UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

PROOF OF CLAIM

THIS SPACE IS FOR COURT USE ONLY

Debtor
Excel Telcommuntionals, Inc

Case Number
04-81698

NOTE See Reverse for List of Debtors and Case Numbers

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 and Address

08311341002537

City of Modesto
Utility Tax
PO Box 642
Modesto CA 95353-0642

Creditor Telephone Number ( )

☐ 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 box if you have never received any notices from the bankruptcy court in this case

☐ Check box if this address differs from the address on the envelope sent to you by the court.

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

Creditor Federal Tax ID
94-6000374

Account Or Other Number By Which Creditor Identifies Debtor

Check here if this claim ☐ replaces or ☐ amends a previously filed claim dated _____

1 BASIS FOR CLAIM

☐ Goods sold
☐ Services performed
☐ Money loaned
☐ Personal injury/wrongful death
☒ Taxes Business License Mill taxes
☐ Other (describe briefly) _____
☐ Retiree benefits as defined in 11 U S C § 1114(a)
☐ Wages salaries and compensation (Fill out below)
Last four digits of SS # _____
Unpaid compensation for services performed from _____ (date) to _____ (date)

2 DATE DEBT WAS INCURRED

3 IF COURT JUDGMENT, DATE OBTAINED

4 TOTAL AMOUNT OF CLAIM AT TIME CASE FILED

$	$	$ 2,236 91	$ 2,236 91
(unsecured)	(secured)	(unsecured priority)	(Total)

If all or part of your claim is secured or entitled to priority, also complete Item 5 or 7 below

☐ Check this box if claim includes interest or other charges in addition to the principal amount of the claim Attach itemized statement of all interest or additional charges

5 SECURED CLAIM

☐ Check this box if your claim is secured by collateral (including a right of setoff)

Brief description of collateral

☐ Real Estate ☐ Motor Vehicle
☐ Other _____

Value of Collateral $ _____

Amount of arrearage and other charges at time case filed included in secured claim if any $ _____

6 UNSECURED NONPRIORITY CLAIM $ _____

☐ Check this box if a) there is no collateral or lien securing your claim or b) your claim exceeds the value of the property securing it or if c) none or only part of your claim is entitled to priority

7 UNSECURED PRIORITY CLAIM

☐ Check this box if you have an unsecured priority claim

Amount entitled to priority $ _____

Specify the priority of the claim

☐ Wages salaries or commissions (up to $4 925)* 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)(3)

☐ Contributions to an employee benefit plan 11 U S C § 507(a)(4)

☐ Up to $2 225* of deposits toward purchase lease or rental of property or services for personal family or household use 11 U S C § 507(a)(6)

☐ Alimony maintenance or support owed to a spouse former spouse or child 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) (____)

Amounts are subject to adjustment on 4/1/07 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment

8 CREDITS The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim

9 SUPPORTING DOCUMENTS *Attach copies of supporting documents,* such as promissory notes purchase orders invoices itemized statements of running accounts contracts court judgments mortgages security agreements and evidence of perfection of lien DO NOT SEND ORIGINAL DOCUMENTS If the documents are not available explain If the documents are voluminous attach a summary

10 DATE-STAMPED COPY To receive an acknowledgment of your claim please enclose a self-addressed, stamped envelope and an additional copy of this proof of claim

The original of this completed proof of claim form must be sent by mail or hand delivered (FAXES NOT ACCEPTED) so that it is actually received on or before 5 00 pm on March 14 2005 for all creditors except Governmental Units For a governmental unit One hundred eighty (180) days after date relief ordered

BY MAIL TO
VarTec Telecom Inc
c/o BMC Group
PO Box 1011
El Segundo CA 90245-1011

BY HAND OR OVERNIGHT DELIVERY TO
VarTec Telecom Inc
c/o BMC Group (Telephone 888/909-0100)
1330 East Franklin Ave
El Segundo CA 90245

THIS SPACE FOR COURT USE ONLY
FILED
FEB 11 2005
BMC

DATE SIGNED
2-7-05

SIGN and print the name and title if any of the creditor or other person authorized to file this claim (attach copy of power of attorney if any)
John Bertolotti Customer Service Supervisor

Vartec Telecom Inc
01332

Penalty for presenting fraudulent claim is a fine of up to $500 000 or imprisonment for up to 5 years or both 18 U S C §§ 152 AND 3571

City of Modesto
P O Box 3442
Modesto CA 95353 3442

BL-1

Business License
(209) 577 5 8
Customer Service Division

DECLARATION OF GROSS RECEIPTS

Location

Account #

Owner s Name

Period Ending

Last Day to Pay

CITY of MODESTO

TAX FORMS MUST BE FILED EVERY PERIOD, EVEN IF THE GROSS RECEIPTS ARE ZERO IF THIS IS THE CASE THEN ENTER -0-, SIGN THE FORM AND RETURN

