

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

HMP Services Holding Sub III, LLC, et al. Claims Processing Center
 c/o Epiq Bankruptcy Solutions, LLC
 FDR Station, P.O. Box 5082
 New York, NY 10150-5082

PROOF OF CLAIM

Filed: USBC - District of Delaware
 HMP Services Holding, Et Al.
 10-13618 (BLS) 000000023

Name of Debtor Against Which Claim is Held
 HMP Services Holding, Inc.

Case No. of Debtor
 10-13619 (BLS)



THIS SPACE IS FOR COURT USE ONLY

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 and address of Creditor: (and name and address where notices should be sent if different from Creditor)

HMP (MERGE2.DBF,SCHED_NO) SCHEDULE #: 619000100***** ✱
 COLLIER, DWIGHT
 1702 BRUCKNER COURT
 SNELLVILLE, GA 30078

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

Court Claim Number: _____
 (If known)

Filed on: _____



Your claim is scheduled by the Debtor as:
 \$171,712.00 UNSECURED

Telephone number: 770-331-7931 Email Address: dcollier@pitman.com

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

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.

Telephone number: Email Address:

1. **Amount of Claim as of Date Case Filed:** \$ 171,712.00
 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.
 If all or part of your claim qualifies as an Administrative Expense under 11 U.S.C. §503(b)(9), complete Item 6.
 Check this box if claim includes interest or other charges in addition to the principal amount of the claim. Attach itemized statement of interest or additional 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 \$11,725), 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 \$2,600 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:

\$ _____

2. **Basis for Claim:** Renaissance Trust SERP (Pitman)
 (See instruction #2 on reverse side.)

3. **Last four digits of any number by which creditor identifies debtor:** 0100 ✱
 3a. **Debtor may have scheduled account as:** 219000100
 (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. **Amount of Claim that qualifies as an Administrative Expense under 11 U.S.C. §503(b)(9):** \$ _____
 (See instruction #6 on reverse side.)

7. **Credits:** The amount of all payments on this claim has been credited for the purpose of making this proof of claim.

8. **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 8 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: 12/28/10 **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.

DWIGHT G. COLLIER

[Handwritten Signature]

FILED / RECEIVED

JAN - 3 2011

EPIQ BANKRUPTCY SOLUTIONS, LLC

Collier, Dwight

From: jandrews@arguscorp.net
Sent: Friday, September 24, 2010 1:47 PM
To: Collier, Dwight
Cc: jandrews@arguscorp.net; jhaggerty@arguscorp.net
Subject: Pitman Renaissance Trust

Dear Mr. Collier,

The following letter sets forth the Harold M. Pitman (the "Company") calculation for the total amount of your claim to be presented on account of your participation in the so-called SERP or Renaissance deferred compensation/retirement plan (the "SERP"). Ideally, we would like to be able to reach agreement on the total amount of your claim by September 30, 2010.

Your claim is based on three components, (i) Deferrals, as defined, of your compensation and/or bonus, (ii) Employer Supplemental Contributions and Discretionary Contributions, as defined, if any, and (iii) an amount equal to the Change of Control Benefit ("COC Benefit"), as defined by the SERP documents.

Deferrals

As defined in the SERP documents, "to the extent Deferrals are permitted by the Administrator, a Participant shall have a vested right to the portion of his or her Account attributable to Deferrals and any earnings or losses on the investment of such Deferrals." Based on the Company's records, your total Deferral under the SERP is \$59,434.00.

Employer Supplemental Contributions and Discretionary Contributions

As defined in the SERP documents, "all non vested Employer Supplemental and/or Discretionary Contributions shall become one hundred percent (100%) vested upon the Change of Control of the Employer..." Based on the Company's records, the total amount of Employer Supplemental Contributions and/or Discretionary Contributions credited to your Participant's Account is \$26,556.00.

Change of Control Benefit

As defined in the SERP documents, "the Participant's COC Benefit shall be equal to the product of the following calculations:

- 1) the present value of the Participant's previously targeted benefit within the Participant's RPA and provided in the Participant's Notification Letter ("Targeted Benefit"). The present value calculation will assume (a) that benefit payments would have commenced at age 60, (b) a six percent (6%) discount rate, and (c) discount period as of the Participant's actual numerical age at the effective date of the Employer's Change of Control. This amount will be reduced by
- 2) an amount equal to the aggregate Employer Supplemental Contribution(s) within the Participant's Account at the effective date of the Employer's Change of Control, augmented by a hypothetical annual interest rate of eight percent (8%).

For purposes of this COC-Benefit calculation, actual investment gains and losses (as provided for in Section 5.2 Investments, Gains and Losses) shall not be taken into consideration."

The following table summarizes the data used to calculate your COC Benefit amount.

Participant's Age at Change of Control

56 ✓

Annual Target Benefit	\$20,000.00
Number of years of benefit	10
Discount rate	6.0%
Annual Employer Discretionary Contribution	\$4,426.00
Number of annual contributions	6
Hypothetical annual interest rate	8.0%

> 200,000
 6%
 198,800
 26,556

The following table summarizes the COC Benefit calculation:

Present value of Target Benefit	\$123,593.42
Less: Hypothetical account balance	37,871.65

COC Benefit \$85,721.77

Summary
 T 26,556
 + 59,434
 171,711

OK 10/20/10
 12:25
 claim

Based on the Company information and calculations presented above, the total amount of your claim to be presented on account of your participation in the SERP is \$171,711.77.

If you should have any questions regarding any amounts presented for calculating the total amount of your claim to be presented, please do not hesitate to contact me to discuss at 603-759-3874 or John Haggerty so that we may resolve and reach agreement on the total amount of your claim by the date listed above.

Very truly yours,

James Andrews
 Argus Management Corp.

