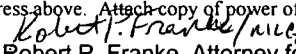



UNITED STATES BANKRUPTCY COURT Northern District of Texas, Dallas		PROOF OF CLAIM
Name of Debtor: Ashburn Campus, LLC		Case Number: 09-37018
NOTE: <i>This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.</i>		
Name of Creditor (the person or other entity to whom the debtor owes money or property): Fidelity & Deposit Company of Maryland		<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: Robert P. Franke, Esq. Strasburger & Price, LLP 901 Main Street, Ste 4400, Dallas, Texas 75202 Telephone number: (214) 651-2099		
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.
1. Amount of Claim as of Date Case Filed: \$ in excess of \$11,800,000 (contingent) 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 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. <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)(____). 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: <u>See attached summary</u> (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: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> 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: 02/25/2010	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.  Robert P. Franke, Attorney for Fidelity & Deposit Company of Maryland	
		FOR COURT USE ONLY Erickson Ret. Comm. LLC  01429

Claim Summary for Asbburn

Fidelity & Deposit Company of Maryland ("F&D"), at the request of Ashburn Campus, LLC ("Debtor") and Erickson Retirement Communities, LLC issued certain commercial, subdivision and payment and performance bonds naming the Debtor as principal on the projects identified in the attached as Exhibit A ("Bonds").

Although no claims are presently pending on the Bonds issued by F&D, F&D remains exposed to claims, additional losses and costs and expenses as a result of the issuance of the Bonds. As reflected on Exhibit A, F&D is exposed to claims in excess of \$11,800,000 plus costs and expenses which F&D may incur or sustain as a result of having furnished the Bonds to the Debtor.

F&D reserves the right to amend the Proof of Claim to reflect any specific claims made against the Bonds as well as to claim damages as a result of the disposition of the Bonds under the provisions of the Debtor's proposed plan of reorganization.

EXHIBIT A

Line Sheet
 ST00077772 - Erickson Retirement Communities (Commercial)
 Distributor: RIGGS COUNSELMAN MICHAELS & DOWNES INC

Bond Data as of 12/31/2009

<u>Open Bonds</u> Principal Name	Original Inception Date	Effective Date	Expiration Date	Type Of Bond	Bond Description	Primary Obligor	Bond Number	Company	Premium	Bond Penalty	Cancellation Date
CONCORD CAMPUS L.P.	05/11/2009	05/11/2009	05/11/2010	NON-CONSTRUC TION CONTRACT PERF	CONCORD TOWNSHIP SEWER AUTHORI CONCORD TOWNSHIP SEWER AUTHORI	CONCORD TOWNSHIP SEWER AUTHORI	LPMB8953970 00	F&D	994	66,257	
CONCORD CAMPUS, L.P.	04/22/2009	04/22/2009	04/22/2010	NON-CONSTRUC TION CONTRACT PERF	COMMONWEAL TH OF MASSACHUSET TS	COMMONWEAL TH OF MASSACHUSET TS	LPMB8953978 00	F&D	1,193	79,553	
ERICKSON RETIREMENT COMMUNITIE	04/04/2009	04/04/2009	04/04/2010	PATIENT TRUST FUND BONDS	RESIDENTS OF THE RENAISSANCE G	RESIDENTS OF THE RENAISSANCE G	LPMB8953986 00	F&D	100	5,000	
SEDGEBROOK, INC. (ERICKSON RET	02/03/2009	02/03/2009	02/03/2010	PATIENT TRUST FUND BONDS	COMMONWEAL TH OF MASSACHUSET TS	COMMONWEAL TH OF MASSACHUSET TS	LPMB8953984 01	F&D	0	10,000	
LINDEN PONDS, INC.	01/29/2009	01/29/2010	01/29/2011	NURSING HOME PATIENT TRUST FUN	VIRGINIA DEPARTMENT OF HEALTH	VIRGINIA DEPARTMENT OF HEALTH	LPMB8953983 01	F&D	0	50,000	
ASHBY PONDS, INC.	01/26/2009	01/26/2010	01/26/2011	RETAIL AND PROFESSIONAL - MEDI	VIRGINIA ELECTRIC AND POWER CO	VIRGINIA ELECTRIC AND POWER CO	LPMB8920428 01	F&D	3,552	236,804	
ERICKSON RETIREMENT COMMUNITIE	09/16/2008	09/16/2009	09/16/2010	FINANCIAL GUARANTEE - UTILITY	LOUDOUN COUNTY, VIRGINIA	LOUDOUN COUNTY, VIRGINIA	LPMB7599103 02	F&D	55,845	7,506,000	
ERICKSON RETIREMENT COMMUNITIE	03/27/2008	09/27/2009	03/27/2010	NON-CONSTRUC TION CONTRACT PERF	LOUDOUN COUNTY, VIRGINIA	LOUDOUN COUNTY, VIRGINIA	LPMB7599106 02	F&D	908	122,000	
WESTMINSTER CAMPUS, LLC	01/15/2008	01/15/2010	01/15/2011	NON-CONSTRUC TION CONTRACT PERF	CITY OF WESTMINSTER COLORADO	CITY OF WESTMINSTER COLORADO	LPMB7597373 01	F&D	0	5,894	

