

<b>UNITED STATES BANKRUPTCY COURT</b> Northern District of Texas (Dallas Division)	<b>PROOF OF CLAIM</b>
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Name of Debtor: <b>Erickson Retirement Communities, LLC</b>	Case Number: <b>09-37020-sqj11</b>
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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.

Name of Creditor (the person or other entity to whom the debtor owes money or property): <b>McNichol, Byrne &amp; Matlawski, P.C.</b>	<input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim.  Court Claim Number: _____ (If known)  Filed on: _____
Name and address where notices should be sent: <b>McNichol, Byrne &amp; Matlawski, P.C.</b> 606 E. Baltimore Pike Media, PA 19063  Telephone number: (610) 565-4322	<div style="border: 1px solid black; padding: 5px;"> <p style="font-size: 1.2em; margin: 0;">RECEIVED</p> <p style="font-size: 1.5em; margin: 0;">JAN 06 2010</p> <p style="font-size: 1.2em; margin: 0;">BMC GROUP</p> </div>

Name and address where payment should be sent (if different from above):   Telephone number:	<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.  <input type="checkbox"/> Check this box if you are the debtor or trustee in this case.
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1. Amount of Claim as of Date Case Filed:      \$ <u>1,410.00</u>  If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4.  If all or part of your claim is entitled to priority, complete item 5.  <input type="checkbox"/> 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.	5. Amount of Claim Entitled to Priority under 11 U.S.C. §507(a). If one portion of your claim falls in one of the following categories, check the box and state the amount.  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"/> Wages, salaries, or commissions (up to \$10,950*) 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"/> Contributions to an employee benefit plan - 11 U.S.C. §507 (a)(5).  <input type="checkbox"/> Up to \$2,425* 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"/> Other - Specify applicable paragraph of 11 U.S.C. §507 (a)( ).
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2. Basis for Claim: legal services  
 (See instruction #2 on reverse side.)

3. Last four digits of any number by which creditor identifies debtor: \_\_\_\_\_  
  
 3a. Debtor may have scheduled account as: \_\_\_\_\_  
 (See instruction #3a on reverse side.)

4. Secured Claim (See instruction #4 on reverse side.)  
 Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information.

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

Value of Property: \$ \_\_\_\_\_ Annual Interest Rate \_\_\_\_\_ %

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: \$ \_\_\_\_\_

6. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim.

7. 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. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See instruction 7 and definition of "redacted" on reverse side.)

DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.

If the documents are not available, please explain:

Date: <u>1/4/09</u>	Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any.  	FOR COURT USE ONLY  Erickson Ret. Comm. LLC  00276
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McNichol, Byrne & Matlawski, PC

606 E. Baltimore Pike  
Media, PA 19063

# Statement

Date
12/25/2009

To:
Erickson Retirement Communities Mail Stop 101 PO Box 22000 Catonsville, MD 21228-0002

