
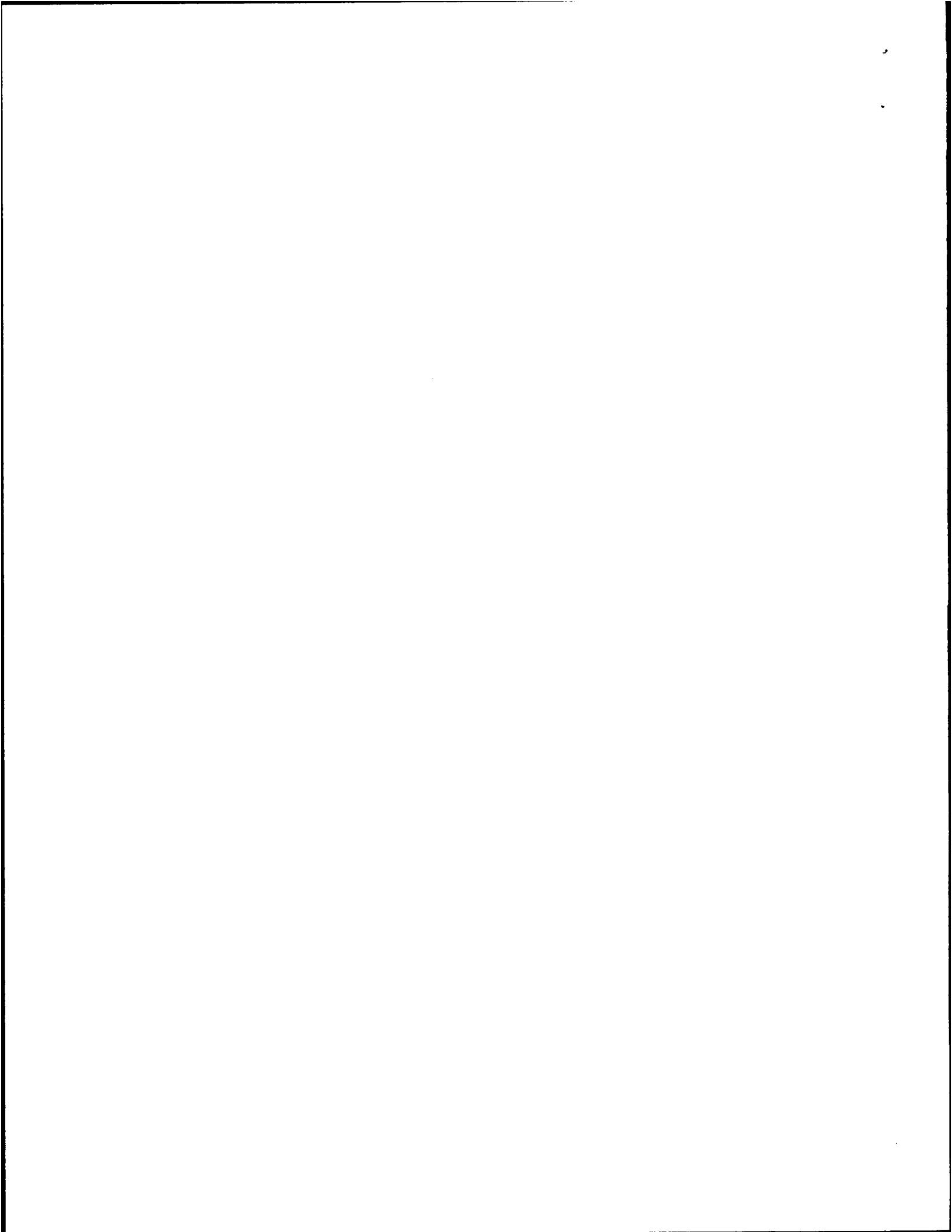


ORIGINAL

UNITED STATES BANKRUPTCY COURT		District of Delaware	PROOF OF CLAIM
Name of Debtor: HMP Services Holding, Inc.		Case Number: 10-13619-BLS	
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): Michelle Chow, Chapter 7 Trustee of Venture Packing, Inc., EDTX 09-42905		<input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim.	
Name and address where notices should be sent: Mark I. Agee, Attorney, 5401 N. Central Expy. Suite 220, Dallas, TX 75205 DallasBankruptcyLawyer@gmail.com		Court Claim Number: _____ (If known)	
Telephone number: (214) 320-0079		Filed on: _____	
Name and address where payment should be sent (if different from above): Michelle Chow, Chapter 7 Trustee of Venture Packing, Inc., EDTX 09-42905, 5401 N. Central Expressway, Suite 218, Dallas, TX 75205		<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: (214) 521-6627		<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>17,496.11</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.	
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.		Specify the priority of the claim.	
If all or part of your claim is entitled to priority, complete item 5.		<input type="checkbox"/> Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B).	
<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.		<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).	
2. Basis for Claim: <u>Avoidable Preference</u> (See instruction #2 on reverse side.)		<input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. §507 (a)(5).	
3. Last four digits of any number by which creditor identifies debtor: _____		<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).	
3a. Debtor may have scheduled account as: _____ (See instruction #3a on reverse side.)		<input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. §507 (a)(8).	
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.		<input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. §507 (a)(____).	
Nature of property or right of setoff: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other		Amount entitled to priority: \$ _____	