Confidential

Line Sheet
 ST00077772 - Erickson Retirement Communities (Commercial)
 Distributor: RIGGS COUNSELLMAN MICHAELS & DOWNES INC

Bond Data as of 12/31/2009

<u>Open Bonds</u>	<u>Principal Name</u>	<u>Inception Date</u>	<u>Effective Date</u>	<u>Expiration Date</u>	<u>Type Of Bond</u>	<u>Bond Description</u>	<u>Primary Diligee</u>	<u>Bond Number</u>	<u>Company</u>	<u>Premium</u>	<u>Bond Penalty</u>	<u>Cancellation Date</u>
	ERICKSON RETIREMENT COMMUNITIE	09/20/2007	09/20/2009	09/20/2010	TRANSPORTING LOADS OF EXCESSIV	ILLINOIS DEPARTMENT OF TRANSPOR		LPMB893829 02	F&D	1,125	75,000	
	ASHBURN CAMPUS, LLC	09/19/2007	09/19/2009	09/19/2010	NON-CONSTRUC	VIRGINIA DEPARTMENT OF TRANSPOR		LPMB893828 03	F&D	4,200	280,000	
	RIDERWOOD VILLAGE, INC.	08/07/2007	10/01/2008	09/30/2009	WORKERS COMP - SELF INSURERS	STATE OF MARYLAND, DEPT. OF LA		LPMT593746 01	F&D	6,556	443,714	
	ASHBURN CAMPUS, LLC	07/25/2007	07/25/2009	07/25/2011	NON-CONSTRUC	LOUDOUN COUNTY, VA		LPMT593417 01	F&D	2,048	136,500	
	ASHBURN CAMPUS, LLC	07/18/2007	07/18/2009	07/18/2011	NON-CONSTRUC	LOUDOUN COUNTY, VA		LPMT593263 01	F&D	5,237	349,100	
	ASHBURN CAMPUS, LLC	06/18/2007	06/18/2009	06/18/2011	NON-CONSTRUC	LOUDOUN COUNTY, VA		LPMT592417 01	F&D	3,594	239,600	
	ERICKSON RETIREMENT COMMUNITIE	05/17/2007	05/17/2009	05/17/2011	NON-CONSTRUC	LOUDOUN COUNTY, VA		LPMT591570 01	F&D	23,540	1,569,329	
	ERICKSON RETIREMENT COMMUNITIE	05/14/2007	05/14/2009	05/14/2011	NON-CONSTRUC	LOUDOUN COUNTY, VIRGINIA - DEP		LPMT591463 02	F&D	22,140	1,476,000	
	ERICKSON RETIREMENT COMMUNITIE	05/11/2007	05/11/2009	05/11/2011	NON-CONSTRUC	LOUDOUN COUNTY, VIRGINIA - DEP		LPMT591450 01	F&D	2,505	167,000	
	CHARLESTOWN COMMUNITY, INC.	04/25/2007	04/25/2009	04/25/2010	MOTOR VEHICLE - ALL OTHER	MARYLAND MOTOR VEHICLE ADMINIS		LPMT590988 02	F&D	100	1,000	

