UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

PROOF OF CLAIM

THIS SPACE IS FOR COURT USE ONLY

Debtor: Vartec Telecom, Inc

NOTE See Reverse for List of Debtors and Case Numbers

Case Number: 04-81694 SAF-11

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

☐ 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

Name of Creditor and Address

Deborah K Tillery
4102 Bluebird
El Reno, Ok. 73036

Creditor Telephone Number 405 262-4663

Creditor Federal Tax ID: 430337325

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
☑ Other (describe briefly) Residual, Commission Illegal action Compensation & Bonus
☐ 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

$ 250,000.00	$	$ 75,000.00	$ 325,000.00
(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: original completed proof of claim form must be actually received on or before May 2, 2005

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
MAR 07 2005
BMC

DATE SIGNED: 3-2-2005

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)

Deborah Tillery DEBORAH Tillery

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

Vartec Telecom Inc
01895

Wednesday, March 02, 2005

Deborah Tillery
4102 Bluebird
El Reno, Ok 73036
405-262-4663

Listening to the tapes again was very upsetting I can t truly explain how Excel has made me feel because there are too many feelings involved – I think fear and depression are the two biggest There are 8 tapes total some are both sides I ve tried to piece everything together so you don t have a mess on your hands

By January 2004 Excel had launched a 3rd Investigation on me for paying for Reps to come into Excel **Refer to Micro cassette tapes Dated January 14th, 15th, and 16th** This went on for months but what's so peculiar is Excel then started taking my customers It finally ended with a termination letter dated August 17 2004

During this same time-line I received a call from Mike Jones with Excel Corporate asking me to remove my Texas listing as Excel Communications Nationwide IR He stated that he could not make me remove my listing but maybe could compromise and send customers needing new service my way I removed my listing and called him as a follow up He then told me that he has checked with someone and Excel was not willing to do that I put my listing back in the directory It is written in the Rep book guideline that Reps are able to list in White Pages so long as it is followed by Independent Representative The reason why I was getting the calls instead of Excel is because I put Nationwide in my listing as well

My phone system originates customers new and old Before March 2004 Reps were allowed to utilize orphans (customers without reps) It is also stated by Joanna McQueen (Supervisor with Excel VIP) that Excel new what my system was and that is why they were taking customers from me So not only did they take the privilege of utilizing existing Orphans from me they began taking my customers I personally signed up **Refer to taped conversations by Joanna McQueen/Steve Floras** I think this is very important to note Excel was taking customers from me that was from States that they were not listed in at all Excel Corporate wasn t even in the Dallas directory until I listed there One incident was most embarrassing because the customer agreed to speak with Joanna on how she had called me and I helped her get back on the service Joanna, while the customer was on the line with us totally humiliated me Yelled as if I were a child – said I was not getting back the customer and how dare I put her on the spot like that How could this be their customer if their not even listed in the white pages in her area? Those things just didn't seem to matter Most importantly, I think without a doubt all this stems from my listings That becomes evident on the tapes

On one of the first tapes with Jay Zoda I went so far to mention that I couldn t even afford to pay my way in 4 years ago but that was never an issue All the tapes are much clearer after this one I mention several times what he meant by, *THERE ARE OTHER WAYS TO*

HELP SOMEONE OUT These are his exact words and the reason I was having a problem with it, and I think is very important to note that Jay Zoda DID NOT deny that Larry Novak (Excel Corp) told leaders in Excel at a Top Performers Council Meeting to use money orders Multiple transactions on the credit cards could be traced at this point **Refer to taped conversation with Jay Zoda** I mentioned Ruel Morton (Top 3 Money Earner) in a conversation with Jay Zoda and why were they allowing him to do it Jay stated to me That s between Ruel Morton and Excel ' I knew other leaders were doing it **Refer to taped conversations Molly Maxey, Greg Kite** In January of 2004 I called Excel VIP Support to verify what I had heard Joe Mitchell was allowing Reps to come in for free if they were currently with another MLM company So Excel, the company, could cover the fee of a new Rep, but was scrutinizing my every move **Refer to tapes**

My last conversations with Jay Zoda was that I would not get my Top 100 bonus earnings because even though I qualified to receive it months ago I had to be in good standing to get it at Excelebration (Annual Seminar) This was is the late part of August 2004 I then got a call that very day from Daryl Starkweather (Jay Zoda's boss) stating that he would call me Monday after they sent the new evidence to the legal department That would give me enough time to go to Excelebration to receive my check however he never called Excelebration is now over and still no call I instead of receiving my bonus letter when it was due to arrive I received a termination letter

