# UNITED STATES BANKRUPTCY COURT

Northern District of California (SanFrancisco)

# Notice of Chapter 11 Bankruptcy Case, Meeting of Creditors, & Deadlines

A chapter 11 bankruptcy case concerning the debtor corporation listed below was filed on 1/4/01.

You may be a creditor of the debtor. This notice lists important deadlines. You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below. NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

See	Reverse	Side	For	<b>Important</b>	Explanations.
		317-12			

Debtor (name(s) and address):

International Exchange Communications, Inc.

500 Airport Blvd. #340 Burlingame, CA 94010

Case Number: 01-30027 m11

Attorney for Debtor (name and address):

Martin R. Barash

Klee, Tuchin, Bogdanoff and Stern 1880 Century Park E #200 Los Angeles, CA 90067-1698 Taxpayer ID Nos.: 94-3291174

Telephone number: (310) 407-4000

RIGINAL

# Meeting of Creditors:

Date:

02/13/01

Time:

9:00 am

Location:

Office of the U.S. Trustee, 250 Montgomery St. #1010, San Francisco, CA 94104

# Deadlines to File a Proof of Claim:

Proof of Claim must be received by the bankruptcy clerk's office by the following deadline:

For all creditors (except a governmental unit): 05/14/01

For a governmental unit: Must file before 180 days after

the date relief was entered.

# Creditors May Not Take Certain Actions:

The filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized.

Address of the Bankruptcy Clerk's Office: U.S. Bankruptcy Court 235 Pine St. P.O. Box 7341 San Francisco, CA 94120-7341 Telephone number: (415)268-2300	Clerk of the Bankruptcy Court: Keenan G. Casady
Hours Open: 9:00 am - 4:30 pm (Monday - Friday)	Date: 01/08/01

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## **EXPLANATIONS**

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Filing of Chapter 11 Bankruptcy Case	A bankruptcy case under chapter 11 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor listed on the front side, and an order for relief has been entered. Chapter 11 allows a debtor to reorganize or liquidate pursuant to a plan. A plan is not effective unless confirmed by the court. You may be sent a copy of the plan and a disclosure statement telling you about the plan, and you might have the opportunity to vote on the plan. You will be sent notice of the date of the confirmation hearing, and you may object to confirmation of the plan and attend the confirmation hearing. Unless a trustee is serving, the debtor will remain in possession of the debtor's property and may continue to operate any business.
Creditors May Not Take Certain Actions	Prohibited collection actions are listed in Bankruptcy Code §362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. The debtor's representative must be present at the meeting to be questioned under oath by the trustee and by creditors. Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.
Claims	A Proof of Claim is a signed statement describing a creditor's claim. If a Proof of Claim form is not included with this notice, you can obtain one at any bankruptcy clerk's office. You may look at the schedules that have been or will be filed at the bankruptcy clerk's office. If your claim is scheduled and is <i>not</i> listed as disputed, contingent, or unliquidated, it will be allowed in the amount scheduled unless you file a Proof of Claim or you are sent further notice about the claim. Whether or not your claim is scheduled, you are permitted to file a Proof of Claim. If your claim is not listed at all <i>or</i> if your claim is listed as disputed, contingent, or unliquidated, then you must file a Proof of Claim by the "Deadline to File a Proof of Claim" listed on the front side, or you might not be paid any money on your claim against the debtor in the bankruptcy case.
Discharge of Debts	Confirmation of a chapter 11 plan may result in a discharge of debts, which may include all or part of your debt. See Bankruptcy Code §1141(d). A discharge means that you may never try to collect the debt from the debtor, except as provided in the plan.
Bankruptcy Clerk's Office	Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts, at the bankruptcy clerk's office.
Legal Advice	The staff of the bankruptcy clerk's office cannot give legal advice. You may want to consult an attorney to protect your rights.
	Refer to Other Side For Important Deadlines and Notices

San Francisco, CA 94120-7341

Date

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):

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.

# INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In particular types of cases or circumstances, such as bankruptcy cases that are not filed voluntarily by a debtor, there may be exceptions to these general rules.

### --- DEFINITIONS ----

#### Debtor

The person, corporation, or other entity that has filed a bankruptcy case is called the debtor.

