO THE RULES AND REGULATIONS OF THE OFFICE OF INTERSTATE LAND SALES REGISTRATION, U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, IN ADVANCE OF YOUR SIGNING THE CONTRACT OR AGREEMENT, THE CONTRACT OR AGREEMENT OF SALE MAY BE CANCELLED AT YOUR OPTION FOR TWO YEARS FROM THE DATE OF SIGNING.**

WITNESS:

\_\_\_\_\_  
\_\_\_\_\_

Purchaser:

J. James R. Baumgardt  
(Signature)  
Sharon Baumgardt  
(Signature)

Month \_\_\_\_\_ Day \_\_\_\_\_ Year \_\_\_\_\_

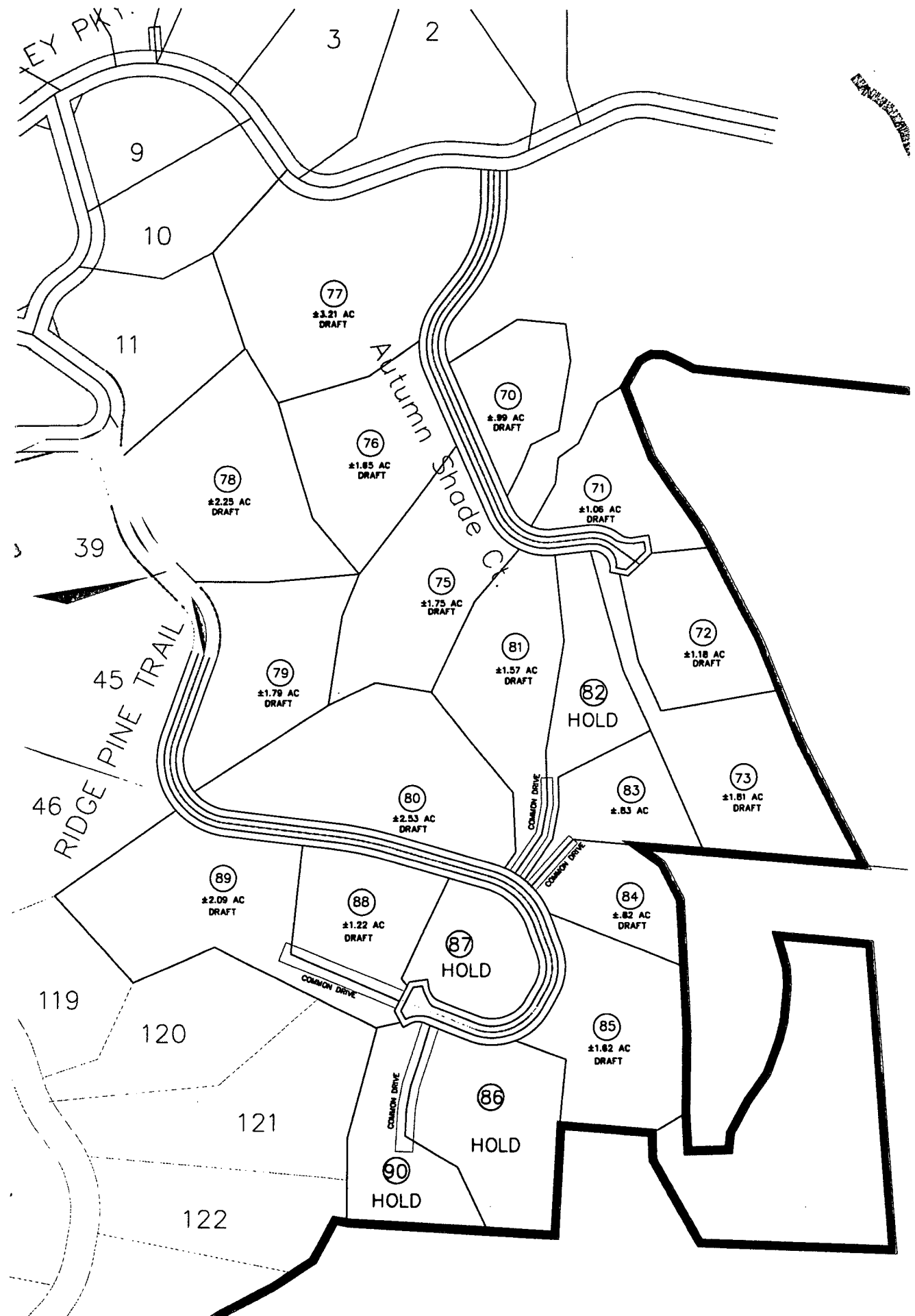
Print or Type:

