


UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF TEXAS		PROOF OF CLAIM
Name of Debtor: (Check Only One): <input checked="" type="checkbox"/> Opus West Corporation <input type="checkbox"/> Opus West Construction Corporation <input type="checkbox"/> O.W. Commercial, Inc. <input type="checkbox"/> Opus West LP <input type="checkbox"/> Opus West Partners, Inc.		Case Number: 09-34356
NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. All other requests 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): SARA FRITCHER 11090 E. DEL TIMBRE DRIVE SCOTTSDALE, AZ 85259		<input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim. Court Claim Number: <i>(If known)</i> Filed on:
Name and address where notices should be sent: SARA FRITCHER 11090 E. DEL TIMBRE DR SCOTTSDALE, AZ 85259 Telephone number: 480-314-0414 Email Address: sjfdznr@gmail.com		<input checked="" 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.
Name and address where payment should be sent (if different from above): Telephone number:		
1. Amount of Claim as of Date Case Filed: \$ <u>238,505.91</u> 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 checked="" 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: \$ <u>238,505.91</u>
2. Basis for Claim: <u>CONSENT DECREE OF DISSOLUTION OF MARRIAGE</u> (See instruction #2 on reverse side.) <u>OCTOBER 2004</u>		
3. Last four digits of any number by which creditor identifies debtor: <u>2317</u> 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"/> Equipment <input type="checkbox"/> Other 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 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 or 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: 11/3/09	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. Sara Fritcher	FOR COURT USE ONLY OPUS WEST  00368

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.
 Modified B10 (GCC) (12/08)

November 3, 2009

Statement related to Proof of Claim # 09-34356

I am filing my own Proof of Claim, but may be listed on a claim filed by my ex-husband, James C. Fritcher, 11847 Appaloosa Place, Scottsdale, Az 85259. He was an employee at Opus West Corporation. Most of the documents list both of our names as a result of our Divorce Decree. I have attached copies of all documents that I believe pertain to this claim.

Thank you,

A handwritten signature in cursive script that reads "Sara Fritcher". The signature is written in black ink and is positioned above the printed name.

Sara Fritcher

**Jim Fritcher
 Opus West Corporation
 Benefit Summary
 10/14/04 - 6/30/05**

		Total	Jim Fritcher Share 50%	Sara Fritcher Share 50%
<u>SAR PLAN</u>				
	<u># of SARs</u>			
Gross SAR Balance	4,500	\$904,198.00	\$452,099.00	\$452,099.00
Cumulative Payments		<u>(228,929.00)</u>	<u>(114,464.00)</u>	<u>(114,465.00)</u>
Net SAR Balance - 100% vested		675,269.00	337,635.00	337,634.00
SAR Payments - 1/1/05 Repurchase	<u>(1,500)</u>	<u>(225,090.00) (A)</u>	<u>(112,545.00)</u>	<u>(112,545.00)</u>
Balance	<u>3,000</u>	<u>\$450,179.00</u>	<u>\$225,090.00</u>	<u>\$225,089.00</u>
<u>VESTED BALANCE OF 20% DEFERRED (LONG-TERM) PORTION OF OFFICER INCENTIVE COMPENSATION PLAN</u>				
1999 Deferral - 80% vested		\$19,738.76	\$9,869.38	\$9,869.38 payable 3/2005
2000 Deferral - 60% vested		13,757.44	6,878.72	6,878.72 payable 3/2006
2001 Deferral - 40% vested		7,480.81	3,740.40	3,740.41 payable 3/2007
2002 Deferral - 20% vested		5,595.56	2,797.78	2,797.78 payable 3/2008
2003 Deferral - 0% vested		<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Total Vested as of 10/14/04		46,572.57	23,286.28	23,286.29
1999 Deferral	100% vested on 1/1/05; paid 3/15/05	(19,738.76)	(19,738.76)	0.00
	Adjustment to wire on 7/20/05	<u>0.00</u>	<u>9,869.38</u>	<u>(9,869.38)</u>
Balance		<u>\$26,833.81</u>	<u>\$13,416.90</u>	<u>\$13,416.91</u>

(A) \$675,269 net SAR balance / 4,500 SARs * 1,500 SARs

Life Insurance Policies:

Petitioner will maintain a life insurance policy for a period of no less than ten (10) years in the amount of no less than Three Hundred Thousand Dollars (\$300,000.00) insuring his life and naming Respondent as the irrevocable beneficiary. Respondent, at her discretion, may either continue to make the premium payments on the insurance policy insuring her life or, alternatively, may discontinue the policy.