Describe:		*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.	
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 orders, invoices, itemized statements of running You may also attach a summary. Attach redact a security interest. You may also attach a sum		Filed: USBC - District of Delaware HMP Services Holding, Et Al. 10-13618 (BLS) 0000000005	
DO NOT SEND ORIGINAL DOCUMENTS. SCANNING.			
If the documents are not available, please explain.			
Date: <u>11-10-10</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. <u>Michelle F. Chow, Trustee</u>		FOR COURT USE ONLY

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

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11:51 AM



UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

EOD
10/25/2010

IN RE:

Venture Packaging, Inc.
2407 Texoma Drive
Denison, TX 75020
TIN: 20-00843065

Case No. 09-42905 btr
Chapter

Debtor(s)

Michelle Chow, Trustee
Plaintiff(s)

Adversary No. 10-04158 btr

vs.

Pitman Company
Defendant(s)

ENTRY OF DEFAULT BY COURT

ON THIS DATE the Court conducted a *sua sponte* review of the file in the above-referenced adversary proceeding. The Court finds that the Complaint in this proceeding was filed on **July 13th, 2010** and served upon Defendant, **Pitman Company**, on **July 14th, 2010**. The Court further finds that such Defendant has failed to respond to the Complaint in the manner and within the time period designated by the Federal Rules of Bankruptcy Procedure. Accordingly,

IT IS THEREFORE ORDERED that the default is hereby entered against Defendant, **Pitman Company**, pursuant to Federal Rule of Bankruptcy Procedure 7055(a).

IT IS FURTHER ORDERED that the Plaintiff, **Michelle Chow, Trustee**, shall, within 14 calendar days of the entry of this Order, submit a motion for default judgment with supporting affidavits which meets the requirements set forth in Federal Rule of Bankruptcy Procedure 7055(b)(2), as well as a proposed form of judgment for execution by the Court.