### Creditor

A creditor is any person, corporation, or other entity to whom the debtor owed a debt on the date that the bankruptcy case was filed.

### **Proof of Claim**

A form telling the bankruptcy court how much the debtor owed a creditor at the time the bankruptcy case was filed (the amount of the creditor's claim). This form must be filed with the clerk of the bankruptcy court where the bankruptcy case was filed.

### Secured Claim

A claim is a secured claim to the extent that the creditor has a lien on property of the debtor (collateral) that gives the creditor the right to be paid from that property before creditors who do not have liens on the property.

Examples of liens are a mortgage on real estate and a security interest in a car, truck, boat, television set, or other item of property. A lien may have been obtained through a court proceeding before the bankruptcy case began; in some states a court judgment is a lien. In addition, to the extent a creditor also owes money to the debtor (has a right of setoff), the creditor's claim may be a secured claim. (See also *Unsecured Claim*.)

### **Unsecured Claim**

If a claim is not a secured claim it is an unsecured claim. A claim may be partly secured and partly unsecured if the property on which a creditor has a lien is not worth enough to pay the creditor in full.

### **Unsecured Priority Claim**

Certain types of unsecured claims are given priority, so they are to be paid in bankruptcy cases before most other unsecured claims (if there is sufficient money or property available to pay these claims). The most common types of priority claims are listed on the proof of claim form. Unsecured claims that are not specifically given priority status by the bankruptcy laws are classified as *Unsecured Nonpriority Claims*.

# Items to be completed in Proof of Claim form (if not already filled in)

### Court, Name of Debtor, and Case Number:

Fill in the name of the federal judicial district where the bankruptcy case was filed (for example, Central District of California), the name of the debtor in the bankruptcy case, and the bankruptcy case number. If you received a notice of the case from the court, all of this information is near the top of the notice.

#### **Information about Creditor:**

Complete the section giving the name, address, and telephone number of the creditor to whom the debtor owes money or property, and the debtor's account number, if any. If anyone else has already filed a proof of claim relating to this debt, if you never received notices from the bankruptcy court about this case, if your address differs from that to which the court sent notice, or if this proof of claim replaces or changes a proof of claim that was already filed, check the appropriate box on the form.

#### 1. Basis for Claim:

Check the type of debt for which the proof of claim is being filed. If the type of debt is not listed, check "Other" and briefly describe the type of debt. If you were an employee of the debtor, fill in your social security number and the dates of work for which you were not paid.

### 2. Date Debt Incurred:

Fill in the date when the debt first was owed by the debtor.

### 3. Court Judgments:

If you have a court judgment for this debt, state the date the court entered the judgment.

# 4. Total Amount of Claim at Time Case Filed:

Fill in the total amount of the entire claim. If interest or other charges in addition to the principal amount of the claim are included, check the appropriate place on the form and attach an itemization of the interest and charges.

#### 5. Secured Claim:

Check the appropriate place if the claim is a secured claim. You must state the type and value of property that is collateral for the claim, attach copies of the documentation of your lien, and state the amount past due on the claim as of the date the bankruptcy case was filed. A claim may be partly secured and partly unsecured. (See DEFINITIONS, above).

# 6. Unsecured Priority Claim:

Check the appropriate place if you have an unsecured priority claim, and state the amount entitled to priority. (See DEFINITIONS, above). A claim may be partly priority and partly nonpriority if, for example, the claim is for more than the amount given priority by the law. Check the appropriate place to specify the type of priority claim.

### 7. Credits:

By signing this proof of claim, you are stating under oath that in calculating the amount of your claim you have given the debtor credit for all payments received from the debtor.

