

UNITED STATES BANKRUPTCY COURT
DISTRICT OF IDAHO (TWIN FALLS)

Name of Debtor
Vladimir Paniouchkine
Tatyana Paniouchkine

Case Number
99-41879 13

NOTES: This form should be filed with the bankruptcy petition or the commencement of the case. A copy of this form and 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):
Jay D Sudweeks
Name and Address where notices should be sent:
Jay D Sudweeks
POB 1846
Twin Falls, ID 83301

Telephone Number:

- 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 sent to you by the court.

THIS SPACE IS FOR COURT USE ONLY

Account or other number by which creditor identifies debtor:

Check here if replaces amends a previously filed claim, dated _____

1. **Basis for Claim**
- Goods sold
 - Services performed
 - Money loaned
 - Personal injury/wrongful death
 - Taxes
 - Other _____

- Retiree benefits as defined in 11 U.S.C. § 1114(a)
- Wages, salaries, and compensation (fill out below)
Your SS #: _____
Unpaid compensation for services performed from _____ to _____
(date) (date)

2. **Date debt was incurred:**
3/11 + 3/24-99

3. **If court judgment, date obtained:**

4. **Total Amount of Claim at Time Case Filed:** \$ 1482.00 thru 12-20-99
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.

5. **Secured Claim.**

Check this 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 case filed included in secured claim, if any: \$ _____

6. **Unsecured Priority Claim.**

Check this box if you have an unsecured priority claim
Amount entitled to priority \$ _____
Specify the priority of the claim:

- Wages, salaries, or commissions (up to \$4,300),* 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 \$ 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).
- Other - Specify applicable paragraph of 11 U.S.C. § 507(a)(____).

*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.

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, 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.

THIS SPACE IS FOR COURT USE ONLY

Amends
31
33

Date
12-20-99

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):
[Signature]

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.

Chapter 12 and 13 claims, along with any supporting must be filed in duplicate.

Sobotka Farms
107 S 300 E
Jerome, Id 83338
Phone (208) 324-5192
Fax (208) 324-7030

RECEIVED JAN 13 2000

STATEMENT

Vivat Logistics
ATTN:
P.O. Box 5151
Twin Falls, ID 83301

12/20/99

The following loads are showing on our books as unpaid. Loads marked with an asterix (*) are late. Please verify that payment has been made and contact our accounting office at (208) 324-5192 at your earliest convenience.

| Our Invoice # | Date Shipped | Shipped From | Shipper's P.O. Number | Shipped To | Date Received | Billed Amount | Date Billed | Out Age | Interest Due |
|---------------|--------------|---------------------|-----------------------|--------------------|---------------|---------------|-------------|---------|--------------|
| *000533-01 | 03/11/99 | Performance Mineral | 3720 | Fiber Glas System | 03/12/99 | 650.00 | 03/16/99 | 279 | 94.41 |
| *000573-02 | 03/24/99 | Performance Mineral | FC223 | Fiberglass Systmes | 03/25/99 | 650.00 | 04/03/99 | 261 | 87.59 |

| | |
|----------------------|--------------------|
| Total Freight Due | 1300.00 |
| Total Interest Due | 182.00 |
| Total Due On Receipt | 1482.00 |

Just A Reminder, All Freight Not Paid Within 30 Days Is Subject To Finance Charges Of 1 3/4% Per Month Or 21% Annual Percentage Rate.

Please Remit Payment To:
Sobotka Farms
107 S 300 E
Jerome, ID 83338

Sobotka Farms

107 S 300 E
Jerome, Id 83338
Phone (208) 324-5192
Fax (208) 324-7030

STATEMENT

Vivat Logistics
ATTN:
P.O. Box 5151
Twin Falls, ID 83301

11/17/99

The following loads are showing on our books as unpaid. Loads marked with an asterix (*) are late. Please verify that payment has been made and contact our accounting office at (208) 324-5192 at your earliest convenience.

| Our Invoice # | Date Shipped | Shipped From | Shipper's P.O. Number | Shipped To | Date Received | Billed Amount | Date Billed | Out Age | Interest Due |
|---------------|--------------|---------------------|-----------------------|--------------------|---------------|---------------|-------------|---------|--------------|
| *000533-01 | 03/11/99 | Performance Mineral | 3720 | Fiber Glas System | 03/12/99 | 650.00 | 03/16/99 | 246 | 81.90 |
| *000573-02 | 03/24/99 | Performance Mineral | PC223 | Fiberglass Systmes | 03/25/99 | 650.00 | 04/03/99 | 228 | 75.08 |

| | |
|----------------------|----------------|
| Total Freight Due | 1300.00 |
| Total Interest Due | 156.98 |
| Total Due On Receipt | <u>1456.98</u> |

Just A Reminder, All Freight Not Paid Within 30 Days Is Subject To Finance Charges Of 1 3/4% Per Month Or 21% Annual Percentage Rate.

