

334-8994

SVC: 3
PACK No: 9475

CASE No: 09-11191

PRF 12746****

<p>DANIELS PRESERVE HOMEOWNERS ASSN INC PO BOX 568828 ORLANDO, FL 32856-8828 USA</p>

**** IMPORTANT NOTICE ****
 PROOF OF CLAIMS
 AND NOTICE
 ATTACHED

B 10 Official Form 10/12/08

UNITED STATES BANKRUPTCY COURT		Southern District of Florida	PROOF OF CLAIM
Indicate Debtor against which you assert a claim by checking the appropriate box below. (Check ONLY one Debtor Per Claim Form.)			
<input type="checkbox"/> Mercedes Homes, Inc. (Case No. 09-11191-PGH) <input type="checkbox"/> Space Coast Truss, Inc. (Case No. 09-11194-PGH) <input type="checkbox"/> Mercedes Homes of Texas Holding Corp. (Case No. 09-11197-PGH) <input type="checkbox"/> Suntree Office Complex, LLC (Case No. 09-11201-PGH) <input type="checkbox"/> Engineering and Drafting Services, Inc. (Case No. 09-11203-PGH) <input type="checkbox"/> Mercedes Homes of the Carolinas, Inc. d/b/a Mercedes (Case No. 09-11204-PGH)		<input type="checkbox"/> MHI Holding Company, LLC (Case No. 09-11205-PGH) <input type="checkbox"/> Mercedes Homes of Texas, Ltd. (Case No. 09-11207-PGH) <input type="checkbox"/> MHI Building Products, LP (Case No. 09-11208-PGH) <input type="checkbox"/> Solid Wall Systems, Inc. (Case No. 09-11209-PGH) <input type="checkbox"/> Dairy Towne Community Developers, Inc. (Case No. 09-11211-PGH)	
NOTE: 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 (the person or other entity to whom the debtor owes money or property): DANIELS PRESERVE HOMEOWNERS ASSN INC		<input type="checkbox"/> Check this box to indicate that this claim amends a previously tiled claim. Court Claim Number: _____ (If known)	
Name and address where notices should be sent: DANIELS PRESERVE HOMEOWNERS ASSN INC PO BOX 568828 ORLANDO, FL 32856-8828 USA		Filed on _____	
Pack No: 9475		<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars. <input type="checkbox"/> Check this box if you are the debtor or trustee in this case,	
Name and address where payment should be sent (if different from above):			
Telephone number: _____			
1. Amount of Claim as of Date Case Filed: \$ _____ If all or part of your claim is secured, complete item 4 below, however, if all of your claim is unsecured, do not complete item 4. If all or part of your claim is entitled to priority, complete item 5. <input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.		5. Amount of Claim Entitled to Priority under 11 U.S.C. §507(a). If any portion of your claim falls in one of the following categories, check the box and state the amount. Specify the priority of the claim. <input type="checkbox"/> Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B). <input type="checkbox"/> Wages, salaries, or commissions (up to \$10,950*) earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier- 11 U.S.C. §507 (a)(4). <input type="checkbox"/> Contributions to an employee benefit plan- 11 U.S.C. §507 (a)(5). <input type="checkbox"/> Up to \$2,425* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use- 11 U.S.C. §507 (a)(7). <input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. 507 (a)(8). <input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. §507 (a)() Amount entitled to priority: \$ _____	
2. Basis for Claim: _____ (See instruction #2 on reverse side.)			
3. Last four digits of any number by which creditor identifies debtor: _____			
3a. Debtor may have scheduled account as: _____ (See instruction #3a on reverse side.)			
4. Secured Claim (See instruction #4 on reverse side.) Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information. Nature of property or right of setoff: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe: Value of Property: \$ _____ Annual Interest Rate _____ % Amount of arrearage and other charges as of time case filed included in secured claim, if any: \$ _____ Basis for perfection: _____ Amount of Secured Claim: \$ _____ Amount Unsecured: \$ _____			
6. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim.			
7. Documents: Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest, You may also attach a summary. (See instruction 7 and definition of "redacted" on reverse side.) DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING. If the documents are not available, please explain:		*Amounts are subject to adjustment on 4/1/10 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.	
Date: _____		FOR COURT USE ONLY	
Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any.			

