

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

PROOF OF CLAIM

Name of Debtor:  
**TWG Capital, Inc.**

Case Number:  
**12-11019-BHL-11**

*NOTE: Other than claims under 11 U.S.C. § 503(b)(9), this form should not be used to make a claim for Administrative Expenses 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(a).*

Name of Creditor (the person or other entity to whom the debtor owes money or property):

**JAMES WALLACE**

**RECEIVED**

Name and address where notices should be sent

**9801 FALL CREEK RD PMB 138  
INDIANAPOLIS IN 46256**

**JUN 07 2013**

**BMC GROUP**

If you have already filed a proof of claim with the Bankruptcy Court or BMC, you do not need to file again.

Creditor Telephone Number **424 259-4158** email: **JWALLACE@COMCAST.NET**

**THIS SPACE IS FOR COURT USE ONLY**

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

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

Court Claim Number (if known):

Payment Telephone Number ( ) email

Filed on

1. AMOUNT OF CLAIM AS OF DATE CASE FILED \$ **240,848.24**

If all or part of your claim is secured, complete item 4

If all or part of your claim is entitled to priority, complete item 5

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:

(See instruction #2)

**CONVERTIBLE PREFERRED SHAREHOLDER**

3. LAST FOUR DIGITS OF ANY NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR:

**0000**

3a. Debtor may have scheduled account as:

**PREFERRED STOCK OUTSTANDING**

(See instruction #3a)

3b. Uniform Claim Identifier (optional):

(See instruction #3b)

4. SECURED CLAIM: (See instruction #4)

Check the appropriate box if your claim is secured by a lien on property or a right of setoff, attach required redacted documents, and provide the requested information.

Amount of arrearage and other charges, as of time case filed, included in secured claim, if any: \$ **86,892.12**

Nature of property or right of setoff:

Basis for Perfection: **PROMISSORY NOTE**

Describe:

Amount of Secured Claim: \$ **240,848.24**

Real Estate  Motor Vehicle  Other

Amount Unsecured: \$ **0**

Value of Property: \$

Annual Interest Rate, (when case was filed)

Fixed  Variable

**100% DEFAULT RATE + 3% PIR RATE**

5. Amount of Claim Entitled to Administrative Expense status under 11 U.S.C. § 503(b)(9) or Priority under 11 U.S.C. § 507(a). If any part of the claim falls into one of the following categories, check the box specifying the administrative expense or priority and state the amount.

Amount entitled to priority: \$

Amount entitled to administrative expense under 11 U.S.C. § 503(b)(9): \$

You MUST specify the priority of the claim:

- Domestic support obligations under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B)
- Up to 20% of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507(a)(2)
- Wages, salaries, or commissions (up to \$11,725) earned within 90 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. § 507(a)(4)

- Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(6)
- Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(5)
- Other - Specify applicable paragraph of 11 U.S.C. § 507(a):
- Value of goods received by the debtor within 90 days before the date of the bankruptcy filing - 11 U.S.C. § 503(b)(9)

*Amounts are subject to adjustment on 4/1/12 and every 5 years thereafter with respect to dates commenced on or after the date of adjustment.*

6. CREDITS: The amount of all payments on this claim has been credited for the purpose of making this proof of claim. (See instruction #6)

TWG Capital POC



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7. DOCUMENTS: Attached are redacted copies of documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements, or, in the case of a claim based on an open-end or revolving consumer credit agreement, a statement providing the information required by FRBP 3001(c)(3)(A). If the claim is secured, box 4 has been completed, and redacted copies of documents providing evidence of perfection of a security interest are attached. If the claim is secured by the debtor's principal residence, the Mortgage Proof of Claim Attachment is being filed with this claim. (See instruction #7 and definition of "redacted").

DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING

If the documents are not available, please explain

DATE-STAMPED COPY: To receive an acknowledgment of the filing of your claim, enclose a stamped self-addressed envelope and copy of this proof of claim

This proof of claim must be filed electronically via the Court's CM/ECF system, or the original signed copy of this completed proof of claim must be sent by mail or hand delivered (FAXES NOT ACCEPTED), to one of the following addresses, so that it is actually received NO LATER THAN 11:59 pm, prevailing Eastern Time on June 7, 2013 for Non-Governmental Claimants OR NO LATER THAN 11:59 pm, prevailing Eastern Time on August 7, 2013 for Governmental Units:

BY MAIL TO:  
BMC Group, Inc  
Attn: TWG Capital Claims Processing  
PO Box 3020  
Chanhassen, MN 55317-3020

BY MESSENGER OR OVERNIGHT DELIVERY TO:  
BMC Group, Inc  
Attn: TWG Capital Claims Processing  
18675 Lake Drive East  
Chanhassen, MN 55317