Confidential

Line Sheet
 ST00077772 - Erickson Retirement Communities (Commercial)
 Distributor: RIGGS COUNSELLMAN MICHAELS & DOWNES INC

Bond Data as of 12/31/2009

<u>Open Bonds</u> Principal Name	Original Inception Date	Effective Date	Expiration Date	Type Of Bond	Bond Description	Primary Obligor	Bond Number	Company	Premium	Bond Penalty	Cancellation Date
CEDAR CREST VILLAGE, INC.	04/13/2007	04/13/2009	04/13/2010	PATIENT TRUST FUND BONDS	STATE OF NEW JERSEY	LPM7519917 05 F&D			150	10,000	
ANN'S CHOICE, INC.	04/10/2007	04/10/2009	04/10/2010	PATIENT TRUST FUND BONDS	STATE OF PENNSYLVANIA	LPM7590543 02 F&D			75	5,000	
THE TALON BAR COMPANY (ERICKSO)	02/06/2007	01/01/2010	12/31/2010	TAX - ALCOHOL/LIQUOR - ALL OTH	STATE OF TEXAS	LPM8840576 05 F&D			0	7,500	
ERICKSON RETIREMENT COMMUNITIE	06/08/2006	06/08/2008	06/08/2010	FINANCIAL GUARANTEE - UTILITY	RELANT ENERGY	LPM7582581 01 F&D			1,925	73,300	
ERICKSON RETIREMENT COMMUNITIE	09/16/2004	09/16/2009	09/16/2010	FINANCIAL GUARANTEE - TRADITIO	COMMONWEAL TH EDISON	LPM8485011 01 ZA			0	0	
ERICKSON RETIREMENT COMMUNITIE	09/16/2004	09/16/2009	09/16/2010	FINANCIAL GUARANTEE - TRADITIO	COMMONWEAL TH EDISON	LPM8782011 05 F&D			2,421	161,380	
ERICKSON RETIREMENT COMMUNITIE	07/29/2004	07/29/2009	07/29/2010	PATIENT TRUST FUND BONDS	COMMONWEAL TH OF VIRGINIA	LPM8752334 05 F&D			150	10,000	
Total Commercial Bonds: 27											
138,608 13,095,931											
Classed Bonds	Original Inception Date	Effective Date	Expiration Date	Type Of Bond	Bond Description	Primary Obligor	Bond Number	Company	Premium	Bond Penalty	Cancellation Date
TINTON FALLS CAMPUS, LLC	10/25/2007	10/25/2007	10/25/2009	NON-CONSTRUC TION CONTRACT PERE	BOROUGH OF TINTON FALLS	LPM7585858 00 F&D			78,401	5,226,738	10/25/2009
ANN'S CHOICE, INC.	10/01/2007	04/01/2008	10/01/2008	ESCROW DEPOSIT BONDS	PENNSYLVANIA DEPARTMENT OF INS	LPM7585190 01 F&D			103,091	13,718,000	10/01/2008
FOX RUN VILLAGE, INC.	08/25/2007	08/25/2007	10/25/2007	TAX - ALCOHOL/LIQUOR - RETAILE	MICHIGAN LIQUOR CONTROL BOARD	LPM7593989 00 F&D			100	1,000	10/25/2007
ANN'S CHOICE, INC.	08/01/2007	08/01/2007	12/01/2007	ESCROW DEPOSIT BONDS	COMMONWEAL TH OF PENNSYLVANIA	LPM8893810 00 F&D			47,790	11,295,417	09/12/2007

