

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

PROOF OF CLAIM

Name of Debtor: Erickson Retirement Communities, LLC

Case Number: 09-37010

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):

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

Name and address where notices should be sent:
 ATC Group Services Inc. d/b/a ATC Associates Inc.
 600 West Cummings Park Suite 5500
 Woburn, MA 01801
 Telephone number:
 781-404-1393 Heidi Piotrowicz, Credit & Collections Manager

RECEIVED
 JAN 28 2010
 BMC GROUP

Court Claim Number: _____
 (If known)

Filed on: _____

Name and address where payment should be sent (if different from above):
 ATC Group Services Inc. d/b/a ATC Associates Inc.
 600 West Cummings Park Suite 5500
 Woburn, MA 01801
 Telephone number:
 781-404-1393 Heidi Piotrowicz, Credit & Collections Manager

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: \$ \$630.00

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
 (See instruction #2 on reverse side.)

3. Last four digits of any number by which creditor identifies debtor: 0238

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:

FOR COURT USE ONLY

Date: 01/27/10

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.

Erickson Ret. Comm. LLC



00619

Heidi Piotrowicz, Credit & Collections Manager



Erickson Retirement Communities
Ann's Choice
Attn: Joseph LoCascio
10,000 Ann's Choice Way
Warminster, PA 18974

September 24, 2009

Project 050.10238.9900
Invoice: 1573841
ATC REF: ATC:NE:068:EM
Page 1

Project Anns Choice
Monitoring Well Abandonment

Anns Choice Billing Code 61910110.51100

Proj Mgr: Christopher Candela

Professional Services: August 29, 2009 through September 25, 2009

Task 00001 General Consulting Services

Professional Personnel

	Hours	Rate	Amount	
Senior Project Manager	5.00	115.00	575.00	
Totals	5.00		575.00	
Total Labor				575.00

Reimbursable Expenses

Parking/Tolls			2.50	
Total Reimbursables			2.50	2.50

Unit Billing

Daily Rate - Company Vehicle - Phase I				
9/9/09 Phase I	1.0 Day @ 52.50		52.50	
Total Units			52.50	52.50

Total this Task \$630.00

Please Pay This Amount \$630.00

Thank You

Please remit payment to: ATC Associates Inc., Dept. CH17565, Palatine, IL 60055-7565

REMITTANCE COPY

Send with Payment to:
ATC Associates Inc.
Dept. CH17565
Palatine, IL 60055-7565

Erickson Retirement Communities
Ann's Choice
Attn: Joseph LoCascio
10,000 Ann's Choice Way
Warminster, PA 18974

Project 050.10238.9900
Anns Choice

Invoice Date: Thursday, September 24, 2009
Invoice Number: 1573841

Please Pay This Amount: \$630.00

For Information Regarding Credit Card or Wire
Transfer Payments, Please Contact Corporate
Accounts Receivable at (781) 404-1355

Chris Candela

From: Amanda Lofink [amanda.lofink@atcassociates.com]
Sent: Monday, January 25, 2010 9:51 AM
To: chris.candela@atcassociates.com
Subject: FW: Former NAWC Warminster RAB Meeting

Amanda Lofink | Project Manager | **ATC Associates Inc.** | **Plymouth Meeting**
610-313-3100 x247 direct | 610-570-4851 mobile

920 Germantown Pike | Suite 200 | Plymouth Meeting, PA 19462
610-313-3100 tel | 610-313-3151 fax | www.atcassociates.com

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From: Amanda Lofink [mailto:amanda.lofink@atcassociates.com]
Sent: Thursday, October 22, 2009 2:10 PM
To: 'chris.candela@atcassociates.com'
Subject: FW: Former NAWC Warminster RAB Meeting

This is the "go ahead" provided by Joe LoCascio.

