



<b>UNITED STATES BANKRUPTCY COURT</b>		<b>PROOF OF CLAIM</b>
Name of Debtor: <b>Ashburn Campus, LLC c/o Erickson Retirement Communities, LLC</b>		Case Number: <b>09-37016</b>
<i>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.</i>		
Name of Creditor (the person or other entity to whom the debtor owes money or property): <b>Advanced Climate Control, INC.</b>		<input checked="" type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim.
Name and address where notices should be sent: <b>Advanced Climate Control, INC. 206 Rock Hill Church Road Stafford VA 22556</b>		Court Claim Number: _____ (If known)
Telephone number: <b>(540) 752-5155</b>		Filed on: <b>02/12/2010</b>
Name and address where payment should be sent (if different from above): <b>TAWANA C. MARSHALL, CLERK U.S. BANKRUPTCY COURT NORTHERN DISTRICT OF TEXAS</b>		<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.
Telephone number:		<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: \$ <u>105,397.88</u>		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.
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.		
2. Basis for Claim: <u>service preformed</u> (See instruction #2 on reverse side.)		<input type="checkbox"/> Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B).
3. Last four digits of any number by which creditor identifies debtor: <u>377A</u>		<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).
3a. Debtor may have scheduled account as: _____ (See instruction #3a on reverse side.)		<input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. §507 (a)(5).
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 checked="" type="checkbox"/> Other Describe: <b>Mechanic's Lien</b>  Value of Property: \$ _____ Annual Interest Rate _____ %  Amount of arrearage and other charges as of time case filed included in secured claim, <b>RECEIVED</b> if any: \$ _____ Basis for perfection: <u>Mechanic's Lien</u> <b>MAY 06 2010</b>  Amount of Secured Claim: \$ <u>105,397.88</u> Amount Unsecured: \$ _____ <b>BMC GROUP</b>		<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).
6. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim.		<input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. §507 (a)(8).
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:		<input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. §507 (a)(____).  Amount entitled to priority: \$ _____
Date: <b>04/06/2010</b>		<b>FOR COURT USE ONLY</b> Erickson Ret. Comm. LLC  01842
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.   <b>Steven T. MASON, V.P.</b>		

**MEMORANDUM FOR MECHANIC'S LIEN**  
**CLAIMED BY SUB-SUBCONTRACTOR**

**Name and Last Known  
Address of Owner(s):**

**ASHBURN CAMPUS, LLC**  
c/o Erickson Retirement Communities, LLC  
701 Maiden Choice Lane  
Baltimore, MD 21228

**Name and Address of  
Contractor:**

**ERICKSON CONSTRUCTION, LLC** General General  
703 Maiden Choice Lane  
Baltimore, MD 21228

**Name and Address  
of Claimant:**

**ADVANCE CLIMATE CONTROL, INC.**  
206 Rock Hill Church Road  
Stafford, VA 22556

1. **Type of Materials or Services Furnished:** Labor and materials to furnish and install duct work and HVAC system
2. **Amount Claimed:** \$105,397.88 plus interest
3. **Type of Structure on Which Work Done or Materials Furnished:** Apartment style buildings
4. **Brief Description and Location of Real Property sought to be Charged.** The property located in Loudoun County known as Ashby Ponds retirement community, an apartment style complex described in the Deed of Boundary Line Adjustment, Easement, Deeds of Trust Modification and subordination recorded as Instrument # 20081030-0064827 in the land records of Loudoun County and having PIN 060-49-8809.000 and Tax Map Number 180//32////B1/.
5. **Date from Which Interest is Claimed and Time when Payment is Due or Will be due and Payable:** Payment is due. Interest is claimed from February 1, 2010.

**It is the intention of Claimant to claim the benefit of a Mechanic's Lien**

prepared by and return to:

Joseph Pierce  
Piercer & Annino, P.C.  
653 Leesburg Pike  
Stafford Church, Virginia 22043  
(703) 893-3914

DATE: 02-25-10

CLAIMANT: ADVANCE CLIMATE CONTROL, INC.

By: [Signature]  
Its President and Authorized Agent

**AFFIDAVIT**

COMMONWEALTH OF VIRGINIA  
County of Fairfax, to-wit:

The undersigned Notary Public for the state and county aforesaid, does hereby certify that Advance Climate Control, Inc., claimant, by Lesley Mason its President and authorized agent, this day made oath before me in my county (or city) aforesaid that Erickson Construction, LLC is justly indebted to claimant in the sum of One Hundred Five Thousand Three Hundred Ninety Seven and 88/100 Dollars (\$105,397.88) for the consideration stated in the foregoing memorandum and that the same is payable as therein stated.

Given under my hand this 25 day of February, 2010.

[Signature]  
Notary Public

My Commission Expires: 1/31/2013

Registration No. 7235864

**NOTICE**

**VIA CERTIFIED MAIL #**

7001 1940 0001 2078 0558  
Ashburn Campus, LLC  
c/o Erickson Retirement Communities, LLC  
701 Maiden Choice Lane  
Baltimore, MD 21228

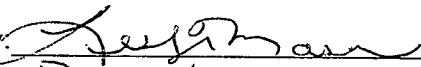
**VIA CERTIFIED MAIL #**

7001 1940 0001 2078 0565  
Erickson Construction, LLC  
703 Maiden Choice Lane  
Baltimore, MD 21228

You are hereby notified that Erickson Construction, LLC, is indebted to me in the sum of One Hundred Five Thousand Three Hundred Ninety Seven and 88/100 Dollars (\$105,397.88), with interest thereon from the 1<sup>st</sup> day of February, 2010 for work done and/or materials furnished in and about the construction of apartment style buildings which he has contracted to construct, for you or on property owned by you in the County of Loudoun, and that I have duly recorded a mechanic's lien for the same.

I hereby certify to having a copy of the lien mailed to the owner of the property and the persons listed above at their last known addresses at the time the lien was recorded in the land records or as soon thereafter as reasonably practical.

CLAIMANT: ADVANCE CLIMATE CONTROL, INC.

By:   
Its President and Authorized Agent

**Prepared by/Return to:**  
M. Joseph Pierce, Esquire  
Kasimer & Annino, PC  
7653 Leesburg Pike  
Falls Church, VA 22043  
(703) 893-3914

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