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

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In re:

CORUS BANKSHARES, INC.<sup>1</sup>

Chapter 11

Case No. 10-26881 (PSH)

Reorganized Debtor.

# DECLARATION OF JOHN M. DECKER IN SUPPORT OF THE REORGANIZED DEBTOR'S OBJECTION TO PROOF OF CLAIM NO. 52 FILED BY HARRY SHAPIRO

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

1. My name is John M. Decker. 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" or the "Reorganized Debtor"), a corporation organized under the laws of the State of Maryland.

2. Through my role as President and Chief Executive Officer of the Reorganized Debtor, I am familiar with the Reorganized Debtor's day-to-day operations, financing arrangements, business affairs and books and records. I submit this Declaration in support of the *Reorganized Debtor's Objection to Proof of Claim No. 52 Filed by Harry Shapiro* (the "Objection") filed contemporaneously herewith.<sup>2</sup> I make this Declaration on the basis of my

<sup>&</sup>lt;sup>1</sup> The Reorganized Debtor in this chapter 11 case, along with the last four digits of the Reorganized Debtor's federal tax identification number, is: Corus Bankshares, Inc. (3592). The location of the Reorganized Debtor's corporate headquarters and the service address for the Reorganized Debtor is: 32 Broadway, Suite 1104, New York, NY 10004.

<sup>&</sup>lt;sup>2</sup> Capitalized terms used herein and not otherwise defined shall have those meanings ascribed to them in the Objection.

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review or the review of the individuals 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 Claim 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 Reorganized Debtor's employees and professionals having knowledge relevant to understanding the validity of the Claims; (c) supervised the efforts of the Reorganized Debtor's employees to contact individual claimants to request additional information; (d) approved the inclusion of the Claim in the Objection; (e) reviewed the Objection and the proposed order attached thereto as Exhibit A (the "Proposed Order") and (f) reviewed the advice of the Debtor's actuarial advisor regarding the calculations made herein.

5. The Claim arises from that certain agreement made as of February 2, 1990, by and between River Forest Bancorp, Inc. (a predecessor of the Reorganized Debtor) and Harry Shapiro, wherein the Reorganized Debtor agreed to pay Mr. Shapiro \$25,000 per year for the remainder of his life (the "Agreement"). Specifically, Mr. Shapiro alleges that the Reorganized Debtor owes him \$7,500 for prepetition past-due payments and an unspecified amount in future payments owing under the Agreement. To the best of my knowledge, information and belief, the

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Claim asserts an amount of pre-petition liability based on past-due payments that is not reflected in the Reorganized Debtor's books and records.

6. In addition, after reviewing the advice of the Debtor's actuarial advisor, Aon Hewitt, I understand that the outstanding present value liability of the Reorganized Debtor as of the Petition Date for any future payments owed under the Agreement is \$114,000.

7. In light of the foregoing, I believe that the Claimant will not be prejudiced by having the Claim modified to reflect and be allowed in the Allowed Amount and am therefore in support of the Reorganized Debtor's request that the Claim be modified to reflect and be allowed in the Allowed Amount.

### **Conclusion**

8. 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 Reorganized Debtor, its creditors and other stakeholders.

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

Dated: December 13, 2011

Respectfully Submitted,

John M. Decker