

UNITED STATES BANKRUPTCY COURT
Western District of Texas

Order Combined With Notice of Chapter 11 Bankruptcy Case, Meeting of Creditors, & Deadlines

A chapter 11 bankruptcy case concerning the debtor(s) listed below was filed on 12/3/08.

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 Important Explanations.

Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):
 TMX Realty Corporation
 301 Congress Avenue
 Suite 1850
 Austin, TX 78701

Case Number: 08-12444-frm	Taxpayer ID/Employer ID/Other Nos.: 74-2896565
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Attorney for Debtor(s) (name and address): Patricia Baron Tomasco Brown McCarroll, L.L.P. 111 Congress Avenue, Suite 1400 Austin, TX 78701 Telephone number: 512-479-1141	
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Meeting of Creditors:

Date: **January 7, 2009** Time: **01:00 PM**
 Location: **Austin Room 118, Homer Thornberry Bldg., 903 San Jacinto, Austin, TX 78701**

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): **4/7/09**


For a governmental unit: *not later than 180 days after the date of the order for relief.*

Creditor with a Foreign Address

A creditor to whom this notice is sent at a foreign address should read the information under "Claims" on the reverse side.

Creditors May Not Take Certain Actions:

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

Address of the Bankruptcy Clerk's Office: United States Bankruptcy Court 903 SAN JACINTO, SUITE 322 AUSTIN, TX 78701-0 Telephone number: (512) 916-5238	For the Court: Clerk of the Bankruptcy Court: George D. Prentice II 
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Hours Open: Monday – Friday 8:00 AM – 4:00 PM	Date: 12/4/08
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EXPLANATIONS

FORM B9F(Alt)(10/05)

<p>Filing of Chapter 11 Bankruptcy Case</p>	<p>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(s) 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.</p>
<p>Legal Advice</p>	<p>The staff of the bankruptcy clerk's office cannot give legal advice. Consult a lawyer to determine your rights in this case.</p>
<p>Creditors Generally May Not Take Certain Actions</p>	<p>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. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay.</p>
<p>Meeting of Creditors</p>	<p>A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor or debtor's representative must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. At the meeting, the creditors may elect a trustee other than the one named on this notice, examine the debtor, and transact such other business as may properly come before the meeting. The meeting may be continued and concluded at a later date without further notice. The court, after notice and a hearing, may order that the United States trustee not convene the meeting if the debtor has filed a plan for which the debtor solicited acceptances before filing the case. FAILURE OF THE DEBTOR OR HIS ATTORNEY TO APPEAR AT THE SECTION 341(a) MEETING OR TO TIMELY FILE SCHEDULES AND STATEMENT OF AFFAIRS MAY RESULT IN DISMISSAL, DENIAL OF THE DEBTOR'S DISCHARGE, OR OTHER APPROPRIATE RELIEF.</p>
<p>Claims</p>	<p>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. A secured creditor retains rights in its collateral regardless of whether that creditor files a Proof of Claim. Filing a Proof of Claim submits the creditor to the jurisdiction of the bankruptcy court, with consequences a lawyer can explain. For example, a secured creditor who files a Proof of Claim may surrender important nonmonetary rights, including the right to a jury trial. Pursuant to Local Rule 3002(a)&(b) proof of claim or proof of interest shall be filed in duplicate, complete with attachments. A copy with attachments shall be served on the debtor's attorney or on the debtor if pro se. Filing Deadline for a Creditor with a Foreign Address: The deadlines for filing claims set forth on the front of this notice apply to all creditors. If this notice has been mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline.</p>
<p>Discharge of Debts</p>	<p>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. If you believe that a debt owed to you is not dischargeable under Bankruptcy Code &sect; 1141(d)(6)(A), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint to Determine Dischargeability of Certain Debts" listed on the front side. The bankruptcy clerk's office must receive the complaint and any required filing fee by that Deadline.</p>
<p>Bankruptcy Clerk's Office</p>	<p>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. Registered electronic users should file through our <i>Case Management/Electronic Case Files (CM/ECF)</i> Internet site (https://ecf.txwb.uscourts.gov/). You may inspect all papers filed, including the list of the debtor's property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office or via the Internet if you have a <i>CM/ECF PACER subscription</i> .</p>
<p>Creditor with a Foreign Address</p>	<p>Consult a lawyer familiar with United States bankruptcy law if you have any questions regarding your rights in this case.</p>
<p>-- Refer to Other Side for Important Deadlines and Notices --</p>	

UNITED STATES BANKRUPTCY COURT Western District of Texas		PROOF OF CLAIM
Name of Debtor: TMX Realty Corporation		Case Number: 08-12444-frm
NOTE: <i>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.</i>		
Name of Creditor (the person or other entity to whom the debtor owes money or property):		<input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim. Court Claim Number: _____ <i>(If known)</i> Filed on: _____
Name and address where notices should be sent:		
Telephone number:		
Name and address where payment should be sent (if different from above):		<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.
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: \$ _____ <i>*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.</i>
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. <i>(See instruction 7 and definition of "redacted" on reverse side.)</i> DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING. If the documents are not available, please explain:		
Date:	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.	FOR COURT USE ONLY

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

INFORMATION

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.

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.psc.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.

