United States Bankruptcy Court Southern District of Florida
Consolidated Cases
(if applicable, a separate claim form must be filed for each case)

☐ Daymark Realty Advisors Inc. Case No. 18-23750
☐ Daymark Residential Management Inc. Case No. 18-23751
☐ Daymark Properties Realty Inc. Case No. 18-23752

Proof of Claims are to be mailed to:

Daymark Realty Advisors Inc.
c/o BMC Group, Inc.
PO Box 90100
Los Angeles, CA 90009

RECEIVED
MAR 11 2019
BMC GROUP

Official Form 410

Proof of Claim

04/16

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach 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. **Do not send original documents;** they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to $500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) **that you received.**

Part 1: Identify the Claim

1. **Who is the current creditor?**
   Name of the current creditor (the person or entity to be paid for this claim): Johnny Barnett
   Other names the creditor used with the debtor: _____

2. **Has this claim been acquired from someone else?**
   ☑ No
   ☐ Yes. From whom? _____

3. **Where should notices and payments to the creditor be sent?**
   Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)

Where should notices to the creditor be sent?	Where should payments to the creditor be sent? (if different)
Name: Johnny Barnett	Name: Johnny Barnett
Number Street: 1667 Potomac Dr	Number Street: 1667 Potomac Dr
City State ZIP Code: Burleson TX 76028	City State ZIP Code: Burleson TX 76028
Contact phone: 361/443-8372	Contact phone: same
Contact email: bfmcjb@gmail.com	Contact email: same

Uniform claim identifier for electronic payments in chapter 13 (if you use one):
_ _

4. **Does this claim amend one already filed?**
   ☑ No
   ☐ Yes. Claim number on court claims registry (if known) _____ Filed on _____ MM / DD / YYYY

5. **Do you know if anyone else has filed a proof of claim for this claim?**
   ☑ No
   ☐ Yes. Who made the earlier filing? _____

Part 2: Give Information About the Claim as of the Date the Case Was Filed

6. **Do you have any number you use to identify the debtor?**
   ☑ No
   ☐ Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: ____ ____ ____ ____

7. **How much is the claim?** $ 75,000. **Does this amount include interest or other charges?**
   ☑ No
   ☐ Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

DAYMARK POC
00916

8. **What is the basis of the claim?**

Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card.

Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).

Limit disclosing information that is entitled to privacy, such as health care information.

9. **Is all or part of the claim secured?**

☑ No

☐ Yes. The claim is secured by a lien on property.

Nature of property:

☐ Real estate. If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim.*

☐ Motor vehicle

☐ Other. Describe: _____

Basis for perfection: _____

Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)

Value of property: $_____

Amount of the claim that is secured: $_____

Amount of the claim that is unsecured: $_____ (The sum of the secured and unsecured amounts should match the amount in line 7.)

Amount necessary to cure any default as of the date of the petition: $_____

Annual Interest Rate (when case was filed)_____%

☐ Fixed

☐ Variable

10. **Is this claim based on a lease?**

☑ No

☐ Yes. **Amount necessary to cure any default as of the date of the petition.** $_____

11. **Is this claim subject to a right of setoff?**

☑ No

☐ Yes. Identify the property: _____

12. **Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?**

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

☑ No

☐ Yes. *Check one:*

	Amount entitled to priority
☐ Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).	$_____
☐ Up to $2,850* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).	$_____
☐ Wages, salaries, or commissions (up to $12,850*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).	$_____
☐ Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).	$_____
☐ Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).	$_____
☐ Other. Specify subsection of 11 U.S.C. § 507(a)(__) that applies.	$_____

* Amounts are subject to adjustment on 4/01/19 and every 3 years after that for cases begun on or after the date of adjustment.

Part 3: Sign Below

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to $500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

☐ I am the creditor.

☑ I am the creditor's attorney or authorized agent.

☐ I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.

☐ I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that 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.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 03 06 2019 (MM / DD / YYYY) Signature

Print the name of the person who is completing and signing this claim:

Name: WILLIAM (First name) HAMILTON (Middle name) LOWELL (Last name)

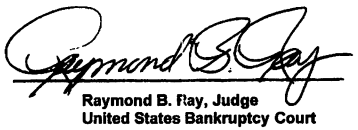
Title: President Company: Lowell and Co. Inc.

Identify the corporate servicer as the company if the authorized agent is a servicer.

Address: 4021 84th ST (Number, Street) LUBBOCK (City) TX (State) 79423 (ZIP Code)

Contact phone: 806-747-2644 Email: Howell@lowellandco.com

ORDERED in the Southern District of Florida on February 8, 2019.



Raymond B. Ray, Judge
United States Bankruptcy Court

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
Fort Lauderdale Division

In re:	Chapter 11
In re: DAYMARK REALTY ADVISORS, INC., In re: DAYMARK PROPERTIES REALTY, INC., In re: DAYMARK RESIDENTIAL MANAGEMENT, INC.	Case No. 18-23750-RBR Case No. 18-23751-RBR Case No. 18-23752-RBR (substantively consolidated)
Debtors.	