Line Sheet
 ST00077772 - Erickson Retirement Communities (Commercial)
 Distributor: RIGGS COUNSELMAN MICHAELS & DOWNES INC

Bond Data as of 12/31/2009

<u>Closed Bonds</u>	<u>Principal Name</u>	<u>Original Inception Date</u>	<u>Effective Date</u>	<u>Expiration Date</u>	<u>Type Of Bond</u>	<u>Bond Description</u>	<u>Primary Obligor</u>	<u>Bond Number</u>	<u>Company</u>	<u>Premium</u>	<u>Bond Penalty</u>	<u>Cancellation Date</u>
	ERICKSON CONSTRUCTION LLC	12/21/2006	12/21/2006	12/21/2007	DISCHARGE MECHANICS LIEN - FIX		TD INDUSTRIES MANAGEMENT, LLC	CGB8840562 00 F&D		1,628	108,516	12/21/2007
	KANSAS CAMPUS, LLC	12/04/2006	12/04/2006	12/04/2008	NON-CONSTRU CTION CONTRACT	PERFORMANCE BOND INCR BP TO \$2,085,634 W/AP \$3,082	CITY OF OVERLAND PARK	LPM7587388 03 F&D		31,284	2,085,634	09/08/2008
	HIGHLAND SPRINGS, INC.	09/01/2006	09/01/2008	09/01/2009	NON-CONSTRU CTION CONTRACT PERF		TEXAS DEPARTMENT OF INSURANCE	LPM7584626 02 F&D		27,866	1,857,750	09/01/2009
	EAGLES TRACE, INC.	09/10/2005	09/10/2008	09/10/2009	NON-CONSTRU CTION CONTRACT PERF		TEXAS DEPARTMENT OF INSURANCE	LPM8806479 03 F&D		35,501	2,366,710	09/10/2009
	HENRY FORD VILLAGE, INC	04/05/2005	01/01/2009	12/31/2009	WORKERS COMP - SELF INSURERS		STATE OF MICHIGAN DEPARTMENT O	LPM8806436 04 F&D		7,500	500,000	12/31/2009
	ERICKSON RETIREMENT COMMUNITIE	11/29/2004	01/01/2009	12/31/2009	WORKERS COMP - SELF INSURERS		STATE OF MICHIGAN	LPM8782072 03 F&D		5,448	207,552	12/31/2009
Total Commercial Bonds: 10										338,609	37,367,317	

Line Sheet

ST00077772 - Erickson Retirement Communities (Contract)
 Distributor: RIGGS COUNSELMAN MICHAELS & DOWNES INC
 Bonds with an Effective Date on or after: <ALL>

Bond Data as of 12/31/2009

Principal Name	Original Inception Date	Effective Date	Expiration Date	Job Description	Primary Obligor	Bond Number	Company	Premium	Contract Price	Revised Contract Price	Cancellation Date
KANSAS CAMPUS, LLC	12/04/2008	12/04/2008	12/04/2010		CITY OF OVERLAND PARK	MNT7587368 00	F&D	15,642	1,881,487	1,881,487	
								15,642	1,881,487	1,881,487	



February 25, 2010

ROBERT P. FRANKE
214.651.2099
Direct Fax: 214.659.4057
robert.franke@strasburger.com

VIA FEDERAL EXPRESS

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

RE: In re: Ashburn Campus, LLC, Case No. 09-37018, In the United States
Bankruptcy Court for the Northern District of Texas, Dallas Division

Dear Claims Agent:

Enclosed for filing in the above-referenced matter, please find the original and two (2) copies of Fidelity & Deposit Company of Maryland's Proof of Claim. I have also enclosed a self-addressed, stamped envelope for your use in returning a file-stamped copy to my office.

If you have any questions, please do not hesitate to call.

Sincerely,

Robert P. Franke

RPF:ma
Enclosures