CERTIFICATE OF NOTICE

District/off: 0542-1
Case: 08-12444

User: euresteg
Form ID: B9F

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Total Served: 38

Date Rcvd: Dec 04, 2008

The following entities were served by first class mail on Dec 06, 2008.

db +TMX Realty Corporation, 301 Congress Avenue, Suite 1850, Austin, TX 78701-2996
aty +Patricia Baron Tomasco, Brown McCarroll, L.L.P., 111 Congress Avenue, Suite 1400,
Austin, TX 78701-4093
ust +United States Trustee - AU12, United States Trustee, 903 San Jacinto Blvd, Suite 230,
Austin, TX 78701-2450
13796708 +A & E Products Co., Inc., P.O. Box 27286, Houston, TX 77227-7286
13796709 +Amelang Partners Inc., 5599 San Felipe, Suite 110, Houston, TX 77056-2761
13796710 +Arthur Andersen LLP, P.O. Box 730260, Dallas, TX 75373-0260
13796711 +Associated Building Services, P.O. Box 847570, Dallas, TX 75284-7570
13796712 +Aztec Rental Center, Inc., 5702 Bissonnet, Houston, TX 77081-6595
13796714 +Bevco Engineering Company, 10605 W. Glenbrook Court, Milwaukee, WI 53224-1115
13796715 +Browne Penland McGregor Architects, Inc., 520 Post Oak Blvd., Suite 880,
Houston, TX 77027-9479
13796716 +Charnstrom, 5391 12th Avenue East, Shakopee, MN 55379-1896
13796717 +City of Houston, Water Dept., P.O. Box 1560, Houston, TX 77251-1560
13796718 +Compass Bank/TX State Bank/Riverway, Attn: Vivian Salazar, 5 Riverway,
Houston, TX 77056-1917
13796720 +EDC Moving Systems, P.O. Box 200506, Houston, TX 77216-0506
13796721 +EPS Security & Life Safety Systems, 5320 Gulfton, Suite 12, Houston, TX 77081-2809
13796707 +Finishes' Inc., P.O. Box 2277, Sugarland, TX 77487-2277
13796722 +Houston Lighting & Power, P.O. Box 1700, Houston, TX 77251-1700
13796723 +IKON Office Solutions, P.O. Box 730712, Dallas, TX 75373-0712
13796727 +Kenneth E. Tand & Associates, Inc., 2817 Aldine Bender, Houston, TX 77032-3501
13796728 +Multi-D Construction, Inc., 14655 NW Freeway, Suite 127C, Houston, TX 77040-4032
13796729 +Norris Machine Works, Inc., 7200 Long Drive, Houston, TX 77087-4208
13796730 +OTM Engineering, Inc., 7035 Bee Caves Road, Suite 200, Austin, TX 78746-5066
13796734 +PV Rentals, P.O. Box 4588, Houston, TX 77210-4588
13796732 +Porter & Hedges, L.L.P., P.O. Box 841184, Dallas, TX 75284-1184
13796733 +Primus Sterilizer Co., Inc., P.O. Box 3366, Omaha, NE 68176-0770
13796735 +Reliant Energy, P.O. Box 2628, Houston, TX 77252-2628
13796736 +Roller and Allensworth, L.L.P., 620 Congress Avenue, Suite 200, Austin, TX 78701-3229
13796737 +Spectrum Painting, Inc., 10817 Craighead, Houston, TX 77025-5803
13796738 +Summit Global Partners, P.O. Box 2291, Austin, TX 78768-2291
13796740 +TEXAS COMPTROLLER OF PUBLIC ACCOUNTS, REVENUE ACCOUNTING DIV - BANKRUPTCY SECTION,
PO BOX 13528, AUSTIN TX 78711-3528
(address filed with court: Texas Comptroller of Public Accounts,
Revenue Acctg Div - Bankruptcy Section, P.O. Box 13528, Austin, TX 78711-3528)
13796739 +Terra Surveying Company, Inc., 4900 Woodway, Suite 1000, Houston, TX 77056-1853
13796742 +VanBuren Telecom Services, 6610 Santa Rita, Houston, TX 77083-1060
13796743 +Vaughn Construction Company, Inc., 10355 Westpark Drive, Houston, TX 77042-5312
13796744 +W.W. Grainger, Inc., Dept. 352 - 842529844, Palatine, IL 60038-0001
13796745 +Wilson & Varner, L.L.P., 301 Congress Avenue, Suite 2025, Austin, TX 78701-2972

The following entities were served by electronic transmission on Dec 05, 2008.

13796719 E-mail/Text: tammie.bennett@wolterskluwer.com CT Corporation,
P.O. Box 4349, Carol Stream, IL 60197-4349
13796724 EDI: IRS.COM Dec 05 2008 02:18:00 Internal Revenue Service,
Centralized Insolvency Operations, P.O. Box 21126, Philadelphia, PA 19114-0326
13796741 E-mail/Text: redpacer@twc.state.tx.us Texas Workforce Commission,
Tax-Collections, 101 E. 15th Street, Austin, TX 78778-0001

TOTAL: 3

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

13796713 Bank One
13796725 Introgen Therapeutics, Inc.
13796726 Introgen Therapeutics, Inc. Compass Rent
13796731 Partners Title Co. Escrow Acct.

TOTALS: 4, * 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

District/off: 0542-1
Case: 08-12444

User: euresteg
Form ID: B9F

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Total Served: 38

Date Rcvd: Dec 04, 2008

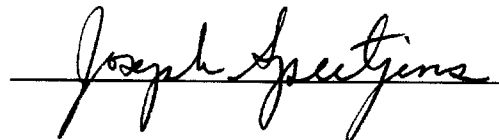
***** BYPASSED RECIPIENTS (continued) *****

I, Joseph Speetjens, declare under the penalty of perjury that I have served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 06, 2008

Signature:

A handwritten signature in black ink, reading "Joseph Speetjens", written over a horizontal line.