Penalty for presenting fraudulent claim: Fine of up to \$300,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 132 and 3571.



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B 10 (Official Form 10) (12/08) - Cont.

INSTRUCTIONS FOR PROOF OF CLAIM FORM

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

Items to be completed in Proof of Claim form**Court, Name of Debtor, and Case Number:**

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

Creditor's Name and Address:

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

1. Amount of Claim as of Date Case Filed:

State the total amount owed to the creditor on the date of the Bankruptcy filing. Follow the instructions concerning whether to complete items 4 and 5. Check the box if interest or other charges are included in the claim.

2. Basis for Claim:

State the type of debt or how it was incurred. Examples include goods sold, money loaned, services performed, personal injury/wrongful death, car loan, mortgage note, and credit card. If the claim is based on the delivery of health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information. You may be required to provide additional disclosure if the trustee or another party in interest files an objection to your claim.

3. Last Four Digits of Any Number by Which Creditor Identifies Debtor:

State only the last four digits of the debtor's account or other number used by the creditor to identify the debtor.

3a. Debtor May Have Scheduled Account As:

Use this space to report a change in the creditor's name, a transferred claim, or any other information that clarifies a difference between this proof of claim and the claim as scheduled by the debtor.

4. Secured Claim:

Check the appropriate box and provide the requested information if the claim is fully or partially secured. Skip this section if the claim is entirely unsecured. (See DEFINITIONS, below.) State the type and the value of property that secures the claim, attach copies of lien documentation, and state annual interest rate and the amount past due on the claim as of the date of the bankruptcy filing.

5. Amount of Claim Entitled to Priority Under 11 U.S.C. §507(a).

If any portion of your claim falls in one or more of the listed categories, check the appropriate box(es) and state the amount entitled to priority. (See DEFINITIONS, below.) A claim may be partly priority and partly non-priority. For example, in some of the categories, the law limits the amount entitled to priority.

6. Credits:

An authorized signature on this proof of claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

7. Documents:

Attach to this proof of claim form redacted copies documenting the existence of the debt and of any lien securing the debt. You may also attach a summary. You must also attach copies of documents that evidence perfection of any security interest. You may also attach a summary. FRBP 3001(c) and (d). If the claim is based on the delivery of health care goods or services, see instruction 2. Do not send original documents, as attachments may be destroyed after scanning.

Date and Signature:

The person filing this proof of claim must sign and date it. FRBP 9011. If the claim is filed electronically, FRBP 5005(a)(2), authorizes courts to establish local rules specifying what constitutes a signature. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer's address and telephone number if it differs from the address given on the top of the form for purposes of receiving notices. Attach a complete copy of any power of attorney. Criminal penalties apply for making a false statement on a proof of claim.

DEFINITIONS**Debtor**

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

Creditor

A creditor is a person, corporation, or other entity owed a debt by the debtor that arose on or before the date of the bankruptcy filing. See 11 U.S.C. §101 (10)

Claim

A claim is the creditor's right to receive payment on a debt owed by the debtor that arose on the date of the bankruptcy filing. See 11 U.S.C. §101 (5). A claim may be secured or unsecured.

Proof of Claim

A proof of claim is a form used by the creditor to indicate the amount of the debt owed by the debtor on the date of the bankruptcy filing. The creditor must file the form with the clerk of the same bankruptcy court in which the bankruptcy case was filed.

Secured Claim Under 11 U.S.C. §506(a)

A secured claim is one backed by a lien on property of the debtor. The claim is secured so long as the creditor has the right to be paid from the property prior to other creditors. The amount of the secured claim cannot exceed the value of the property. Any amount owed to the creditor in excess of the value of the property is an unsecured claim. Examples of liens on property include a mortgage on real estate or a security interest in a car.

A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In some states, a court judgment is a lien. A claim also may be secured if the creditor owes the debtor money (has a right to setoff).