Please Remit Payment To:
Sobotka Farms
107 S 300 E
Jerome, ID 83338

Sobotka Farms
 107 S 300 E
 Jerome, Id 83338
 Phone (208) 324-5192
 Fax (208) 324-7030

RECEIVED JAN 13 2000

STATEMENT

~~10/28/99~~

Vivat Logistics
 ATTN:
 P.O. Box 5151
 Twin Falls, ID 83301

The following loads are showing on our books as unpaid. Loads marked with an asterix (*) are late. Please verify that payment has been made and contact our accounting office at (208) 324-5192 at your earliest convenience.

| Our Invoice # | Date Shipped | Shipped From | Shipper's P.O. Number | Shipped To | Date Received | Billed Amount | Date Billed | Out Age | Interest Due |
|---------------|--------------|---------------------|-----------------------|--------------------|---------------|---------------|-------------|---------|--------------|
| *000533-01 | 03/11/99 | Performance Mineral | 3720 | Fiber Glas System | 03/12/99 | 650.00 | 03/16/99 | 226 | 74.32 |
| *000573-02 | 03/24/99 | Performance Mineral | PC223 | Fiberglass Systmes | 03/25/99 | 650.00 | 04/03/99 | 208 | 67.49 |

*I personally went to
 Unit on 10-22
 to see the truck
 for the 1st time
 and it was empty
 J. Sobotka*

| | |
|----------------------|----------------|
| Total Freight Due | 1300.00 |
| Total Interest Due | <u>141.81</u> |
| Total Due On Receipt | <u>1441.81</u> |

Just A Reminder, All Freight Not Paid Within 30 Days Is Subject To Finance Charges Of 1 3/4% Per Month Or 21% Annual Percentage Rate.

Please Remit Payment To:
 Sobotka Farms
 107 S 300 E
 Jerome, ID 83338

Vivat Logistics, Inc.
P.O. Box 5151
Twin Falls, Idaho
(208) 734-7082

RECEIVED JAN 13 2000

To Whom It May Concern:
Subject: Payment arrangement

Jun 10, 1999

RE: Accounts Payable

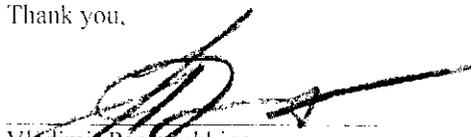
To whom this notice may concern:

Due to uncontrollable circumstances it is necessary for Vivat Logistics, Inc. to inform you that all accounts have been frozen. There will be no payments made by our accounting department, accounts payable for no less than 30 days of this notice and no more than 120 days from the date of this notice. Vivat Logistics, Inc. would like to extend their deepest sympathies and would request that you be understanding in this matter.

If you have any questions in regards to your account with Vivat Logistics, Inc. please call or send a fax to us. The Fax number for Vivat Logistics, Inc. is: (208) 733-7560.

Again I would like to extend my apologies and to let you know that this matter will be taken care of as quickly as possible.

Thank you,



Vladimir Panouchkine
President and CEO

RAMP

Sobotka Farms

107 S 300 E
Jerome, Id 83338
Phone (208) 324-5192
Fax (208) 324-7030

INVOICE 000573-02

Freight Paid By

Vivat Logistics
ATTN: Freight Accounting
P.O. Box 5151
Twin Falls, ID 83301

RECEIVED JAN 13 2000

| Date Picked Up | Truck/Trailer | Carrier | Driver 1 | P.O. Number |
|----------------|---------------|---------|----------|-------------|
| 03/24/99 | ??????/ | 1799 | | FC223 |

| Date Delivered | Truck/Trailer | Carrier | Driver 2 | Order No. |
|----------------|---------------|---------|----------|-----------|
| 03/25/99 | | | | |

| Stock Number/Description | Quantity | | Rate | Per | Amount |
|--------------------------|----------|--------|--------|------|--------|
| | Shipped | Weight | | | |
| Gypsum-----Fc223 | 1 | | 650.00 | Flat | 650.00 |

Date Billed 04/03/99

Total \$650.00

Thank You, We Appreciate Your Business!!

Please Pay In U.S. Currency Only.

YOUR BUSINESS IS APPRECIATED.

NOTE: UNDER ICC RULINGS, ALL FRGHT BILLS ARE DUE WITHIN 15 DAYS OF DELIVERY.

(All freight not paid in 30 days will be subject to a finance charge of 1 3/4% per month or 21% annual percentage rate.)