## **8. Supporting Documents:**

You must attach to this proof of claim form copies of documents that show the debtor owes the debt claimed or, if the documents are too lengthy, a summary of those documents. If documents are not available, you must attach an explanation of why they are not available

WED-10906 0971-3 B9F 01-30027 Martin R. Barash Klee, Tuchin, Bogdanoff and Stern 1880 Century Park E #200 Los Angeles, CA 90067-1698

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Taxpayer ID Nos.:

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FORM B10 (Official Form 10)(4/98) PROOF OF CLAIM UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF CALIFORNIA (SANFRANCISCO) Case Number Name of Debtor 01-30027 International Exchange Communications, Inc. Chapter 11 Creditor Id: 2724788 This form should not be used to make a claim for an administrative expense arising after NOTE 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 Name of Creditor (The person or other entity to whom the debtor anyone else has filed a proof of owes money or property): FLORIDA PUBLIC SERVICE COMMISSION claim relating to your claim. Attach copy of statement giving particulars. Name and Address where notices should be sent: ☐ Check box if you have never FLORIDA PUBLIC SERVICE COMMISSION received any notices from the 2540 SHUMARD OAK BLVD. bankruptcy court in this case. TALLAHASSEE, FL 32399-0850 Check box if the address differs from the address on the envelope sent to you by the court. Telephone Number: THIS SPACE IS FOR COURT USE ONLY Check here if replaces Account or other number by which creditor identifies debtor: a previously filed claim, dated \_ Retiree benefits as defined in 11 U.S.C. §1114(a) 1. Basis for Claim ☐ Wages, salaries, and compensation (fill out below) ☐ Goods sold Your SS #: Services performed Unpaid compensation for services performed П Money loaned Personal injury/wrongful death from (date) (date) П Taxes ☐ Other 2. Date debt was incurred: 3. If court judgment, date obtained: 4. Total Amount of Claim at Time Case Filed: If all or part of your claim is secured or entitled to priority, also complete Item 5 or 6 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. 6. Unsecured Priority Claim. 5. Secured Claim. ☐ Check this box if you have an unsecured priority claim ☐ Check this box if your claim is secured by collateral Amount entitled to priority \$ (including a right of setoff). Specify the priority of the claim: Brief Description of Collateral: ☐ Real Estate ☐ Motor Vehicle ☐ Wages, salaries, or commissions (up to \$4,300),\* earned within 90 days before filing of the bankruptcy petition or cessation of the debtor's ☐ Other business, whichever is earlier - 11 U.S.C. § 507(a)(3). ☐ Contributions to an employee benefit plan - 11 U.S.C. §507(a)(4). Value of Collateral: \$ ☐ Up to \$ 1,950\* 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). Amount of arrearage and other charges at time case filed ☐ Other - Specify applicable paragraph of 11 U.S.C. § 507(a)(\_\_). included in secured claim, if any: \$ \*Amounts are subject to adjustment on 4/1/01 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment. The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim. **MAIL CLAIM TO:** 8. Supporting Documents: Attach copies of supporting documents, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security Clerk's Office agreements, and evidence of perfection of lien. DO NOT SEND ORIGINAL DOCUMENTS. If the U.S. Bankruptcy Court documents are not available, explain. If the documents are voluminous, attach a summary. 235 Pine St. 9. Date-Stamped Copy: To receive an acknowledgment of the filing of your claim, enclose a stamped, self-P.O. Box 7341 addressed envelope and copy of this proof of claim. San Francisco, CA 94120-7341 Date 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):

# INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In particular types of cases or circumstances, such as bankruptcy cases that are not filed voluntarily by a debtor, there may be exceptions to these general rules.

### ---- DEFINITIONS ----

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# Items to be completed in Proof of Claim form (if not already filled in)

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#### **Information about Creditor:**

Complete the section giving the name, address, and telephone number of the creditor to whom the debtor owes money or property, and the debtor's account number, if any. If anyone else has already filed a proof of claim relating to this debt, if you never received notices from the bankruptcy court about this case, if your address differs from that to which the court sent notice, or if this proof of claim replaces or changes a proof of claim that was already filed, check the appropriate box on the form.

# 1. Basis for Claim:

Check the type of debt for which the proof of claim is being filed. If the type of debt is not listed, check "Other" and briefly describe the type of debt. If you were an employee of the debtor, fill in your social security number and the dates of work for which you were not paid.

#### 2. Date Debt Incurred:

Fill in the date when the debt first was owed by the debtor.

## 3. Court Judgments:

If you have a court judgment for this debt, state the date the court entered the judgment.

# 4. Total Amount of Claim at Time Case Filed:

Fill in the total amount of the entire claim. If interest or other charges in addition to the principal amount of the claim are included, check the appropriate place on the form and attach an itemization of the interest and charges.

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