_____/

ORDER (I) SETTING HEARING TO CONSIDER APPROVAL OF DISCLOSURE STATEMENT; (II) SETTING DEADLINE FOR FILING OBJECTIONS TO DISCLOSURE STATEMENT; AND (III) DIRECTING PLAN PROPONENT TO SERVE NOTICE

DISCLOSURE HEARING:

March 15, 2019 at 11:00 a.m.

LOCATION:
United States Bankruptcy Court
299 East Broward Boulevard, Room 308
Fort Lauderdale, Florida 33301

DEADLINE FOR SERVICE OF ORDER, DISCLOSURE STATEMENT AND PLAN:
February 13, 2019

DEADLINE FOR OBJECTIONS TO DISCLOSURE STATEMENT:
March 8, 2019

PLAN PROPONENT:
DAYMARK REALTY ADVISORS, INC., DAYMARK PROPERTIES REALTY, INC. and **DAYMARK RESIDENTIAL MANAGEMENT, INC.**
Substantively Consolidated Debtors

Plan Proponent's Attorney
Brett D. Lieberman, Esq.
EDELBOIM LIEBERMAN REVAH OSHINSKY PLLC
20200 W. Dixie Highway, Suite 905
Miami, Florida 33180

A Disclosure Statement and Plan were filed pursuant to 11 U.S.C. §§1121 and 1125 on January 2, 2019 by the plan proponent named above. This order sets a hearing to consider approval of the disclosure statement ("disclosure hearing"), and sets forth the deadlines and requirements relating to the disclosure statement provided in the Bankruptcy Code, Bankruptcy Rules and Local Rules of this court.

The disclosure statement is on file with the court, and may be accessed electronically or you may obtain a copy at your expense from the clerk or view a copy at the public terminals in the clerk's office. Copies also may be obtained from the plan proponent by written request, pursuant to paragraph 3(B) of this order.

1. HEARING TO CONSIDER APPROVAL OF DISCLOSURE STATEMENT

The court has set a hearing to consider approval of the disclosure statement for the date and time indicated above as "DISCLOSURE HEARING". The disclosure hearing may be continued to a future date by notice given in open court at the disclosure hearing. At the disclosure hearing, the court will consider the disclosure statement, and any modifications or objections to it.

2. DEADLINE FOR OBJECTIONS TO DISCLOSURE STATEMENT

The last day for filing and serving objections to the disclosure statement is indicated above

as "DEADLINE FOR OBJECTIONS TO DISCLOSURE STATEMENT". Objections to the disclosure statement shall be filed with the court and served on (i) the debtor; (ii) the plan proponent (if other than the debtor); (iii) all committees that have been appointed; (iv) any chapter 11 trustee or examiner that has been appointed; and (v) the U.S. Trustee. Pursuant to Local Rule 3017-1(A), any objecting party shall confer with the plan proponent's counsel at least three business days before the disclosure hearing in an effort to resolve any objections to the disclosure statement.

3. PLAN PROPONENT TO SERVE NOTICE

(A) On or before the date indicated above as "DEADLINE FOR SERVICE OF ORDER, DISCLOSURE STATEMENT AND PLAN", the Plan Proponent shall serve a copy of this order on (i) all creditors; (ii) all equity security holders; (iii) all persons who have requested notice; and (iv) all other interested parties, pursuant to Bankruptcy Rules 2002, and 3017 (including those entities as described in Bankruptcy Rule 3017(f)), and Local Rule 3017-1(B) and including those on a Master Service List required to be filed pursuant to Local Rule 2002-1(H). The plan proponent shall file a certificate of service as required under Local Rule 2002-1(F).

(B) On or before the date indicated above as "DEADLINE FOR SERVICE OF ORDER, DISCLOSURE STATEMENT AND PLAN", the plan proponent shall serve a copy of the disclosure statement and plan, together with this order, on (i) the debtor; (ii) all committees that have been appointed; (iii) any chapter 11 trustee or examiner that has been appointed; (iv) the Securities and Exchange Commission; (v) the Internal Revenue Service; (vi) the U.S. Trustee; and (vii) any party in interest who requests in writing a copy of the disclosure statement and plan, pursuant to Bankruptcy Rule 3017(a), and Local Rule 3017-1(B). The plan proponent shall file a certificate of service as required under Local Rule 2002-1(F).

If the plan proponent does not timely comply with any of the requirements of this order, the court may impose sanctions at the disclosure hearing without further notice, including dismissal, conversion of the case to chapter 7, or the striking of the plan. The court will also consider dismissal or conversion at the disclosure hearing at the request of any party that has

requested such relief in a timely filed objection or on the court's own motion.

###

Submitted by:

Brett D. Lieberman, Esq.
EDELBOIM LIEBERMAN REVAH OSHINSKY PLLC
Counsel for the Debtors
20200 W. Dixie Highway, Suite 905
Miami, Florida 33180
Telephone: (954) 400-1499
Facsimile: (305) 928-1114

Copies Furnished To:
Brett D. Lieberman, Esq., is directed to serve copies of this Order on the Master Service List and to file a Certificate of Service.