Worksheet & Instructions for completing this form

Your license mill tax is now due and will become delinquent the day after the Last Day to Pay Please be aware that a 5% per month penalty will be add to your account for late payment up to a maximum of 25% **Please complete both sides of this form and return the bottom portion with yo payment keep the top portion of this form for your records**

Section I

Step 1 CALCULATION OF TAXABLE GROSS

Line A GROSS RECEIPTS Enter the total amount of receipts of cash credits or property arising from conducting business Enter here and on Line A below $

Line B ADJUSTMENTS Enter the total of allowable adjustments Enter here and on Line B below $
(see worksheet on reverse for calculation of allowable adjustments)

Line C TAXABLE GROSS - Subtract Line B from Line A (Enter here and on Line C below) $

STEP 2 CALCULATION OF TOTAL TAX DUE

Line D CALCULATION OF TAX Multiply TAXABLE GROSS (Line C) X the tax rate $

$

PRIOR CHARGES AND CREDITS (See below) $

Line M TOTAL TAX DUE - Add Lines D thru L (Enter here and on Line M below) $

Retain Top Section For Your Records

City of Modesto
P O Box 3442
Modesto CA 95353

DECLARATION OF GROSS RECEIPTS

Final Report If you no longer do business in Modesto check here ☐
Date Business Closed

75 2280200

Vartec Telecom Inc

Account Number	
119 2624	02
Period Ending	Last Day to Pay
12/31/02	

A) GROSS RECEIPTS	$ 156,388	33
B) ADJUSTMENTS	$	
C) TAXABLE GROSS	$ 156,388	33

I declare under penalty of perjury that to my knowledge all information contained in this declaration is true and correct

SIGNATURE

CALCULATION OF TAX		
D) 0212 mill 002	312	78
E) Late Pen	78	20
F)		
G)		
H)		
I)		
J)		
K)		
L)	390	98
TOTAL TAX DUE	390	98

City of Modesto
P O Box 3442
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Business License
209) 577 [illegible]
Customer Service Division

DECLARATION OF GROSS RECEIPTS

Location

Account #

Owner s Name

Period Ending

Last Day to Pay

CITY of MODESTO

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PRIOR CHARGES AND CREDITS (See below) $

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Modesto CA 95353

DECLARATION OF GROSS RECEIPTS

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Date Business Closed _____

Account Number		
1192624	02	
Period Ending	Last Day to Pay	
3/31/03		
A) GROSS RECEIPTS	$ 158 796	26
B) ADJUSTMENTS	$	
C) TAXABLE GROSS	$ 158 796	26

I declare under penalty of perjury that to my knowledge all information contained in this declaration s true and correct

SIGNATURE

CALCULATION OF TAX		
D) 0303 mill .002	317	60
E) Pen 25%	79	40
F)		
G)		
H)		
I)		
J)		
K)		
	397	—
TOTAL TAX DUE	397	00

Vartec Telecom Inc

City of Modesto
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DECLARATION OF GROSS RECEIPTS

Location

Account #

Owner s Name

Period Ending

Last Day to Pay

CITY of MODESTO

TAX FORMS MUST BE FILED EVERY PERIOD EVEN IF THE GROSS RECEIPTS ARE ZERO IF THIS IS THE CASE THEN ENTER -0-, SIGN THE FORM AND RETURN

Worksheet & Instructions for completing this form

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$

PRIOR CHARGES AND CREDITS (See below) $

Line M TOTAL TAX DUE = Add Lines D thru L (Enter here and on Line M below) $

Retain Top Section For Your Records

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DECLARATION OF GROSS RECEIPTS

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Date Business Closed _____

Vortec Telecom Inc

Account Number	
119 2624	02
Period Ending	Last Day to Pay
6/30/03	

A) GROSS RECEIPTS	$ 185,507	48
B) ADJUSTMENTS	$	
C) TAXABLE GROSS	$ 185,507	48

I declare under penalty of perjury that to my knowledg all information contained in this declaration is true and correct

SIGNATURE

CALCULATION OF TAX		
D) 0306 mill 002	371	02
E) 0307 license penalty	3	75
F) MILL Pen 25%	92	76
G)		
H)		
I)		
J)		
K)		
L)	467	53
TOTAL TAX DUE	467	53

CITY OF MODESTO
P O Box 3442
Modesto CA 95353-3442

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Business License
(209) 5[illegible]
Customer Service Divis[illegible]

DECLARATION OF GROSS RECEIPTS

Location

Account #

Owner s Name

Period Ending

Last Day to Pay

CITY of MODESTO

TAX FORMS MUST BE FILED EVERY PERIOD EVEN IF THE GROSS RECEIPTS ARE ZERO IF THIS IS THE CAS THEN ENTER -0-, SIGN THE FORM AND RETURN

