

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:)	
)	Chapter 11
)	
CORUS BANKSHARES, INC. ¹)	Case No. 10-26881 (PSH)
)	
Debtor.)	
)	

**DECLARATION OF RANDY P. CURTIS
IN SUPPORT OF THE DEBTOR'S EIGHTH OMNIBUS
OBJECTION TO CERTAIN SHAREHOLDER DAMAGES CLAIMS**

I, Randy P. Curtis, hereby declare (this "Declaration") that the following is true to the best of my knowledge, information and belief:

1. My name is Randy P. Curtis. I am over the age of 18 and competent to testify and make this Declaration. I am serving as the President and Chief Executive Officer of Corus Bankshares, Inc. ("Corus"), a corporation organized under the laws of the State of Minnesota and a debtor and debtor in possession in the above-captioned chapter 11 case of Corus Bankshares, Inc. (the "Debtor").

2. Through my role as President and Chief Executive Officer to the Debtor, I am familiar with the Debtor's day-to-day operations, financing arrangements, business affairs and books and records. I submit this Declaration in support of the *Debtor's Eighth Omnibus Objection to Certain Shareholder Damages Claims* (the "Objection") filed contemporaneously herewith.² I make this Declaration on the basis of my review or the review of the individuals

¹ The Debtor in this chapter 11 case, along with the last four digits of the Debtor's federal tax identification number, is: Corus Bankshares, Inc. (3592). The location of the Debtor's corporate headquarters and the service address for the Debtor is: 10 S. Riverside Plaza, Suite 1800, Chicago, IL 60606.

² Capitalized terms used herein and not otherwise defined shall have those meanings ascribed to them in the Objection.

working at my direction of the Debtor's books and records, schedules of assets and liabilities and the register of claims (the "Claims Register") prepared and provided by the Debtor's claims and balloting agent, BMC Group, Inc.

3. Considerable time and resources have been expended to ensure a high level of diligence in reviewing and reconciling the proofs of claim (the "Proofs of Claim") filed against the Debtor in this chapter 11 case.

4. I oversaw those involved in the process of reviewing and reconciling the claims filed against the Debtor (the "Claims"), as well as in the preparation of the Objection. In this regard, I: (a) oversaw the review of (i) the Claims Register, by which those under my supervision identified Claims that should be allowed, disallowed or reclassified, (ii) the Debtor's books and records with respect to the Claims described in the Objection and (iii) the Debtor's previously-filed Schedules and Statement of Financial Affairs [Docket Nos. 53, 54 and 91]; (b) conferred with the Debtor's employees and professionals having knowledge relevant to understanding the validity of the Claims; (c) supervised the efforts of the Debtor's employees to contact individual claimants to request additional information; (d) approved the inclusion of the Claims in the Objection; (e) reviewed the Objection and the proposed order attached thereto as Exhibit A (the "Proposed Order"); and (f) reviewed and approved the information contained in the exhibit attached to the Proposed Order. Accordingly, I am familiar with the information contained on Exhibit 1 annexed to the Proposed Order (the "Exhibit").

5. To the best of my knowledge, information and belief, I have determined that the Claims listed on the Exhibit (the "Shareholder Damages Claims") appear to assert either:

- (a) damages on account of fraud or mismanagement of the Debtor, or
- (b) damages on account of fraud or mismanagement of the Debtor as well as equity interests in the Debtor.

I could not determine precisely which Shareholder Damages Claims assert only damages as opposed to damages as well as equity interests due to the conclusory nature of each of the proofs of claim asserting a Shareholder Damages Claim.

6. Certain of the Shareholder Damages Claims appear to have been asserted in part on account of ownership of equity interests in the Debtor. As more fully and specifically set forth in the Objection, such interests do not in themselves give rise to a claim against the Debtor.

7. As more fully and specifically set forth in the Objection, to the extent the Shareholder Damages Claims do not assert rights arising solely from equity ownership, the Shareholder Damages Claims are subject to mandatory subordination under section 510(b) of the Bankruptcy Code but were improperly filed as general unsecured claims or, in certain instances, priority claims. Accordingly, such claims should be reclassified as 510(b) Subordinated Claims under the *Debtor's Amended Plan of Reorganization Under Chapter 11 of the Bankruptcy Code* (the "Plan") [Docket No. 515].

8. For the reasons set forth above and in the Objection, I am in support of the Debtor's request that the Shareholder Damages Claims: (a) be disallowed, expunged from the Claims Register and reclassified as equity interests to the extent they assert rights arising solely from equity interests; and (b) be reclassified as 510(b) Subordinated Claims under the Plan to the extent they assert damages on account of fraud or mismanagement of the Debtor.

Conclusion

9. Based upon my review or the review of those working at my direction of the Claims Register, the Debtor's books and records and the Debtor's schedules of assets and liabilities, I believe that granting the relief requested in the Objection is in the best interests of the Debtor, its estate and its creditors.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: July 18, 2011

Respectfully Submitted,



Randy P. Curtis