

UNITED STATES BANKRUPTCY COURT Northern District of Texas (Dallas Division)

PROOF OF CLAIM

Name of Debtor: ERICKSON RETIREMENT COMMUNITIES, LLC

Case Number: 09-37010-sgj11

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):

DIVERSIFIED BUILDERS, INC.

FILED

JAN 04 2010

TAWANA C. MARSHALL, CLERK U.S. BANKRUPTCY COURT NORTHERN DISTRICT OF TEXAS

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:

20835749003141 DIVERSIFIED BUILDERS 8360 W 48TH AVENUE WHEATRIDGE, CO 80033-3121

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

SAME AS ABOVE

Telephone number: 303-698-1704

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.

Check this box if you are the debtor or trustee in this case.

1. Amount of Claim as of Date Case Filed: \$ 12,000.00

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.

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 any portion of your claim falls in one of the following categories, check the box and state the amount.

Specify the priority of the claim.

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

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).

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

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).

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

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

Amount entitled to priority:

\$

*Amounts are subject to adjustment on 4/1/10 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.

2. Basis for Claim: SERVICES PERFORMED (INSURANCE) (See instruction #2 on reverse side.)

3. Last four digits of any number by which creditor identifies debtor: 4975

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: \$

RECEIVED

JAN 12 2010

BMC GROUP

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: 12/31/09

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.

[Handwritten signature]

RONALD L. MATTOX, PRESIDENT

FOR COURT USE ONLY

Erickson Ret. Comm. LLC



00406

UNITED STATES BANKRUPTCY COURT Northern District of Texas

**Notice of
Chapter 11 Bankruptcy Case, Meeting of Creditors, & Deadlines**

A chapter 11 bankruptcy case concerning the debtor(s) listed below was filed on 10/19/09.

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below.

NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

See Reverse Side For Important Explanations

Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

Erickson Retirement Communities, LLC
701 Maiden Choice Lane
Baltimore, MD 21228

Case Number:
09-37010-sgj11

Social Security / Individual Taxpayer ID / Employer Tax ID / Other
nos:
52-2003375

Attorney for Debtor(s) (name and address):

Vincent P. Slusher
DLA Piper LLP US
1717 Main Street
Suite 4600
Dallas, TX 75201
Telephone number: (214) 743-4572

Meeting of Creditors

Date: **November 30, 2009**

Time: **02:00 PM**

Location: **Office of the U.S. Trustee, 1100 Commerce St., Room 752, Dallas, TX 75242**

Deadline to File a Proof of Claim

Proof of claim must be *received* by the bankruptcy clerk's office by the following deadline:

For all creditors (except a governmental unit): **2/28/10**

For a governmental unit:

Creditor with a Foreign Address:

A creditor to whom this notice is sent at a foreign address should read the information under "Claims" on the reverse side.

Deadline to File a Complaint to Determine Dischargeability of Certain Debts:

Creditors May Not Take Certain Actions:

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

Address of the Bankruptcy Clerk's Office:

1100 Commerce Street
Room 1254
Dallas, TX 75242
Telephone number: 214-753-2000

Hours Open: Monday - Friday 8:30 AM - 4:30 PM

For the Court:

Clerk of the Bankruptcy Court:
Tawana C. Marshall

Date: 10/23/09



8360 W. 48th Ave.
Wheat Ridge, CO 80033



Commercial Drywall Interior Finish

Phone (303) 698-1704

Fax (303) 722-0187

September 1, 2009

Erickson Construction, LLC
701 Maiden Choice
Baltimore, MD. 21228

Attn: Ted Madigan

Please find enclosed copies of Endorsement increasing our Umbrella limits for the Wind Crest Project which caused DBI an additional expense of \$13,700.00 per year. Our estimated and agreed upon cost to you was \$12,000.00 which is acceptable by us.

Original coverage was acquired in Policy Period 4/1/07 to 4/1/08 and then extended to Policy Period 4/1/08 to 4/1/09.

Sorry this response has been delayed. Theresia has been out of town for the last three weeks.

Sincerely,

DIVERSIFIED BUILDERS, INC.