CV - Printed

Collier, Dwight

From: Collier, Dwight
Sent: Wednesday, October 20, 2010 12:26 PM
To: Collier, Dwight; 'jandrews@arguscorp.net'
Cc: 'John Haggerty'
Subject: RE: Pitman Renaissance Trust

James,

Per our discussion, I am okay with the calculations below. I look forward to 100% distribution of:

"Based on the Company information and calculations presented above, the total amount of your claim to be presented on account of your participation in the SERP is \$171,711.77."

under the Renaissance Trust Plan.

Thanks,

Dwight G. Collier

-----Original Message-----

From: jandrews@arguscorp.net [<mailto:jandrews@arguscorp.net>]
Sent: Friday, September 24, 2010 1:47 PM
To: Collier, Dwight
Cc: jandrews@arguscorp.net; jhaggerty@arguscorp.net
Subject: Pitman Renaissance Trust

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Deferrals

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If you should have any questions regarding any amounts presented for calculating the total amount of your claim to be presented, please do not hesitate to contact me to discuss at 603-759-3874 or John Haggerty so that we may resolve and reach agreement on the total amount of your claim by the date listed above.

Very truly yours,

James Andrews
Argus Management Corp.

Collier, Dwight

From: Collier, Dwight
Sent: Monday, September 20, 2010 12:37 PM
To: jandrews@arguscorp.net
Cc: John Haggerty
Subject: Pitman Retirement Program 0404202
Attachments: Pitman Retirement Program 04042002.jpg; OLR_main.pdf; OLR_contributionsbyyear.pdf

Jim,

Thanks for reaching out to me on Friday. Per our discussion, I have attached some information about Pitman Company's obligation to me through the retirement plan. Attached please find:

- Pitman Retirement Program - letter from Peter Schmidt (CEO) and John Eichner (CFO)
- OLR - Current Balance (Executive Retirement Plant)
- OLR contribution - Contribution per year.

I look forward to receiving your document and my outstanding balance.

Regards,

Dwight

To: Dwight Collier
From: Paul F. Schmidt, Jr. & John A. Eichner
Date: April 4, 2002
Subject: New Supplemental Retirement Plan for Pitman Company Executives

As you may already know, the Pitman Company's Board of Directors has been working very closely with several employee benefit consulting firms to design a new and special supplemental executive retirement plan for the benefit of the senior most managers in our organization.

Since you are a participant in this plan, we wanted to assure you that we are close to finalizing the design and that your benefits are already beginning to vest. Basically, the plan will have two components:

1. A retirement benefit payment similar in nature to your existing Rabbi Trust benefit:

\$20,000 per year for ten years beginning at retirement

and

2. A separate, self-contributing 401K Plan in which you will be able to defer a portion of your taxable earnings above those limits set by the IRS for traditional plans (such as the Company's current KSOP). There will be several investment fund choices, similar to the existing KSOP, for you to choose from and manage your retirement portfolio.

It is the Board's intention to offer our executives and their families the finest and most comprehensive retirement benefits available in business today. We value and appreciate your continuing commitment to the Pitman Company. We thank you for your patience and look forward to introducing this plan, in its final form, to you in the near future.


Paul F. Schmidt, Jr.


John A. Eichner


PITMAN



Account Detail

Select an account: Accounts Overview ▾

Account	Market Value	Vested Balance	%	As Of
ESC Retirement	\$29,860.14	\$26,874.12	31.6 %	9/17/2010
Retirement	\$64,508.41	\$64,508.41	68.4 %	9/17/2010
Totals:	\$94,368.55 Pending Payroll: \$0.00	\$91,382.54		

This plan is a nonqualified plan. As such, it does not receive the same special protection as a qualified plan under ERISA. While the company is contractually obligated to pay benefits as they become due, nothing contained here should imply an obligation to purchase or maintain any asset, and reference to investments is solely for the purpose of computing benefits. In the event of bankruptcy, your claim to your nonqualified plan account balance is that of a general creditor of the company. Balances reflected on this site do not represent any ownership in, or control over, any actual investment asset. Investment rates of return may include reductions for expenses and other adjustments. Balances may differ from the sum of their parts due to rounding.

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Contributions By Year

Please note: This data does **NOT** reflect the current market value of your accounts.

Year	Discretionary	Base	Total
2003	\$4,426.00	\$664.00	\$5,090.00
2004	\$4,426.00	\$8,300.00	\$12,726.00
2005	\$4,426.00	\$8,920.00	\$13,346.00
2006	\$4,426.00	\$9,950.00	\$14,376.00
2007	\$4,426.00	\$10,800.00	\$15,226.00
2008	\$4,426.00	\$10,400.00	\$14,826.00
2009	\$0.00	\$10,400.00	\$10,400.00
Totals:	✓ \$26,556.00	✓ \$59,434.00	\$85,990.00

This page summarizes the dollar amounts that you or your plan sponsor have contributed to this plan. Contributions are totaled by year based on the year the amount was credited to your account which may be different then the applicable earnings year in which contributions were earned.

This plan is a nonqualified plan. As such, it does not receive the same special protection as a qualified plan under ERISA. While the company is contractually obligated to pay benefits as they become due, nothing contained here should imply an obligation to purchase or maintain any asset, and reference to investments is solely for the purpose of computing benefits. In the event of bankruptcy, your claim to your nonqualified plan account balance is that of a general creditor of the company. Balances reflected on this site do not represent any ownership in, or control over, any actual investment asset. Investment rates of return may include reductions for expenses and other adjustments. Balances may differ from the sum of their parts due to rounding.

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Shelburne, GA 30078



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HMP Services Holding Sub III, LLC
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FID Station,
P.O. Box 5082
New York, NY 10150-5082