Name: Jim Baumgardt  
Name: Sharon Baumgardt  
Address: 602 Live Oak Road  
Vero Beach, FL 32963

Telephone (Work): \_\_\_\_\_  
Telephone (Home): (772) 234-6056  
FAX Number: \_\_\_\_\_  
E-mail Address: yogdad1@yahoo.com  
Closing Date: May 2, 2007

Name in Which to Title Property \_\_\_\_\_  
(insert the name or names to which Purchaser wishes title to the Lot to be deeded)

**(BALANCE OF PAGE PURPOSELY BLANK)**



# CLIFFS CLAIMS PROCESSING TO BE KEPT

April 25, 2012

BMC Group, Inc  
PO Box 3020  
Chanhassen, MN 55317-3020

Cliffs Claims Processing,

Please find enclosed the following:

1. UNITED STATES BANKRUPTCY COURT DISTRICT OF SOUTH CAROLINA- PROOF OF CLAIM
2. FORM B 10(OFFICIAL FORM 10)(12/11)
3. A copy of those two forms with a self addressed stamped envelope for you to return to me acknowledging that I have properly filed proof of claim

I had several questions while filling out the forms, so please inform me if I have done anything in error.

It should be noted that I sold my property in the Cliffs at Walnut Cove during the 2011 calendar year. I am no longer a dues paying member, but am owed 75% of my equity membership fee(\$100,000). I was told that for everyone on that list, we would be payed based on the closing date of our sale, with one payback for every 5 lots sold.

If I have done anything incorrectly, please contact me at:

317-691-1026

or

[yogidad1@yahoo.com](mailto:yogidad1@yahoo.com)

Regards,

James R Baumgardt

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PLEASE PRESS FIRMLY



UNITED STATES POSTAL SERVICE

Flat Rate Mailing Envelope For Domestic and International Use



When used internationally affix customs declarations (PS Form 2976, or 2976A).



Label Here: E H 5 2 7 3 4 9 9 0 7 0 S



UNITED STATES POSTAL SERVICE

Post Office To Addressee

Addressee Copy Label 11-F, April 2004

ORIGIN (POSTAL SERVICE USE ONLY)

PO ZIP Code 32809	Day of Delivery <input type="checkbox"/> Next <input checked="" type="checkbox"/> 2nd Day	Postage \$	Insurance Fee \$
Date Accepted 4/27/12	Scheduled Date of Delivery 4/30	Return Receipt Fee \$	Total Postage & Fees \$4.15
Time Accepted 10:05 AM	Scheduled Time of Delivery <input type="checkbox"/> Noon <input checked="" type="checkbox"/> 3 PM	Acceptance Emp. Initials [Signature]	
Flat Rate <input type="checkbox"/> or Weight <input type="checkbox"/> lbs.	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Int'l Alpha Country Code	

DELIVERY (POSTAL SERVICE USE ONLY)

Delivery Attempt Mo. 4 Day 18	Time 10:05 AM	Employee Signature [Signature]
Delivery Attempt Mo. 4 Day 30	Time 11:00 AM	Employee Signature [Signature]

NO DELIVERY  Weekend  Holiday

Customer Signature \_\_\_\_\_

PRESS HARD. YOU ARE MAKING 3 COPIES.

FROM: (PLEASE PRINT) PHONE 772 231 0021  
 JIMES R. CHUMMERY  
 PAR MAIL  
 505 BEACHLAND BLVD STE 1  
 VERO BEACH FL 32963-1738

TO: (PLEASE PRINT) PHONE  
 APR 30 2012  
 EBMC GROUP INC  
 P.O. BOX 3000  
 CRYSTALSON, MN 55317  
 444 CHIEF CLERKS PROFESSIONAL

FOR PICKUP OR TRACKING: Visit [www.usps.com](http://www.usps.com) or Call 1-800-222-1811

Visit us at [usps.com](http://usps.com)

We Deliver!



USPS packaging products have been awarded Cradle to Cradle Certification for their ecologically-intelligent design. For more information go to [mbdc.com/usps](http://mbdc.com/usps)

Please recycle.



EP13F