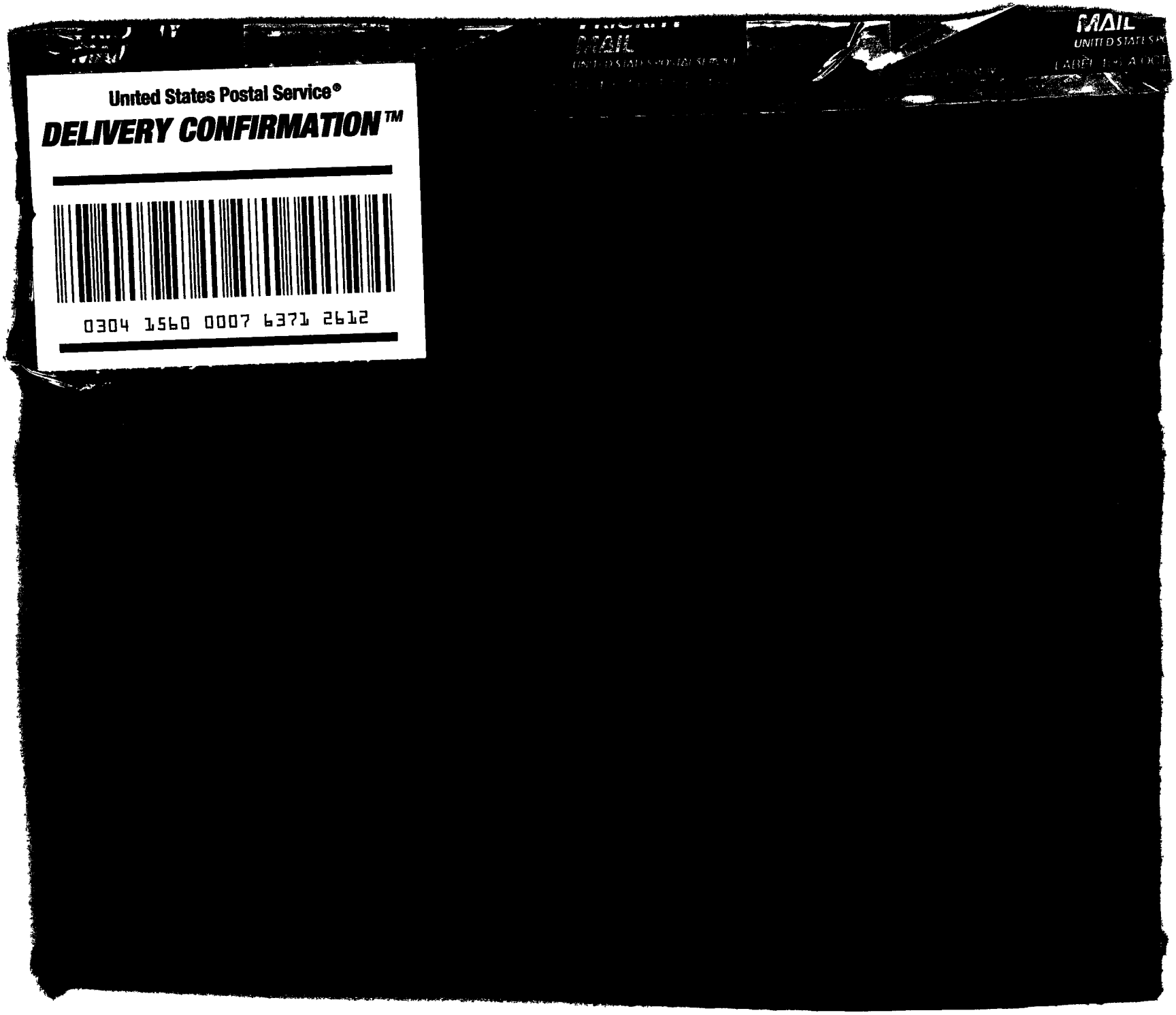
I banked too much on my success with Excel I bought a new Yukon Denali and a beautiful home in the country that I now stand to loose I guess that s not what's important because I can work anywhere but keeping my daughter in a stable environment is important I just can't stand the thought of us loosing our home My husband is an electrician and has been on the same job for 20+ years, but still does not make the kind of money we had become accustomed too, in addition, it just won t cover the bills

I stopped receiving my residual checks immediately Before Excel started taking my customers my residual was up to $2,000 monthly It dropped drastically overtime I made 118,000 the year of 2003 and owe considerable taxes and no money to pay them

I truly hope you can help!

Sincerely

Deborah Tillery


United States Postal Service®
DELIVERY CONFIRMATION™
0304 1560 0007 6371 2612