Amanda Lofink | Project Manager | **ATC Associates Inc.** | **Plymouth Meeting**
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From: Joseph Locascio [mailto:Joseph.LoCascio@erickson.com]
Sent: Thursday, September 03, 2009 10:01 AM
To: amanda.lofink@atcassociates.com
Subject: RE: Former NAWC Warminster RAB Meeting

Amanda,
You have our permission to attend the RAB meeting for ACH. Nancy Brophy, our assistant finance director will be sending you a billing code to use to billus for the time spent at the meeting.
Thanks - Joe LoCascio

From: Amanda Lofink [mailto:amanda.lofink@atcassociates.com]

1/25/2010

Sent: Monday, August 31, 2009 3:42 PM
To: Joseph Locascio
Subject: Former NAWC Warminster RAB Meeting

Hi Joe,

My supervisor, Chris Candela, asked me to be in touch with you to request your written approval to attend the next Warminster RAB Meeting (9/9/09). In the past we had a standing contract with Ted Sirko to attend these meetings as the environmental representative for Erickson. The cost typically ranges \$450 to \$750, depending on the length of the meeting. We will also provide a brief summary of the meeting and key points that will be forwarded to you for your records.

If you approve ATC's continued attendance at the RAB meetings, please indicate so in a reply to this email. If so, please also let me know what billing code should be used for your invoices. Chris mentioned that Ted would give us some kind of construction code to include on our invoices.

Thanks very much,
Amanda

Amanda Lofink | Project Manager | **ATC Associates Inc.** | Plymouth Meeting
610-313-3100 x247 direct | 610-570-4851 mobile

920 Germantown Pike | Suite 200 | Plymouth Meeting, PA 19462
610-313-3100 tel | 610-313-3151 fax | www.atcassociates.com

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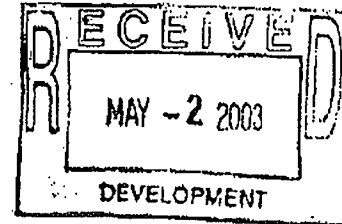


FILE

920 Germantown Pike, Suite 200
Plymouth Meeting, Pennsylvania 19462
www.atc-enviro.com
610.313.3100
Fax 610.313.3151

April 29, 2003

Mr. Ted Sirko
Erickson Retirement Communities
703 Maiden Choice Lane
Baltimore, Maryland 21228
(410) 242-2880 / Fax: (410) 737-8862



Re: **Proposal for General Environmental Consulting Services – ADDENDUM #1**
Ann's Choice Property
Jacksonville Road and Street Road
Warminster, Pennsylvania 18106
ATC Proposal Number 5020020700425 – ADDENDUM #1

Dear Mr. Sirko:

ATC Associates Inc. (ATC) is pleased to submit an addendum (ADDENDUM #1) to our previously submitted and approved proposal (ATC Proposal Number 5020020700425) for general consulting services associated with the development of the above-referenced property (hereinafter referred to as the "Site").

SCOPE OF WORK

The original proposal for general consulting services (ATC Proposal # 5020020700425 dated July 18, 2002) was anticipated to cover only a two to three month timeframe and thus only included the following Scope of Work:

- Project related meeting attendance (estimated 4 meetings);
- Teleconferences;
- Preparation of memos, letters, reports, etc.;
- General technical consulting; and
- General administrative project related tasks (copying, faxing, shipping, mailing)

However, the initial proposal did not address the various environmental issues that have been encountered at the Site during its redevelopment from a former Naval base to the Ann's Choice Campus. The following items were completed to successfully proceed with the project since August 2002:

- Filing of additional Freedom of Information Act (FOIA) requests with the Department of Defense (DOD), Department of the Navy (Navy), EPA Region III (EPA) and the Pennsylvania Department of Environmental Protection (PADEP).

Mr. Ted Sirko
ATC Proposal No. 5020020700425 ADDENDUM #1
April 29, 2003
Page 2

- Review of approximately 400 documents provided to ATC from the Navy in response to the FOIA requests.
- Teleconferencing with Erickson personnel.
- Teleconferencing with Navy personnel and EPA personnel.
- Teleconferencing with Erickson subcontractors such as Alan A. Myers (AAM) and Schorr DePalma.
- Attendance of bi-weekly site progress meetings.
- Attendance of bi-weekly meetings with the Warminster Municipal Authority.
- Review of site plans and specifications to determine environmental impacts.
- Miscellaneous on-site meetings with Erickson personnel.
- Field confirmation of such items as monitoring wells, Navy extraction line, etc.
- Numerous letters, memos, etc. addressing environmental issues at the Site.
- Collection and analysis of split samples from the Navy's extraction wells;
- Research of materials and as-builts for the Navy's groundwater extraction line.
- Teleconferences with Navy personnel to determine the presence of underground storage tanks (USTs) on Site.
- Providing multiple additional copies of letters, reports etc. to Erickson personnel.
- General technical consulting services to Erickson.
- Overall environmental project management.