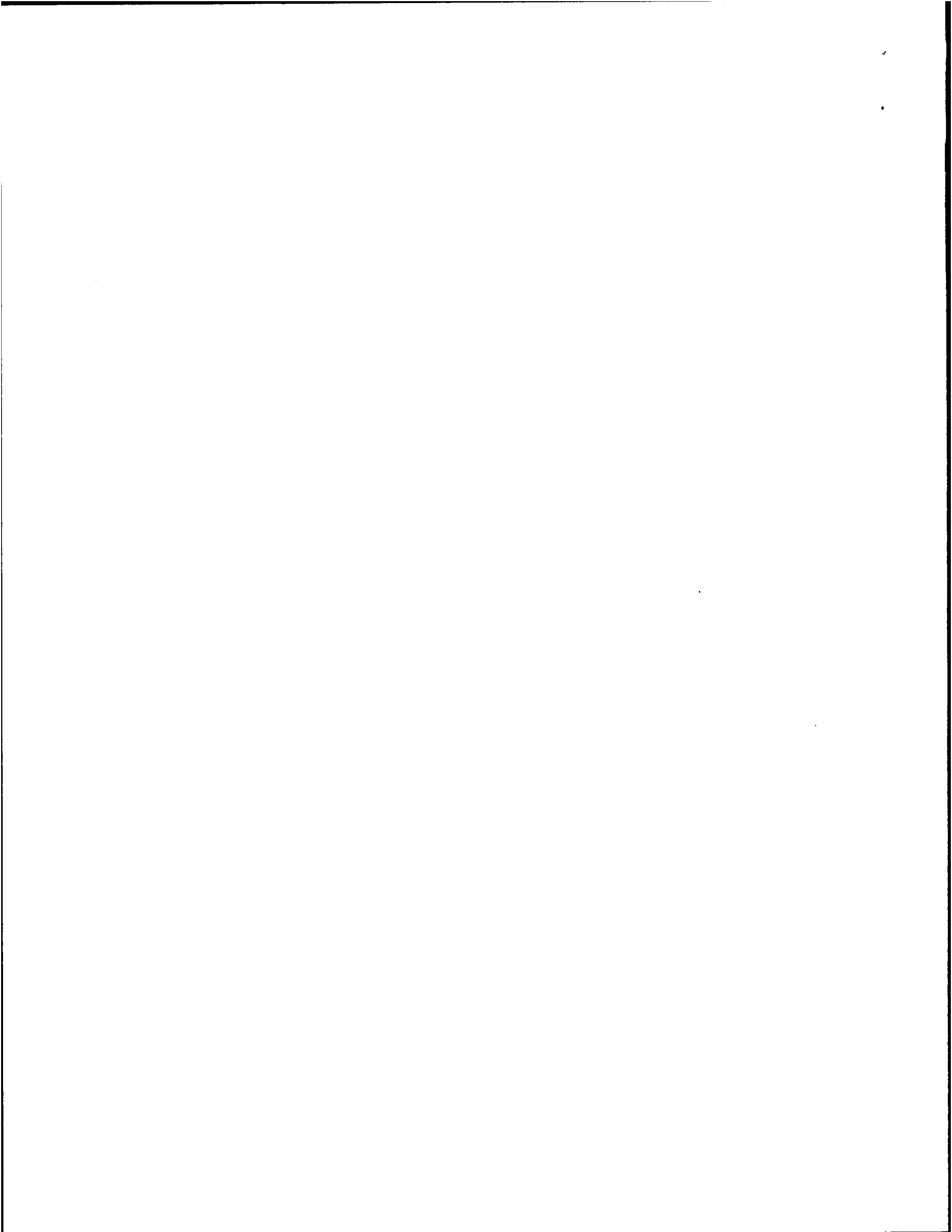
Signed on 10/21/2010

Brenda T. Rhoades

SR

HONORABLE BRENDA T. RHOADES,
CHIEF UNITED STATES BANKRUPTCY JUDGE

Exhibit A
Page 1 of 1



UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

IN RE:

VENTURE PACKAGING, INC.

Debtor

Case No. 09-42905

(Chapter 7)

IN RE:

MICHELLE H. CHOW, CHAPTER 7
TRUSTEE

PLAINTIFF

ADVERSARY PROCEEDING NUMBER

10-04158

v.