Retirement Accounts, Pension Plans, Deferred Compensation:

Shared Appreciation Right account. The Shared Appreciation Right account ("SAR") is held in Petitioner's name through OPUS West Corporation ("OPUS"), Petitioner's employer. This account bears no interest and taxes are due upon distribution from this account. The assets currently in this account will not be fully realized until such time as Petitioner leaves the employment of OPUS. Each party is awarded a fifty percent (50%) interest of the cash value in said account as of the date of this Decree. OPUS will be ordered to partition Respondent's portion as of the date of Decree. If, in the future, a portion of the SAR is distributed by OPUS, either while Petitioner remains in their employ or when Petitioner ceases employment for whatever reason, then each party's proportionate share will be distributed to each party and each party will pay and be responsible for their own taxes on the amount(s) received. Both parties are to be copied on all correspondence from OPUS regarding this amount. The intent of this paragraph is to provide Respondent with a pretax amount equal to fifty percent (50%) of the cash value in the account valued as the date of this Decree, payable under such terms as established for this account by OPUS, with applicable taxes to be paid by each party at such time as these funds are distributed. The intent of this paragraph is not to provide Respondent with any interest, rights or ownership of future amounts to be paid to Petitioner under the SAR Plan established by OPUS or its successor.

Opus West Corporation Deferred Incentive Compensation (Retained or "Long Term" portion of annual incentive compensation):

Each party is awarded a fifty percent (50%) interest in the vested portion of the retained Long Term Incentive Compensation as of the date of Decree. In the future, as portions of this amount are distributed by OPUS, each party will be awarded their proportionate share and each will pay and be responsible for their own taxes on the amount(s) received. Respondent is to be copied on all correspondence from Opus Corporation concerning this amount. Petitioner is awarded one hundred percent (100%) interest in the unvested portion of the Long Term Incentive Compensation as of the date of Decree.

Retirement, 401K and IRA Accounts:

Each party is awarded a fifty percent (50%) interest in the sum total of the value of the following accounts, in aggregate, as of the date of Decree. The division will be made through a Qualified Domestic Relations Order ("QDRO") which will partition the single

#225,089.00
#13,416.91 remaining

FILED
OCT 18 2004 11:22am
MICHAEL K. JEANES, Clerk
By W. Brown
Deputy

Name: JAMES C. FRITCHER
Address: 11847 E. Appaloosa Place
Scottsdale, Arizona 85259-5971
Telephone: 602 463 9087
Representing Self Without an Attorney

Name: SARA FRITCHER
Address: 11090 E. Del Timbre Drive
Scottsdale, Arizona 85259-5763
Telephone: 480 314 0414
Representing Self (Without an Attorney)

Prepared by: Cynthia S. Felton, AzCLDP 80626
1730 E. Warner Road, Ste. 10, No. 123
Tempe, Arizona 85284

COPY

**SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY**

JAMES C. FRITCHER,

Case No. FC2004-004482

Petitioner,

**CONSENT DECREE OF DISSOLUTION
OF A NON-COVENANT MARRIAGE**

Vs.

SARA FRITCHER,

Respondent.

1. This case has come before the Court for a final Decree of Dissolution of Marriage. The Court has taken all testimony needed to enter a Decree, or the Court has determined testimony is not needed to enter the Decree.
2. This Court has jurisdiction over the parties under the law and the provisions of this Decree are fair and reasonable under the circumstances.
3. The Court FINDS:
 - a. At the time this action was filed, the Petitioner or the Respondent had lived in Arizona for more than 90 days.
 - b. The provisions relating to the Conciliation Court either do not apply or have been met.
 - c. The marriage is irretrievably broken or the parties desire to live separate and apart. This marriage is not a covenant marriage.