A handwritten signature in black ink, appearing to read 'Ron Mattox', written over the printed name.

Ron Mattox
President

AUG-12-08 10:51AM FROM-CRS Insurance Brokerage

T-518 P.001/002 F-143



6600 E. Hampden Ave., 2nd Floor
Denver, CO 80224
303-996-7800
Fax: 303-757-7719

FAX COVER SHEET

DATE: 08-12-09
TO: Diversified Builders Inc.
ATTN: Ron Mattox
FAX #: 303-722-0187
FROM: Brad Reed

NO. OF PAGES: 2
RE: Increased Umbrella Limits and Cost

Hi Ron,

Per our phone conversation please refer to the attached endorsement increasing your Umbrella limits. You requested this coverage increase due to a specific job requirement. The coverage was also extended in the 08-09 policy year.

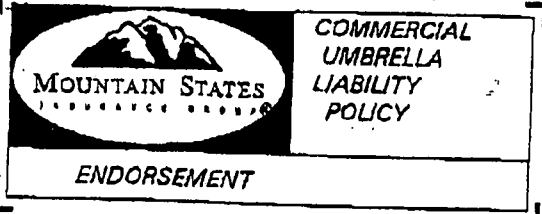
Let me know if you need any further information.

Sincerely,

Brad Reed

AUG-12-09 10:52AM FROM-CRS Insurance Brokerage

T-519 P.002/002 F-143



Mountain States Mutual Casualty Co.

5051 Journal Center Blvd. NE
Albuquerque, NM 87109
(505) 784-1400

Policy Number	From	Policy Period To
UMB 0081319 05	04/01/2007	04/01/2008
12:01 A.M.		
Named Insured and Address		Agent
DIVERSIFIED BUILDERS INC TBCC, INC 8360 W 48TH AVENUE WHEATRIDGE, CO 80033-3121 Customer No. 113353		COMMERCIAL RISK SOLUTIONS, INC (CRS, INC) 0000402 6600 E HAMPDEN AVE. SUITE 200 DENVER, CO 80224 Telephone: 303-757-7711

This Endorsement reflects changes made to your Policy Effective **08/30/2007**
Explanation of Change **DIRECT BILL**

IN CONSIDERATION OF AN ADDITIONAL PREMIUM, IT IS HEREBY AGREED
THE UMBRELLA LIMITS OF LIABILITY ARE INCREASED:
EACH OCCURRENCE LIMIT FROM \$5,000,000 TO \$10,000,000
GENERAL AGGREGATE LIMIT FROM \$5,000,000 TO \$10,000,000
PRODUCTS/COMPLETED OPERATIONS LIMIT FROM \$5,000,000 TO \$10,000,000

Additional Premium \$ 13,700

This is not a bill. Endorsement will appear on your next invoice.
ENDORSEMENT NUMBER 005

AUG 12-08 10:52AM FROM-CRS Insurance Brokerage

T-518 P.002/002 F-143



COMMERCIAL UMBRELLA LIABILITY POLICY

ENDORSEMENT

Mountain States Mutual Casualty Co.

5051 Journal Center Blvd. NE
Albuquerque, NM 87109
(505) 784-1400

Policy Number	Policy Period
UMB 0081319 05	04/01/2008 04/01/2009
12:01 A.M.	
Agent	
COMMERCIAL RISK SOLUTIONS, INC (CRS, INC) 6800 E HAMPDEN AVE, SUITE 200 DENVER, CO 80224 Telephone: 303-757-7711	0000402

Named Insured and Address	
DIVERSIFIED BUILDERS INC TBCC, INC 8360 W 48TH AVENUE WHEATRIDGE, CO 80033-3121 Customer No. 113353	

This Endorsement reflects changes made to your Policy Effective
Explanation of Change

08/30/2007

DIRECT BILL

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- PRODUCTS/COMPLETED OPERATIONS LIMIT FROM \$5,000,000 TO \$10,000,000

Additional Premium

\$ 13,700

This is not a bill. Endorsement will appear on your next invoice.

ENDORSEMENT NUMBER 005