VIVAT LOGISTICS
 P.O. BOX 5151
 TWIN FALLS, IDAHO 83301
 1-888-893-8087
 FAX 208-733-7560
 RUDY HELTON
 BROKER
 Purchase Order

Invoice
 573-02

Contracted Seller: _____

Billing Address: _____

Phone #: _____

Pick Up #: _____

P/U Information: _____

Shipper WESTERN MINERAL

Address EXIT 24 (I-15)

City ARBY NV

Phone 702 278-6029

Commodity _____ Weight _____ Tarp _____

Pick Up Date: 3-23-99

Special Note or Directions _____

Consignee FIBER GLASS SYSTEMS

Address 7545 ENATEP PLAZA

City BOISE ID

Phone 209 342-6823

Delivery Date _____

Carrier Sobe KTA Driver FRANK Fax 324 7030

Address: Anderson Farms (owner) Phone: _____

Authorized Agent J. D. Case Date 3-22-99

Freight Bought for: _____ Sold for: 650.00 Profit: 598.00 to Truck

Vivat Logistics Rep: Rudy Date 3-22-99

This confirmation must be signed and fax back to us at (208) 733-7560 before load is dispatched. For the carrier to be paid all original copies of bills must be signed in ink and sent in. Driver must call in daily before 10:00am. If the driver refuses to call in before this time the carrier will be fined \$50.00. There shall be no double Brokering this load. If back solicited a \$500.00 fine will be levied. In signing this contract agreement you agree to all the terms set forth in said agreement.

Anderson Farms
 FC-223

573-02

BILL OF LADING

Anderson Farms, Inc.

DBA Anderson Transportation
961 S. 50 W. • Burley, ID 83318
Phone: 208-862-3858 • Fax: 208-862-3469

01736

DATE: 3 24 99

TRUCK # 12

SCALE TICKET NO. 9007

LOADING POINT: PERFORMANCE MINERALS CORP APIX AVE

DESTINATION: FIBERGLASS SYSTEMS BIOSA TLD

COMMODITY: GYP SUM

GROSS: 45000

TARE: _____

NET: 45000

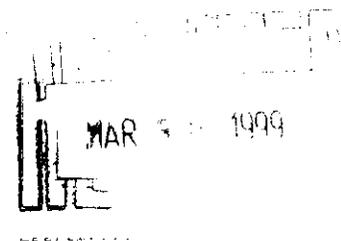
RECEIVER: Lee Bagg

LOADER: _____

DRIVER: Chris Peltz

CARRIER: ANDERSON FARMS

FL 023



Sobotka Farms
107 S 300 E
Jerome, Id 83338
Phone (208) 324-5192
Fax (208) 324-7030

INVOICE 000533-01

Freight Paid By

Vivat Logistics
ATTN: Freight Accounting
P.O. Box 5151
Twin Falls, ID 83301

| Date Picked Up | Truck/Trailer | Carrier | Driver 1 | P.O. Number |
|----------------|---------------|---------|-------------|-------------|
| 03/11/99 | 15/?????? | 1799 | Jeff Martin | 3720 |

| Date Delivered | Truck/Trailer | Carrier | Driver 2 | Order No. |
|----------------|---------------|---------|----------|-----------|
| 03/12/99 | | | | |

| Stock Number/Description | Quantity | | Rate | Per | Amount |
|--------------------------|----------|--------|--------|------|--------|
| | Shipped | Weight | | | |
| Pallets Gypsum---Bol3720 | 1 | | 650.00 | Flat | 650.00 |

Date Billed 03/16/99

Total \$650.00

Thank You, We Appreciate Your Business!!

Please Pay In U.S. Currency Only.

YOUR BUSINESS IS APPRECIATED.

NOTE: UNDER ICC RULINGS, ALL FRGHT BILLS ARE DUE WITHIN 15 DAYS OF DELIVERY.
(All freight not paid in 30 days will be subject to a finance charge of 1 3/4% per month or 21% annual percentage rate.)