Thus, the original proposal amount of \$5,000 has been exceeded by \$31,000.00.

In addition, ATC anticipates additional general consulting activities to occur between now and August 1, 2003. These services include, but are not limited to, the following items:

- Teleconferencing with Erickson personnel.
- Teleconferencing with AAM and Schorr DePalma personnel.
- Teleconferencing with Navy personnel and EPA personnel.
- Attendance of bi-weekly site progress meetings (estimated 10 meetings).
- Attendance of bi-weekly meetings with the Warminster Municipal Authority (estimated 10 meetings).
- Consulting services regarding the "dust issue" at the site.
- Miscellaneous on-site meetings with Erickson personnel.
- Numerous letters, memos, etc. addressing environmental issues at the Site
- Providing multiple additional copies of letters, reports etc. to Erickson personnel.
- General technical consulting services to Erickson.
- Overall environmental project management.

Based on these anticipate services, it is estimated that an additional \$15,000 will be incurred under the general consulting contract.

Mr. Ted Sirko
ATC Proposal No. 5020020700425 ADDENDUM #1
April 29, 2003
Page 3

COMPENSATION

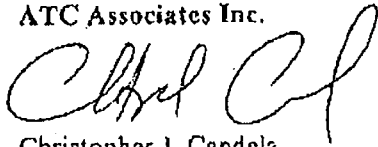
At this time, ATC is requesting an addendum (ADDENDUM #1) to our previously submitted and approved proposal (ATC Proposal Number 5020020700425) in the amount of \$46,000.00 for the additional services that have been or will be provided to Erickson by ATC.

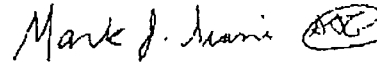
All work will be conducted in accordance with the Terms and Conditions as previous work with Erickson.

ATC will not exceed the cost estimates for the scope of work without written authorization from the Client. Should the Client require any additional work beyond that, which is included in this proposal, cost estimates for the additional work will be provided when they become necessary.

ATC appreciates the opportunity to be of further assistance on this project. If you should have any questions or comments, please do not hesitate to contact us at (610) 313-3100.

Sincerely,
ATC Associates Inc.


Christopher J. Candela
Site Remediation Group Manager


Mark J. Irani, PG
Branch Manager

cc: Project file

ACCEPTED BY:
WARMINSTER CAMPUS, LP
BY ERICKSON RETIREMENT COMMUNITIES, LLC

By: 

Name: E. RANDOLPH KUYSER JR.

Title: DEVELOPMENT DIRECTOR

Date: 5/5/03

OKD
JK.
5/5/03

HP LaserJet 3100
Printer/Fax/Copier/Scanner

SEND CONFIRMATION REPORT for
HP LaserJet 3100
732-404-0686
May-8-03 9:58AM

Job	Start Time	Usage	Phone Number or ID	Type	Pages	Mode	Status
302	5/ 6 9:57AM	1'10"	6103133151.....	Send.....	4/ 4	EC144	Completed.....

Total 1'10" Pages Sent: 4 Pages Printed: 0

Fax

WARMINSTER CAMPUS, LP

Company: ATC

Attn: Chris Conzola

Fax: (610) 377-3131

From:

- MANDY KUBER
- JULIA SCHNELL
- DAVE SCHUETZ
- TED BIRKO
- KEVIN WILSON

Eriksen Fax: (215) 872-1445

Pages: (including cover) (4)

Eriksen Phone: (215) 872-6281

Date:

Re: Building #

Site: Staff Other:

Please Reply Urgent For Review Please Comment

• Comments:

Chris, signed addendum 4/25 - A/denied 1
Randy has appeared at yesterday's meeting
on 5/1/03 to Council Committee, served
Thanks
Ed

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Fax

WARMINSTER CAMPUS, LP

Company: ATC

Attn: Chris Candela

Fax: (610) 313-9379

From:

- RANDY KUSER
- JULIA SCHNELL
- DAVE SCHUETZ
- TED SIRKO
- KEVIN WILSON

Erickson Fax: (215) 672-1445

Pages: (including cover) 5

Erickson Phone: (215) 672-6281

Date:

Re: Building #

Site: SW10 Other:

Please Reply
 Urgent
 For Review
 Please Comment

● Comments:

Addendum 425 - A1

For Your Use.

Thanks

Ted

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