- d. Where it has the legal power and where it is applicable to the facts of this case, this Court has considered, approved and made Orders relating to issues of spousal maintenance/support (alimony), and the division of property and/or debts. Since the filing of the Petition for Dissolution of Marriage with Minor Children, the minor child has become 18 years of age and has graduated from high school or is otherwise emancipated. It is no longer necessary for the Court to decide the matters of custody, visitation or child support.
- e. The parties have agreed to a division of community property and/or debt as evidenced by their signatures on Exhibit A attached to and incorporated into this Decree.
- f. The parties have agreed to a division of their interests in any and all retirement benefits, pension plans or other deferred compensation described on Exhibit A attached hereto.
- g. Wife/Respondent is not pregnant.
- h. The Respondent lacks enough property, including property given to her as part of this divorce, to provide for her reasonable needs. The marriage is of long duration.
- i. By order of the Court, both Petitioner and Respondent were excused from attending the Parenting Class based upon the fact that the minor child attained the age of 18 years and graduated from high school or is otherwise emancipated since the filing of the Petition.

The Court ORDERS:

1. The marriage of the parties is dissolved and the parties are restored to the legal status of single persons.
2. Petitioner is ordered to pay Respondent spousal maintenance/support in the following amounts: Seven Thousand Dollars (\$7,000.00) per month for a period of three (3) years and, thereafter, the amount of Five Thousand Dollars (\$5,000.00) per month for a period of seven (7) years. The spousal maintenance/alimony will commence on the 1st day of September, 2004. One half of each monthly payment shall be made on the first day of each month and one-half on the fifteenth of the month. Payments are non-modifiable except in the event of Respondent's death. All payments shall be made through the Clerk of this Court by automatic wage assignment, until all required payments have been made under this Decree. Payments made shall be included in Respondent's taxable income and is tax deductible from Petitioner's income as required by law.

3. Petitioner is ordered to pay all debts unknown to Respondent. Respondent is ordered to pay all debts unknown to Petitioner. Each party is ordered to pay his or her debts from September 1, 2004.

Other orders and relief relating to property or debt are contained in Exhibit A which is attached and incorporated into this Decree.

Each party is assigned his or her separate property and Petitioner must pay his separate debt and Respondent must pay her separate debt.

This Decree can be used as a transfer of title and can be recorded. Parties shall sign all documents necessary to complete all transfer of title ordered in this Decree, such as motor vehicles, houses and bank accounts.

For previous calendar years, pursuant to IRS rules and regulations, the parties will file joint federal and state income tax returns and hold the other harmless from half of all additional income taxes, if any, and other costs, and each will share equally in any refunds. This calendar year and continuing thereafter, each party will file separate federal and state income tax returns. Each party shall give the other party all necessary documentation to file all tax returns.

4. Pursuant to Arizona Rules of Civil Procedure, Rule 58, this final judgment/decree is settled, approved and signed by the Court and shall be entered by the Clerk.

DONE IN OPEN COURT: Oct 14, 2004

Myra Harris
Commissioner

~~Judge OR~~ Court Commissioner

IMPORTANT. READ ME. Arizona law (A.R.S. 25-503(1)) states that, with certain exceptions, an unpaid child support order that became a judgment by operation of law (this means that it became a judgment when it was due and unpaid) expires three years after the emancipation of the last remaining un-emancipated child who was included in the Court order unless it is reduced to a formal written judgment by the Court. The person who is owed child support must apply in writing to the Court to obtain a formal written judgment.

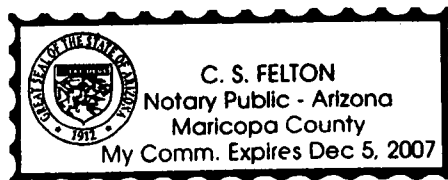
APPROVED BY:

Petitioner: James C. Fritcher
James C. Fritcher

Date: 10/6/04

Subscribed and Sworn to me by James C. Fritcher, Petitioner, this 6th day of October 2004.

My Commission expires:
12/05/2007



[Signature]
Notary Public

Respondent: Sara Fritcher Date: 10/6/04
Sara Fritcher

Subscribed and sworn to before me by Sara Fritcher, Respondent, this 6th day
of October, 2004.

C. S. Felton
Notary Public

My Commission expires:
12/05/2007