PITMAN COMPANY

DEFENDANT

COMPLAINT TO AVOID PREFERENTIAL TRANSFER

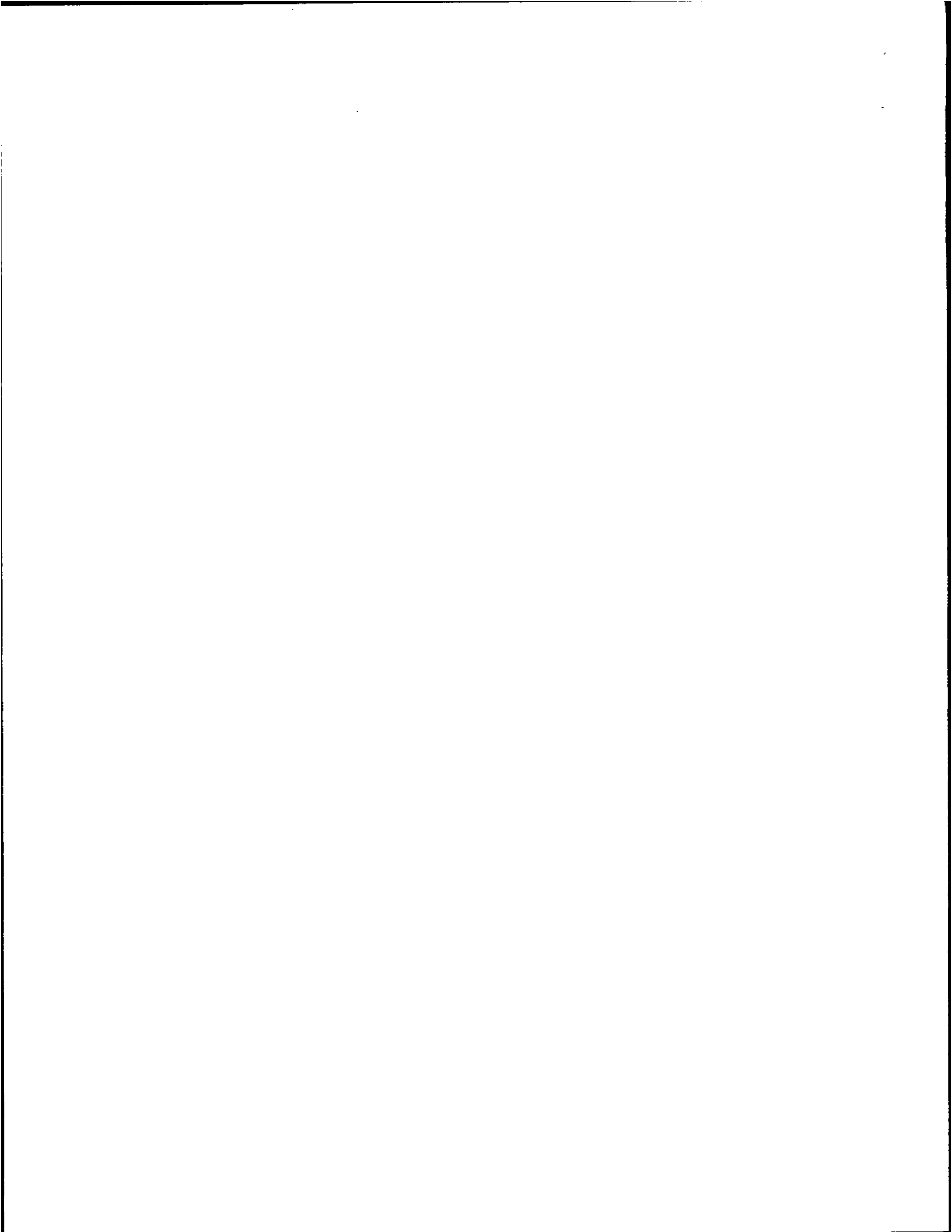
TO THE HONORABLE BRENDA RHOADES;
UNITED STATES BANKRUPTCY JUDGE:

Michelle H. Chow (the "Trustee"), the chapter 7 bankruptcy trustee for the above-referenced Debtor files this Complaint and states:

PARTIES

1. Michelle H. Chow, the plaintiff herein, is the duly appointed chapter 7 Trustee.
2. Defendant is a foreign corporation which operates, apparently without authorization, in, among other places, Plano, Texas. It may be served with process through its Chief Executive Officer:

Anthony P. Crupi, Chief Executive Officer
Pitman Company
721 Union Boulevard
Totowa, New Jersey 07512



JURISDICTION

3. This Court has jurisdiction over this matter pursuant to the provisions of 28 U.S.C. §§ 1334 and 157. This matter constitutes a "core" proceeding within the meaning of 28 U.S.C. § 157(b)(2)(A), (E), and (O). The Trustee is entitled to the requested relief pursuant to §§ 544, 547, and 550 of the Bankruptcy Code.

FACTS

4. An Involuntary Original Petition under Chapter 7 of Title 11 of the United States Code was filed on September 16, 2009. The Order for Relief was entered on October 29, 2009. The Trustee was subsequently appointed.

5. The ninetieth day before bankruptcy was June 18, 2009.

6. Within 90 days prior to bankruptcy, the Defendant received the following payments:

CHECKS TO PITMAN Co.		
CHECK #	DATE CHECKS CLEARED BANK	AMOUNT
12000	June 22, 2010	\$3,156.96
12083	July 6, 2009	\$6,078.28
12223	July 31, 2009	\$5,932.86
12427	August 31, 2009	\$2,328.01
Total		\$17,496.11

(the "Payments").

COUNT ONE
PREFERENCE 11 U.S.C. § 547

7. The Payments were transfers of property of the Debtor, to the benefit of the Defendant, made within 90 days of the Debtor's bankruptcy.

8. The transfer was on account an antecedent debt owed by the Debtor to the Defendant.

9. The transfers allowed the Defendant to receive more than it would have if the case had been filed under Chapter 7 of Title 11 and had such transfer not been made.

PRAYER

THEREFORE, Plaintiff prays that Defendant be cited to appear and answer, and that on final trial of this case, Plaintiff have judgment against Defendant for:

- i. avoidance of the described Payments.
- ii. interest after judgment at the highest rate allowable by law, until paid;
- iii. cost of suit; and
- vi. such other relief to which Plaintiff may show herself to be justly entitled, at law or in equity, under the circumstances.

MARK IAN AGEE, ATTORNEY AT LAW

By: /s/ Mark I. Agee
Mark I. Agee, # 00931900

5401 N. Central Expressway, Suite 220
Dallas, Texas 75205
(214) 320-0079; (214) 320-2966 FAX
DallasBankruptcyLawyer@gmail.com

ATTORNEY FOR TRUSTEE

CERTIFICATE OF SERVICE

This is to certify that I caused a true and correct copy of this Complaint to be served via first class mail on the individuals listed below on Tuesday, July 13, 2010.

\\SUE-SERVER\Users\Trustee Cases\Venture Package\Pitman Preference\Complaint - Pitman Co.wpd 7/13/10

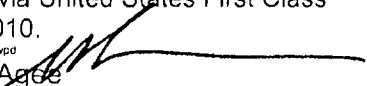
/s/ Mark I. Agee
Mark I. Agee

Anthony P. Crupi, Chief Executive Officer Pitman Company 721 Union Boulevard Totowa, New Jersey 07512	James Sause, President Pitman Company 721 Union Boulevard Totowa, New Jersey 07512	District Manager Pitman Company 2601 Resource Drive, Suite 300 Plano, Texas 75074
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CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing was served via United States First Class Mail to the parties listed below on Wednesday, November 10, 2010.

W:\Trustee Cases\Venture Package\Plinian Preference\Plinac bankruptcy\CERTIFICATE OF SERVICE This is to certify that a copy of the wpd


/s/ Mark I. Agee

Mark I. Agee

<p>Mark Minuti Saul Ewing LLP 222 Delaware Ave, Suite 1200 P.O. Box 1266 Wilmington, DE 19899</p>	<p>United States Trustee 844 King Street, Room 2207 Lockbox #35 Wilmington, DE 19899-0035</p>
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