STRAIGHT
BILL OF LADING
No 3720

5377

Sobotka Farm

107 South 300 East • Jerome, Idaho 83338
(208) 324-5192

SHIPPER NO. N 9003
RELEASE NO. 2259
LOAD DATE 3-11-99

| | |
|--|---|
| TO: CONSIGNEE <u>Fiber Glass system</u> | FROM: SHIPPER <u>Per Performance Minerals</u> |
| STREET <u>4545 Enterprise</u> | STREET <u>13555 Hwy 93 North</u> |
| DESTINATION <u>Boise, ID</u> ZIP CODE <u>83705</u> | ORIGIN <u>APex, NV</u> ZIP CODE <u>89124</u> |

| WEIGHT | DESCRIPTION | DELIVERY WEIGHT |
|--------|-------------------|-----------------|
| | 15 pallets PMC-SP | |
| GROSS | | GROSS |
| | Gypsum | |
| TARE | | TARE |
| NET | | NET |

X Lee Briggs

RECEIVED, subject to the classifications and tariffs in effect on the date of the issue of this Bill of Lading, the property described above in apparent good order, except as noted (contents and condition of contents of packages unknown), marked, consigned, and destined as indicated above which said carrier (the word carrier being understood throughout this contract as meaning any person or corporation in possession of the property under the contract) agrees to carry to its usual place of delivery of said destination, if on its route, otherwise to deliver to another carrier on the route to said destination. It is mutually agreed as to each carrier of all or any of said property over all or any portion of said route to destination and as to each party at any time interested in all or any of said property, that every service to be performed hereunder shall be subject to all the bill of lading terms and conditions in the governing classification on the date of shipment. Shipper hereby certifies that he is familiar with all the Bill of Lading terms and conditions in the governing classification and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his assigns.

| | |
|-------------------------|------------------------------|
| SHIPPER <u>Vivat</u> | CARRIER SOBOTKA FARMS |
| PER | DRIVER <u>Jeff Martin</u> |
| PAY NUMBER <u>FC177</u> | DELIVERY DATE <u>3-12-99</u> |

STRAIGHT BILL OF LADING

ORIGINAL - NOT NEGOTIABLE

Shipper No. **N 9007**

Carrier No. _____

Date _____

ANDERSON FARM
(Name of Carrier)

| | |
|---|---|
| TO: Consignee FIBERGLASS SYSTEMS | FROM: Shipper PERFORMANCE MINERALS CORP. |
| Street 4545 ENTERPRISE | Street 13555 Hwy. 93 North |
| Destination BOISE, ID. 83705 | Origin Apex, Nevada 89124 |
| Route _____ | Emergency Response Phone No. _____ |
| No. Shipping Units 15 | Vehicle Number _____ |

| No. Shipping Units | HM* | Kind of Packaging, Description of Articles, Special Marks and Exceptions | Weight (subject to correction) | Rate | CHARGES |
|--------------------|-----|---|--------------------------------|------|---------|
| 15 | | PALLETS PMC-SP (3000* EA) CALCIUM SULFATE GROUND GYPSUM (CLASS 50) | 45,000 | | |
| | | Le Big | | | |
| | | PO # 2280 | NET 45,000 | | |

*NOTE: For hazardous materials include the technical or chemical name for H.P.S. (not otherwise specified) or generic description of material with appropriate UN or NA number as defined in the DOT Emergency Response Guidebook and the appropriate hazard label number in case of incident or accident in box above.

| | | |
|---|--|---|
| REMIT TO ADDRESS | COO Amt: \$ | C.O.D. FEE PREPAID <input type="checkbox"/> COLLECT <input type="checkbox"/> \$ |
| NOTICE: Where the rate is dependent on value, shippers are required to state specifically in writing the agreed or declared value of the property. The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding \$ _____ per _____ | This is to certify that the above named materials are properly classified, described, packaged, marked, and labeled, and are in proper condition for transportation according to the applicable regulations of the Department of Transportation. | TOTAL CHARGES \$ |
| Signature _____ | Signature of Consignor _____ | FREIGHT CHARGES FREIGHT PREPAID <input type="checkbox"/> Check box if charges except when box at right is checked <input type="checkbox"/> are to be collected |

RECEIVED, subject to the classifications and lawfully filed tariffs in effect on the date of the issue of this Bill of Lading, the property described above in apparent good order, except as noted (contents and condition of contents of packages unknown), marked, consigned and destined as indicated above which said carrier (the word carrier being understood throughout this contract as meaning any person or corporation in possession of the property under the contract) agrees to carry to its usual place of delivery at said destination if on its route, otherwise to deliver to another carrier on the route to said destination. It is mutually agreed as to each carrier of all or any of said property over all or any portion of said route to destination and as to each party at any time interested in all or any said property that every service to be performed hereunder shall be subject to all the Bill of Lading terms and conditions in the governing classification on the date of shipment.

| | |
|---|------------------------------|
| SHIPPER PERFORMANCE MINERALS CORP. | CARRIER ANDERSON FARM |
| PER [Signature] | PER [Signature] |
| | DATE 3 23 99 |

HAZARDOUS MATERIALS - MARK WITH X TO DESIGNATE HAZARDOUS MATERIALS AS REFERENCED IN 49CFR § 172.202

MAILED
MARCH 23 1999