

United States Bankruptcy Court
District of Idaho

PROOF OF CLAIM
THIS SPACE FOR COURT USE ONLY

Complete this form and mail to: U.S. Bankruptcy Court 205 North 4th, Coeur d'Alene, ID 83814

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Name of Debtor: Frank Chapin & Sydney L. Gutierrez Chapin

Case Number: 02-20218

Chapter: 7

Trustee: C. Barry Zimmerman

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 U.S.C. §503

Name and Address of Creditor

(The person or other entity to whom the debtor owes money or property):

The Estate of Christina Leaf
c/o Stephen B. McCrea, Attorney
PO Box 1501
Coeur d'Alene ID 83816-1501
Telephone number:
(208)666-2594

- 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 the address differs from the address on the envelope.
If a business, list officer/agent authorized to receive process of service:

Account or other number by which creditor identifies debtor:

Check here if this claim: Replaces Amends a previously filed claim dated: 7/2/02

- 1. Basis for Claim** Goods Sold Services Performed Money Loaned Personal Injury/Wrongful Death Taxes
- Retiree benefits as defined in 11 U.S.C. §1114(a) Other (please describe): undistributed estate funds
- Wages, Salaries and compensation: Last four digits of Social Security Number: _____
- Unpaid Compensation for services performed from _____ (date) to _____ (date)

2. Date debt was incurred:

3. If court Judgment, date obtained:

4. SECURED CLAIM

- Check 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 the case was filed included in secured claim, if any: \$ _____

5. UNSECURED PRIORITY CLAIM

- Check box if you have an unsecured priority claim

Amount entitled to priority \$ _____

SPECIFY PRIORITY OF 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)(_____))

6. UNSECURED NONPRIORITY CLAIM \$ 620,309.10

*claim includes claim against trust
 Check box if a) there is no collateral or lien securing your claims or b) your claim exceeds the value of the property securing it, or if c) none or only part your claim is entitled to priority. assets - not exempt & estate

Total Amount of Claim at Time Case Filed see motion for summary judgment

\$ _____ (unsecured) \$ _____ (secured) \$ _____ (priority) \$ _____ (total)

Adversary Case # 02-6135

- Check box if claim includes interest or other charges in addition to the principal amount of the claim. Attach itemized statement of all additional charges. If all or part of claim is secured or entitled complete Item 4 or 5 above.

*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.

7. Credits: The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim.
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 agreements, and evidence of perfection of lien. **DO NOT SEND ORIGINAL DOCUMENTS.** If the documents are not available, please explain. If the documents are voluminous, attach a summary.

9. Date Stamped Copy: To receive an acknowledgment of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim.

DATE: 7/14/04

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)
Stephen B. McCrea
STEPHEN B. MCCREA
ATTORNEY FOR THE ESTATE

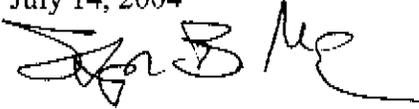
Penalty for presenting fraudulent claim: Fine up to \$500,000 or imprisonment for up to 5 year, or both. 18 U.S.C. §152 and §3571

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Interest on the sum claimed due is computed as follows:

Interest on the sum of \$620,309.10 is computed as follows: $\$620,309.10 \times .12 = \$74,347.09$ annual interest. Divided by 365 (days per year) that computes to a per diem of \$203.94. The order of the Superior Court requiring such sums to be paid to the estate by Chapin was entered September 21, 2001, therefore, twelve percent from that day equals interest of \$209,647.48, through July 15, 2004. The total judgment through July 15, 2004, should be \$829,956.28, with interest accruing at \$203.94 per day from that date.

July 14, 2004

A handwritten signature in black ink, appearing to read 'S. B. McCREA', written in a cursive style.

STEPHEN B. McCREA

NOV 16 2001

SUPERIOR COURT
SPOKANE COUNTY, WA

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SUPERIOR COURT, STATE OF WASHINGTON, COUNTY OF SPOKANE

In the Matter of the Estate of)	
)	No. 96 4 00617-5
CHRISTINA LEAF,)	
)	ORDER RE:
Deceased.)	1. CONTEMPT MOTION;
)	2. FINANCIAL AFFIDAVIT; AND
)	3. REPAYMENT OF LOANS.