Unsecured Claim

An unsecured claim is one that does not meet the requirements of a secured claim. A claim may be partly unsecured if the amount of the claim exceeds the value of the property on which the creditor has a lien.

Claim Entitled to Priority Under 11 U.S.C. §507(a)

Priority claims are certain categories of unsecured claims that are paid from the available money or property in a bankruptcy case before other unsecured claims.

Redacted

A document has been redacted when the person filing it has masked, edited out, or otherwise deleted, certain information. A creditor should redact and use only the last four digits of any social-security, individual's tax-identification, or financial-account number, all but the initials of a minor's name and only the year of any person's date of birth.

Evidence of Perfection

Evidence of perfection may include a mortgage, lien, certificate of title, financing statement, or other document showing that the lien has been filed or recorded.

INFORMATION**Acknowledgment of Filing of Claim**

To receive acknowledgment of your filing, you may either enclose a stamped self-addressed envelope and a copy of this proof of claim or you may access the court's PACER system (www.pacer.nsc.uscourts.gov) for a small fee to view your filed proof of claim.

Offers to Purchase a Claim

Certain entities are in the business of purchasing claims for an amount less than the face value of the claims. One or more of these entities may contact the creditor and offer to purchase the claim. Some of the written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court or the debtor. The creditor has no obligation to sell its claim. However, if the creditor decides to sell its claim, any transfer of such claim is subject to FRBP 3001(e), any applicable provisions of the Bankruptcy Code (11 U.S.C. § 101 et seq.), and any applicable orders of the bankruptcy court.

ORDERED in the Southern District of Florida on MAR. = 5 2009.



Paul G. Hyman

Paul G. Hyman, Chief Judge
United States Bankruptcy Court

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION

In re:

CASE NO.: 09-11191-PGH

Mercedes Homes, Inc.,
Debtor.

CHAPTER 11

ORDER RE INSTRUCTIONS TO PRO SE LITIGANTS

This matter came before the Court *sua sponte*. A "pro se litigant" is an individual who is not represented by counsel. Pro se litigants, like all litigants, are required to comply with the Federal Rules of Bankruptcy Procedures and the Local Rules for the United States Bankruptcy Court for the Southern District of Florida.¹ The Court hereby informs all pro se litigants of certain procedural requirements contained within these rules.

¹ The Court's local rules and additional information can be found at www.flsb.uscourts.gov.



1. Bankruptcy Rule 9003 prohibits ex parte communications with the Court concerning matters affecting a particular case or proceeding. Ex parte communications include letters sent to Judge Hyman. Therefore, no letters, pleadings, motions, or other documents concerning the case may be sent directly to Judge Hyman. Any letters, pleadings, motions, or other documents sent directly to Judge Hyman will be returned to the pro se litigant without any action taken by the Court.

2. Instead, appropriate pleadings or motions allowed by the procedural rules must be filed with the Bankruptcy Court's Clerk of Court. Pro se litigants must mail or hand deliver the original pleading or motion directly to the Clerk of Court. All pleadings and motions must include the correct case number on the first page. All pleadings and motions must state the specific relief the pro se litigant is requesting from the Court.

3. It is the pro se litigant's responsibility to include on each pleading or motion, the full name and address of the opposing party or, if the opposing party is represented by a lawyer, his or her attorney's name and address. If service cannot be made on a party due to lack of information provided by the pro se litigant, the relief sought in the pleading or motion may be denied.

4. Under Local Rule 9010-1(B)(1), a corporation, partnership, trust, or other business entity cannot appear or act on its own behalf without an attorney in a case or proceeding, except in the following circumstances: 1) to file a request for service of notices, a proof of claim, notices filed under Local Rule 3070-

1(B), a response to an objection to its claim, or a ballot; or 2) to attend and inquire at the meeting of creditors held under 11 U.S.C. § 341. Any other pleading or motion filed by a corporation, partnership, trust, or other business entity without an attorney shall be denied without prejudice.