8. SIGNATURE: (See instruction #8)

Check the appropriate box

I am the creditor

I am the creditor's authorized agent

I am the trustee, or the debtor or their authorized agent  
(See Bankruptcy Rule 3004)

I am a guarantor, surety, indorser or other codebtor  
(See Bankruptcy Rule 3005)

I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief

Print Name: JAMES WALLACE  
Title: SELF  
Capacity: PA

Address and telephone number (if different from notice address above)

(Signature)

(Date)

6/5/2013

Telephone number

email

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

TWG CAPITAL PREFERRED SHARES

TWG Capital preferred stock  
6/5/2013

Date	Num	Transaction	Decrease	C	Increase	Balance
12/29/2006		Opening Balance cat: [TWG Capital preferred stock] memo: 129 sh @ \$1,000 ea			129,000.00	129,000.00
1/15/2008		Accrued dividend cat: Div Income memo: Standard dividend \$14,568.98 / 9% * 3% PIK rate			4,856.33	133,856.33
4/15/2008		Accrued dividend cat: Div Income memo: Standard dividend \$3,689.38 / 9% * 3% PIK rate			1,229.79	135,086.12
7/15/2008		Accrued dividend cat: Div Income memo: Standard dividend \$3,689.38 / 9% * 3% PIK rate			1,229.79	136,315.91
10/15/2008		Accrued dividend cat: Div Income memo: Standard dividend \$3,689.38 / 9% * 3% PIK rate			1,229.79	137,545.70
1/15/2009		Accrued dividend cat: --SPLIT--			5,739.03	143,284.73
4/15/2009		Accrued dividend cat: --SPLIT--			5,739.03	149,023.76
7/15/2009		Accrued dividend cat: --SPLIT--			5,739.03	154,762.79
10/15/2009		Accrued dividend cat: --SPLIT--			5,739.03	160,501.82
1/15/2010		Accrued dividend cat: --SPLIT--			5,739.03	166,240.85
4/15/2010		Accrued dividend cat: --SPLIT--			5,739.03	171,979.88
7/15/2010		Accrued dividend cat: --SPLIT--			5,739.03	177,718.91
10/15/2010		Accrued dividend cat: --SPLIT--			5,739.03	183,457.94
1/15/2011		Accrued dividend cat: --SPLIT--			5,739.03	189,196.97
4/15/2011		Accrued dividend cat: --SPLIT--			5,739.03	194,936.00
7/15/2011		Accrued dividend cat: --SPLIT--			5,739.03	200,675.03

TWG CAPITAL PREFERRED SHARES

TWG Capital preferred stock  
6/5/2013

Date	Num	Transaction	Decrease	C	Increase	Balance
10/15/2011		Accrued dividend cat: --SPLIT--			5,739.03	206,414.06
1/15/2012		Accrued dividend cat: --SPLIT--			5,739.03	212,153.09
4/15/2012		Accrued dividend cat: --SPLIT--			5,739.03	217,892.12
7/15/2012		Accrued dividend cat: --SPLIT--			5,739.03	223,631.15
10/15/2012		Accrued dividend cat: --SPLIT--			5,739.03	229,370.18
1/15/2013		Accrued dividend cat: --SPLIT--			5,739.03	235,109.21
4/15/2013		Accrued dividend cat: --SPLIT--			5,739.03	240,848.24

From: (424) 254-4158  
James Wallace

Origin ID: MZZA



9801 Fall Creek Rd PMB 138

INDIANAPOLIS, IN 46256



J13111302120326

Ship Date: 05JUN13  
ActWgt: 1.0 LB  
CAD: 104106487/NET3370

Delivery Address Bar Code



SHIP TO: (877) 332-5739

BILL SENDER

ATTN: TWG Capital Claims Processing  
BMC Group Inc  
18675 Lake Dr E

CHANHASSEN, MN 55317

Ref #  
Invoice #  
PO #  
Dept #

Proof of claim

RECEIVED

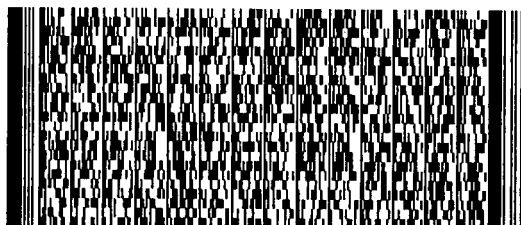
JUN 07 2013

BMC GROUP

FRI - 07 JUN 10:30A  
MORNING 2DAY

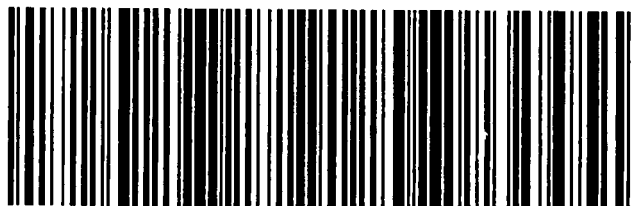
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