THIS MATTER came on for hearing before the Court on November 9, 2001, on a motion that the Court find Co-Personal Representative Frank L. Chapin in contempt for his failure to comply with the Court's June 27, 2001 Order requiring him to post security in the amount of \$1,250,000. During the course of the hearing, Frank L. Chapin stipulated on the record that: 1. He would provide an Affidavit setting forth all of his assets; and 2. He would pay back to the Christina Leaf Estate, within 90 days, all of the money that was loaned to Financial Management Services, Inc. The Supplemental Accounting dated September 21, 2001 by Frank L. Chapin shows that sum to be \$620,309.10.

Based upon the pleadings, the above stipulations and argument of counsel,
IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

1 1. By November 30, 2001, Frank L. Chapin shall file with Court and provide to
2 counsel for the heirs, a detailed and complete Affidavit showing all of his assets. Said Affidavit
3 shall be completed supplying the information request in Exhibit A attached hereto;
4

5 2. On or before February 9, 2002, Frank L. Chapin shall pay back to the Estate of
6 Christina Leaf all Estate assets loaned to Financial Management Services, Inc. The Supplemental
7 Accounting dated September 21, 2001 by Frank L. Chapin shows this sum to be \$620,309.10; and
8

9 3. The contempt motion concerning Frank L. Chapin shall be continued to a date
10 after Frank L. Chapin files his Affidavit of assets as required by paragraph 1 above.

11 DATED this 16th day of November, 2001.

12 SALVATORE F. COZZA

13 The Honorable Salvatore F. Cozza

14 Presented by:

15 PAINE, HAMBLÉN, COFFIN,
16 BROOKE & MILLER LLP

17 PAINE, HAMBLÉN, COFFIN,
18 BROOKE & MILLER LLP

19 BY: Judy L. Colenso
20 NAME: Judy L. Colenso
21 PARALEGAL - SCBA # 41

22 By: William J. Schroeder
23 William J. Schroeder, WSBA 7942
24 Attorneys for American Lutheran Church,
25 Jerilyn A. Klungvedt, John C. Wagner,
26 Daniel C. Wagner, Lynette J. Brekke,
27 Karen Saxowsky, Donald Wagner,
28 Linda Wagner and Jeryln Bierema

23 Notice of Presentment Waived by:

24 DELAY, CURRAN, THOMPSON,
25 PONTAROLO & WALKER, P.S.

26 By: Telephonically Approved 11/14/01

27 Joseph P. Delay, WSBA #2044

28 W:\28914\00001\PA142 ORDER RE CONTEMPT.wpd.mu

FRANK L. CHAPIN ASSETS (Current)

Assets		Amount
Cash in bank — personal Cash in bank — business Cash in bank — savings Certificates of Deposit (CDs) Time Certificates of Deposit (TCDs)		
Accounts receivable Notes receivable Contracts receivable		
Annuities — New York Life Insurance Co. Annuity — others		
Life insurance — cash value — husband Life insurance — cash value — wife		
Investments — marketable securities Investments — Financial Management Services Inc. Investments — retirement plans/trusts Investments — other		
Real estate — residential Real estate — lake property Real estate — commercial Real estate — other Real estate — farm/ranch		
Personal property Farm cattle, machinery & equipment, household furniture and fixtures, automobile		
Trusts: any trust assets		
TOTAL ASSETS		
Liabilities		Amount

Assets		Amount
TOTAL		
LIABILITIES		
NET WORTH		

The above balance sheet must be complete, detailed and accurate. The description of each asset must be complete, detailed and accurate.

For example, as to bank accounts, name of bank/branch, account number, type of account.

For annuities, name company, account number, owner, annuitant beneficiary.

For Financial Management Service, include financial statements from 1994 to current.

For farm/ranch, include financial statement, including name of limited liability company, number of units or percentage owned, owners of the limited liability company and state of formation.

For real property, list legal description, parcel number and title of ownership.

For trust, list name of trust, trustee, assets of trust and beneficiaries of trust.

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Assets		Amount
TOTAL		
LIABILITIES		
NET WORTH		

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