5. Under Local Rule 3001-1(A), pro se litigants who choose to file a proof of claim must use the official Proof of Claim Form provided to the pro se litigant by the Clerk of Court, or obtain the official Proof of Claim Form from the Court's website.

6. Pro se litigants must promptly notify the Court in writing of any changes in address. The notice must be provided on a paper entitled "Notice of Change of Address" and include the case number, pro se litigant's name, new address and contact phone number. Pro se litigants must send a copy to the opposing party, or the opposing party's attorney.

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Copies Furnished To:

U.S. Trustee

Sean T Cork, Esq.

Glenn D Moses, Esq.

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION
www.flsb.uscourts.gov**

In re

MERCEDES HOMES, INC., et al.

Debtors.

Case No. 09-11191-BKC-PGH

**Chapter 11 Cases
(Jointly Administered)**

NOTICE OF BAR DATE FOR FILING PROOFS OF CLAIM

PLEASE TAKE NOTICE that:

1. Mercedes Homes, Inc. *et al.*, (“MHI” or “Debtors”)¹, debtors and debtors-in-possession in the above-captioned Chapter 11 cases, all filed voluntary petitions for relief under Chapter 11 of the United States Bankruptcy Code on January 26, 2009 (“Petition Date”):

2. The Notice of Commencement of the jointly administered cases set forth a deadline for filing Proofs of Claim of June 29, 2009 (“Claims Bar Date”), in accordance with which you are receiving this Notice.

3. **BAR DATE:** The deadline for filing proofs of claim in this case is fixed as **June 29, 2009 (“Bar Date”)**. The Bar Date applies to any “claim,” as such term is defined in Bankruptcy Code § 101(5), against any of the Debtors arising from any event occurring during the Debtors’ operation of their businesses before and until the Petition Date described in paragraph 1 of this Notice, including, without limitation: (i) unsecured claims incurred by vendors, suppliers, and other trade-related entities involved in the general operation of the Debtors’ businesses; (ii) litigation claims, including such claims that have been asserted in litigation where the plaintiffs have sued or joined as co-defendants present or former directors, officers, or employees of one or more of the Debtors, or other individuals or entities, who may have indemnification claims or contribution claims against one or more of the Debtors, or who may expose one or more of the Debtors to vicarious liability under various principles or provisions of applicable state law; (iii) any worker’s compensation claims; and (iv) any administrative agency claims or similar kinds of private enforcement claims, including, but not limited to, wage and hour claims, wrongful termination and discharge claims, loss of benefits claims, harassment claims, employment discrimination claims, and other employment related claims. *Furthermore, any holder of an equity interest in the Debtors need not file a proof of such equity interest, unless such holder asserts a claim against the Debtors (including a claim relating to an equity interest or the*

¹ The debtor subsidiaries of MHI include: i) Space Coast Truss, Inc. (“Space Coast Truss”); ii) Mercedes Homes of Texas Holding Corp. (“MH Texas”); iii) Suntime Office Complex, LLC (“Suntime”); iv) Engineering and Drafting Services, Inc. (“Engineering Services”); v) Mercedes Homes of the Carolinas, Inc. dba Mercedes Homes (“MH Carolinas”); vi) Solid Wall Systems, Inc.; vii) MHI Holding Company, LLC (“MHI Holding”); viii) Mercedes Homes of Texas, Ltd. (“MH Texas”); ix) MHI Building Products, L.P. (“MHI Building”); and x) Dairy Towns Community Developers, Inc. (“Dairy Towns”).

purchase or sale of such equity interest). **The deadline for governmental units to filing proofs of claims in this case is fixed as September 27, 2009 ("Governmental Bar Date").**

4. **ADDRESS FOR FILING OF PROOFS OF CLAIM:** Except as otherwise specifically provided in this Notice, all persons or entities wishing to assert a claim against either of the Debtors must file such claim, using the proof of claim form provided with this Notice, so that it is received no later than 5:00 p.m., Pacific Time, on the Bar Date, by Kurtzman Carson Consultants LLC ("KCC") at:

Mercedes Homes Claims Processing Center
c/o Kurtzman Carson Consultants LLC
2335 Alaska Ave.
El Segundo, CA 90245

Proofs of claim will be treated as filed only when actually received by the Kurtzman Carson Consultants LLC by mail or hand-delivery. Facsimile and e-mailed proofs of claim will not be accepted. Creditors are advised not to file or send copies of proofs of claim directly to the Debtors, counsel for the Debtors, counsel for any committees that may be appointed in these cases, or to counsel for the United States Trustee. If a creditor wishes to receive an acknowledgement of receipt of its proof of claim, the creditor must provide KCC with an additional copy of the proof of claim with a self-addressed, postage-paid return envelope.

5. **REVIEW OF SCHEDULES:** The Debtors have filed their Schedules of Assets and Liabilities with the Bankruptcy Court, setting forth claim amounts for all creditors as they appear on the Debtors' books and records. All creditors are advised to review the Schedules, which are available at the Clerk of the Court, United States Bankruptcy Court, Southern District of Florida, West Palm Beach Division, Flagler Waterview Building, 1515 N. Flagler Dr, Room 801 West Palm Beach, Florida 33401, during regular business hours. The Schedules may also be viewed and downloaded free of charge at www.kccllc.net/MercedesHomes.

6. **WHO NEED NOT FILE A PROOF OF CLAIM:** A creditor needs not file a proof of claim if: (a) it has previously filed a proof of claim in these cases in accordance with this Notice; or (b) it agrees in all respects with the information contained in the Schedules regarding the amount of its claim and such claim is not listed as contingent, unliquidated, or disputed. If a creditor's claim is listed as contingent, unliquidated, or disputed in the Schedules or is not listed at all in the Schedules, the creditor **MUST** file a proof of claim, using the provided proof of claim form, on or before the Bar Date. If a creditor is unsure whether its claim is listed as contingent, unliquidated, or disputed or is listed at all in the Schedules, the creditor **MUST** file a proof of claim by the Bar Date. If a creditor disagrees in any respect with the information contained in the Schedules, that creditor **MUST** file a proof of claim by the Bar Date, using the proof of claim form.

7. **EXECUTORY CONTRACT AND UNEXPIRED LEASE CLAIMS:** Any claims arising out of, or otherwise related to, the Debtors' rejection of any executory contracts or unexpired nonresidential leases must be filed on or before the earlier of: (a) 30 days following the entry of the order of the Court approving such rejection, provided the effectiveness of such order has not been stayed; and (b) 45 days following the effective date of any plan or plans of reorganization confirmed by the Bankruptcy Court in these cases.

8. **REQUIREMENT OF PROOF OF CLAIM FORM:** In filing their proofs of claim, all creditors are advised to use the Proof of Claim Form provided with this Notice.

9. **FAILURE TO FILE PROOF OF CLAIM:** Any holder of a claim that fails to file a proof of claim on or before **June 29, 2009**, if required to do so as set forth in this Notice is: (a) forever barred, estopped and enjoined from (i) asserting any such claim against the Debtors or their successors and assigns, and (ii) voting on or receiving any distribution under any plan or plans of reorganization for the Debtors on account of such claim; (b) bound by the terms of any plan of reorganization confirmed with respect to the Debtors; and (c) not entitled to receive any further notices or mailings in these cases.

Dated: March 24, 2009

Respectfully submitted,

Squire, Sanders & Dempsey LLP

By: /s/ Sean T. Cork

Craig D. Hansen (AZ Bar No. 007405)

Sean T. Cork (AZ Bar No. 022149)

40 North Central Avenue, Suite 2700

Phoenix, AZ 85004

Telephone: +1.602.528.4000

Facsimile: +1.602.253.8129

chansen@ssd.com

scork@ssd.com

Tina M. Talarchyk (FL Bar No. 794872)

1900 Phillips Point West

777 South Flagler Drive

West Palm Beach, FL 33401-6198

Telephone: +1.561.650.7261

Facsimile: +1.561.655.1509

ttalarchyk@ssd.com