

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) 0000000107

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

Case No. of Debtor
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.

THIS SPACE IS FOR COURT USE ONLY

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

HMP (MERGE2.DBF,SCHED_NO) SCHEDULE #: 619000360*****
PROLOGIS-NORTH CAROLINA LP
2217-C DISTRIBUTION CENTER DRIVE
CHARLOTTE, NC 28269

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:
\$198,935.11 UNSECURED
DISPUTED

Telephone number: _____ Email Address: _____

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

Andrea S. Hartley, Esq.
Akerman Senterfitt
One S.E. 3rd Avenue, 25th Floor
Miami, FL 33131

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: 305-374-5600 Email Address: andrea.hartley@akerman.com

1. Amount of Claim as of Date Case Filed: \$ 207,291.36
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: Judgment
(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: 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.

Date: 2/8/11

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.

Andrea S. Hartley, Esq., Attorney and Authorized Agent for ProLogis

FOR COURT USE ONLY

FILED / RECEIVED

FEB - 9 2011

EPIQ BANKRUPTCY SOLUTIONS, LLC

In re: HMP Services Holding, Inc.
Case No. 10-13619 (BLS)

Statement of Interest

Default Judgment	\$206,702.46
Post Judgment Interest:	
Per diem interest at 8% = \$45.30	
13 days x \$45.30 = \$588.90	<u>\$588.90</u>
Total Claim Amount:	\$207,291.36

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
10-CVS-13931

PROLOGIS – NORTH CAROLINA)
LIMITED PARTNERSHIP)
)
Plaintiff,)
v.)
HAROLD M. PITMAN COMPANY,)
)
Defendant.)

MECKLENBURG COUNTY
FILED #102
OCT 25 2010
AT
CLERK OF SUPERIOR COURT
O'CLOCK to plead or
FILED

WHEREFORE, defendant Harold M. Pitman Company ("Tenant") has failed to plead or otherwise defend in this action, and a default has been entered.

IT APPEARS TO THE COURT upon the Motion of plaintiff ProLogis – North Carolina Limited Partnership ("Landlord"), and based upon the Verified Complaint, Entry of Default, and other documents in the record that Tenant is not an infant, incompetent person or in the military service of the United States of America, that Tenant is indebted to Landlord in the amount of \$179,741.27, plus reasonable attorneys' fees in the amount of \$26,961.19 and post-judgment interest as allowed by law.

IT IS THEREFORE ORDERED that plaintiff ProLogis – North Carolina Limited Partnership recover judgment against defendant Harold M. Pitman Company in the amount of \$179,741.27, plus reasonable attorneys' fees in the amount of \$26,961.19 and post-judgment interest as allowed by law.

This the 25 day of October, 2010.



Clerk of Superior Court
Mecklenburg County, North Carolina

CERTIFICATE OF SERVICE

This is to certify that on this date, I served a copy of the foregoing *Motion for Default Judgment* via electronic mail and United States, first class mail, postage pre-paid, addressed as follows:

Lisa M. Kresge
Brown Rudnick LLP
One Financial Center
Boston, MA 02111
lkresge@brownrudnick.com

This the 28th day of October, 2010.


Morgan H. Rogers
Parker Poe Adams & Bernstein LLP
401 South Tryon Street
~~3000 Three Wachovia Center~~
Charlotte, North Carolina 28202
Telephone: (704) 335-9846
Facsimile: (704) 334-4706
morganrogers@parkerpoe.com



Andrea S. Hartley

Akerman Senterfitt
One Southeast Third Avenue
25th Floor
Miami, Florida 33131
Tel: 305.374.5600
Fax: 305.374.5095

February 8, 2011

VIA FEDERAL EXPRESS

HMP Services Holding Sub III, LLC, et al. Claims Processing Center
c/o EPIQ Bankruptcy Solutions, LLC
757 Third Avenue, 3rd Floor
New York, NY 10017

**Re: HMP Services Holding, Inc., et al., Debtors
U.S. Bankruptcy Court, District of Delaware
Chapter 11 Case No. 10-13619 (BLS)**

Re: ProLogis – Proof of Claim for \$207,291.36

Dear Sir/Madam:

Please be advised that Akerman Senterfitt represents ProLogis, a creditor in the above-referenced bankruptcy proceeding. Enclosed is the original and one copy of ProLogis' Proof of Claim which we have signed on behalf of ProLogis, as attorney and authorized agent. Please file the Proof of Claim and return a file-stamped copy of same in the self-addressed stamped envelope that has been provided for you.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,

AKERMAN SENTERFITT



Andrea S. Hartley

ASH/jas
Enclosures

BOCA RATON DALLAS DENVER FORT LAUDERDALE JACKSONVILLE LAS VEGAS LOS ANGELES MADISON MIAMI NAPLES
NEW YORK ORLANDO PALM BEACH TALLAHASSEE TAMPA TYSONS CORNER WASHINGTON, D.C. WEST PALM BEACH

{M3019374;1}

From: (305) 374-5600
Janet Salinas
Akerman Senterfitt
One Southeast Third Avenue 28 FL

Origin ID: MPBA



J11101012220225

Miami, FL 33131

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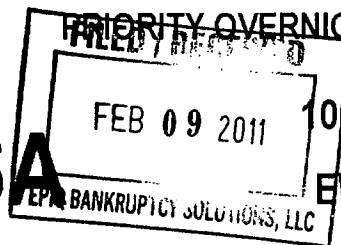
SHIP TO: (305) 679-5412 **BILL SENDER**
HMP Services Holding Sub III, LLC
co Epiq Bankruptcy Solutions LLC
757 3RD AVE, FLOOR 3
CLAIMS PROCESSING CENTER
NEW YORK, NY 10017

Ref # 108608
Invoice #
PO #
Dept #

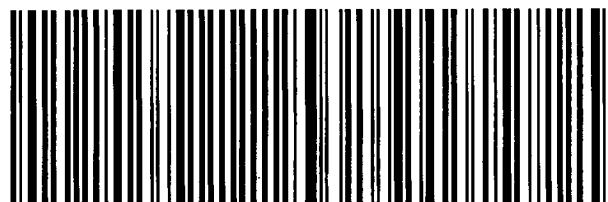
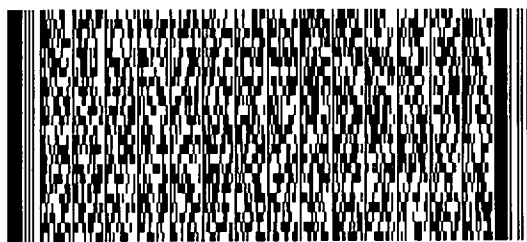
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PRIORITY OVERNIGHT

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