Worksheet & Instructions for completing this form

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$

PRIOR CHARGES AND CREDITS (See below) $

Line M TOTAL TAX DUE - Add Lines D thru L (Enter here and on Line M below) $

Retain Top Section For Your Records

City of Modes o
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DECLARATION OF GROSS RECEIPTS

Account Number: 1192624-02

Period Ending: 12/31/03

Last Day to Pay:

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Date Business Closed _____

A) GROSS RECEIPTS $ 115597 49

B) ADJUSTMENTS $

C) TAXABLE GROSS $

I declare under penalty of per ury that to my knowledge all informatio contained n this declaration is true and correc

SIGNATURE

Vartec Telecom Inc

CALCULATION OF TAX	
D) Mill Tax 002	231 20
E) MT-Penalty	57 80
F) License Fee	
G) LF Penalty	
H)	
I)	
J)	
K)	
L)	289 —
TOTAL TAX DUE	289 00

City of Modesto
P O Box 3442
Modesto CA 95353-3442

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Business Licens
(209) 577-5
Customer Service Divis

DECLARATION OF GROSS RECEIPTS

Location

Owner s Name

Account #

Period Ending

Last Day to Pay

CITY of MODESTO

TAX FORMS MUST BE FILED EVERY PERIOD, EVEN IF THE GROSS RECEIPTS ARE ZERO IF THIS IS THE CAS THEN ENTER -0-, SIGN THE FORM AND RETURN

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PRIOR CHARGES AND CREDITS (See below) $

Line M TOTAL TAX DUE - Add Lines D thru L (Enter here and on Line M below) $

Retain Top Section For Your Records

City of Modesto
P O Box 3442
Modesto CA 95353

DECLARATION OF GROSS RECEIPTS

Account Number: 1192624-02

Period Ending: 3/31/04

Last Day to Pay:

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Date Business Closed _____

A) GROSS RECEIPTS $ 983526 66

B) ADJUSTMENTS $

C) TAXABLE GROSS $

I declare under penalty of perjury that to my knowledge all information contained in this declaration is true and correct

SIGNATURE

Vartec Telecom Inc

CALCULATION OF TAX

D) Mill Tax 002	196	71
E MT-Penalty	49	18
F License Fee		
G) LF Penalty		
H)		
I)		
J)		
K)		
L)	245	89
TOTAL TAX DUE	711	00

City of Modesto
P O Box 3442
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Business Licens
(209) 577 5
Customer Service Div sio

DECLARATION OF GROSS RECEIPTS

Location

Account #

Owner s Name

Period Ending

Last Day to Pay

CITY of MODESTO

TAX FORMS MUST BE FILED EVERY PERIOD, EVEN IF THE GROSS RECEIPTS ARE ZERO IF THIS IS THE CAS THEN ENTER -0-, SIGN THE FORM AND RETURN

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$

PRIOR CHARGES AND CREDITS (See below) $

Line M TOTAL TAX DUE Add Lines D thru L (Enter here and on Line M below) $

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City of Modesto
P O Box 3442
Modesto CA 95353

DECLARATION OF GROSS RECEIPTS

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Date Busines Closed _____

Vartec Telecom Inc

Account Number	
1192624-02	
Period Ending	Last Day to Pay
06/30/04	

A) GROSS RECEIPTS $ 8773633

B) ADJUSTMENTS $

C) TAXABLE GROSS $

declare under penalty of perjury that to my knowledge all information contained in th declaration is true and correct

SIGNATURE

CALCULATION OF TAX		
D) Mill Tax 002	175	48
E) MT-Penalty	43	87
F) License Fee		
G) LF Penalty		
H)		
I)		
J)		
K)		
TOTAL TAX DUE	219	35

CITY OF MODESTO
P O Box 3442
Modesto CA 95353 3442

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Business Licenses
(209) 577-5378
Customer Service Division

DECLARATION OF GROSS RECEIPTS

Location

Owner's Name

Account #

Period Ending

Last Day to Pay

CITY of MODESTO

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PRIOR CHARGES AND CREDITS (See below) $

Line M TOTAL TAX DUE Add Lines D thru L (Enter here and on Line M below) $

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City of Modesto
P O Box 3442
Modesto CA 95353

DECLARATION OF GROSS RECEIPTS

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Date Business Closed _____

Vartec Telecom Inc

Account Number	
1192624-02	
Period Ending	Last Day to Pay
09/30/04	

GROSS RECEIPTS A)	$ 88826	33
ADJUSTMENTS B)	$	
TAXABLE GROSS C)	$	

I declare under penalty of perjury that to my knowledge all information contained in this declaration is true and correct

SIGNATURE

CALCULATION OF TAX		
D) Mill Tax 002	177	66
E) MT-Penalty	44	42
F) License Fee		
G) LF Penalty		
H)		
I)		
J)		
K)		
L)		
TOTAL TAX DUE	222	08