		Amount Due	Amount Enc.		
		\$1,410.00			
Date	Transaction	Amount	Balance		
08/31/2007	Balance forward		2,010.00		
09/11/2007	PMT #72815.	-2,010.00	0.00		
09/11/2007	INV #1537. Due 09/11/2007.	2,880.00	2,880.00		
10/04/2007	INV #1660. Due 10/04/2007.	8,025.00	10,905.00		
10/12/2007	PMT #74147.	-2,880.00	8,025.00		
11/02/2007	PMT #12521.	-8,025.00	0.00		
11/14/2007	INV #1869. Due 11/14/2007.	1,110.00	1,110.00		
12/04/2007	INV #1968. Due 12/04/2007.	150.00	1,260.00		
12/17/2007	PMT #12588.	-1,110.00	150.00		
01/10/2008	INV #2131. Due 01/10/2008.	1,410.00	1,560.00		
01/11/2008	PMT #78179.	-150.00	1,410.00		
02/11/2008	INV #2358. Due 02/11/2008.	60.00	1,470.00		
03/10/2008	PMT #80496.	-60.00	1,410.00		
04/18/2008	INV #2633. Due 04/18/2008.	450.00	1,860.00		
05/19/2008	PMT #83498.	-450.00	1,410.00		
06/17/2008	INV #3039. Due 06/17/2008.	150.00	1,560.00		
07/10/2008	INV #3178. Due 07/10/2008.	390.00	1,950.00		
07/24/2008	PMT #86510.	-150.00	1,800.00		
08/13/2008	PMT #87214.	-390.00	1,410.00		
08/20/2008	INV #3329. Due 08/20/2008.	2,550.00	3,960.00		
09/24/2008	INV #3561. Due 09/24/2008.	3,425.93	7,385.93		
09/24/2008	PMT #88998.	-2,550.00	4,835.93		
10/21/2008	PMT #90177.	-3,425.93	1,410.00		
10/30/2008	INV #3746. Due 10/30/2008.	2,173.72	3,583.72		
11/18/2008	INV #3897. Due 11/18/2008.	611.00	4,194.72		
11/21/2008	PMT #91835.	-2,173.72	2,021.00		
01/02/2009	INV #4065. Due 01/02/2009.	990.00	3,011.00		
01/05/2009	PMT #93572.	-611.00	2,400.00		
01/13/2009	INV #4181. Due 01/13/2009.	60.00	2,460.00		
01/16/2009	PMT #94469.	-990.00	1,470.00		
02/03/2009	PMT #95116.	-60.00	1,410.00		
02/04/2009	INV #4404. Due 02/04/2009.	2,610.00	4,020.00		
02/23/2009	PMT #95586.	-2,610.00	1,410.00		
03/23/2009	INV #4591. Due 03/23/2009.	1,980.00	3,390.00		
<b>CURRENT</b>	<b>1-30 DAYS PAST DUE</b>	<b>31-60 DAYS PAST DUE</b>	<b>61-90 DAYS PAST DUE</b>	<b>OVER 90 DAYS PAST DUE</b>	<b>Amount Due</b>
0.00	0.00	0.00	0.00	1,410.00	\$1,410.00

McNichol, Byrne & Matlawski, PC

606 E. Baltimore Pike  
Media, PA 19063

# Statement

Date
12/25/2009

To:
Erickson Retirement Communities Mail Stop 101 PO Box 22000 Catonsville, MD 21228-0002

		Amount Due	Amount Enc.		
		\$1,410.00			
Date	Transaction	Amount	Balance		
04/07/2009	INV #4759. Due 04/07/2009.	6,750.00	10,140.00		
05/14/2009	INV #4935. Due 05/14/2009.	2,819.00	12,959.00		
05/14/2009	PMT #4120000.	-6,750.00	6,209.00		
06/15/2009	INV #5087. Due 06/15/2009.	1,336.00	7,545.00		
07/08/2009	PMT #98349.	-1,980.00	5,565.00		
08/04/2009	PMT #99023.	-2,819.00	2,746.00		
08/12/2009	PMT #00117.	-1,336.00	1,410.00		
<b>CURRENT</b>	<b>1-30 DAYS PAST DUE</b>	<b>31-60 DAYS PAST DUE</b>	<b>61-90 DAYS PAST DUE</b>	<b>OVER 90 DAYS PAST DUE</b>	<b>Amount Due</b>
0.00	0.00	0.00	0.00	1,410.00	\$1,410.00

LAW OFFICES  
OF  
MCNICHOL, BYRNE & MATLAWSKI, P.C.

Paul D. McNichol \*  
James J. Byrne, Jr.  
J. Adam Matlawski  
Michael L. Maddren \*  
Kelly S. Sullivan  
Lauren V. Rogan \*  
\* licensed to practice in PA and NJ

Of Counsel  
Gail H. Turner

January 4, 2010

BMC Group, Inc.  
Attn: Erickson Retirement Communities, Inc.  
Claims Processing  
18750 Lake Drive East  
Chanhassen, MN 55317

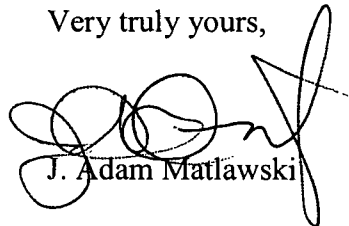
Re: Erickson Retirement Communities, LLC

Dear Sir or Madam:

Pursuant to instructions contained on the Notice of Chapter 11 Bankruptcy Case, Meeting of Creditors and Deadline, I am enclosing for filing an original and one copy of a Proof of Claim, together with supporting documentation.

Please return a time-stamped copy of the Proof of Claim to my attention in the enclosed stamped envelope. Thank you.

Very truly yours,



J. Adam Matlawski

Enclosures