EXHIBIT C

FÖRM B5. (6/90)

FORM 5. INVOLUNTARY PETITION

United States Bankruptcy Court		y Court	INVOLUNTARY		
Northern	District of	Illinois	PETITION		
IN RE (Name of Debtor - If Individual: Las	t, First, Middle)	ALL OTHER NAMES used by debtor in t (Include married, maiden, and trade name	he last 6 years		
CMGT, Inc., a Delaware corpo	oration	CareManagement.com	•••		
Last four digits of Soc. Sec. No/Complete Tax I.D	. No.	CareManagement.com Inc.			
STREET ADDRESS OF DEBTOR (No. and	street rety state and rin code)	MAILING ADDRESS OF DEBTOR (If di	ifferent from street address)		
2 S. 647 White Birch Lane, Wheaton,		,	and some successions		
COU	NTY OF RESIDENCE OR CIPAL PLACE OF BUSINESS DuPage	:			
LOCATION OF PRINCIPAL ASSETS OF BU	SINESS DEBTOR (If different	from previously listed addresses)			
CHAPTER OF BANKRUPTCY CODE UND	ER WHICH PETITION IS FILE	B D			
Chapter 7	Chapter 11				
INFO	RMATION REGARDING DE	BTOR (Check applicable boxes)			
Petitioners believe: Debts are primarily consumer debts Debts are primarily business debts (comp	lete sections A and B)	TYPE OF DEBTOR Individual Corporation Partnership Corporation Other:	Publicly Held Not Publicly Held		
A. TYPE OF BUSINESS (Che Professional Transportation Retail/Wholesale Manufacturing, Railroad Mining Stockbroker	Commodity Broker	B. BRIEFLY DESCRIBE NATURE Of Provide management services to business			
	VENUE				
Debtor has been domiciled or has had preceding the date of this petition or f	Debtor has been domiciled or has had a residence, principal place of business, or principal assets in the District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.				
A bankruptcy case concerning debtor's affiliate, general partner or partnership is pending in this District.					
PENDING BANKRUPTCY CASE FILED BY OR AGAINST ANY PARTNER OR AFFILIATE OF THIS DEBTOR (Report information for any additional cases on attached sheets.)		sheets)			
Name of Debtor	Case Number	Date			
Relationship	District	Judge			
ALLEGATIONS II C. Barbaratan Const					
(Check applicable boxes) U.S. Bankruptcy Court					
1. Petitioner(s) are eligible to file this petition pursuant to 11 U.S.C. § 303(b). Northern District Of Illinois The debtor is a person against whom an order for relief may be entered under ti Filed: 08/25/2004					
of the United States Code. Time: 15:29:09 3.a. The debtor is generally not paying such debtor's debts as they become due, unless they become due, u					
b. Within 120 days preceding the filing of this petition, a custodian, other than a t Judge: John Squires receiver, or agent appointed or authorized to take charge of less than substantia of the property of the debtor for the purpose of enforcing a lien against such property, was appointed or took possession.					

Case 1:06-cv-05486 Document 16-3 Filed 11/30/2006 Page 3 of 12

Name of Debtor

FORM 5 Involuntary Petition	Name of Debtor		
6/92)	Case No.		
		(court use only)	
TRA Check this box if there has been a transfer of any claim a the transfer and any statements that are required under I	NSFER OF CLAIM against the debtor by or to any petitioner. Bankrustov Rule 1003(a)	Attach all documents evidencing	
	OUEST FOR RELIEF		
Petitioner(s) request that an order for relief be entered against this petition.		Inited States Code, specified in	
Petitioner(s) declare under penalty of perjury that the foregoing is true and correct according to the best of their knowledge, information, and belief.			
C	_ lx		
Signature of Petitioner or Representative (State title)	Signature of Attorney	Date	
	L. Judson Todhunter/DEFREES & F	ISKE LLC	
Name of Petitioner Date Signed	Name of Attorney Firm (If any) 200 South Michigan Avenue, Suite	1100, Chicago, IL 60604	
lame & Mailing ddress of Individual	Address 312/372-4000		
ligning in Representative	Telephone No.		
x M Serail Selai Pers. 4 Mcmb	er x		
signature of Petitioner of Representative (State title) R. Gerard Spehar, Pres. and Member Avsust 20, Zoo	Signature of Attorney Steven A. Klenda/Steven A. Klenda		
Varne of Petitioner Bate Signed Spehar Capital, LLC,	Name of Attorney Firm (If any) 1600 Broadway St., Suite 2600, Dem	ver, CO 80202	
Name & Mailing Address of Individual	Address 303/832-1800		
Signing in Representative Capacity 1625 Grandview Ave., Glendale, CA	91201 Telephone No.		
<u> </u>	_ X		
lignature of Petitioner or Representative (State title)	Signature of Attorney	Signature of Attorney Date	
larne of Petitioner Date Signed	Name of Attorney Firm (If any)		
Varne & Mailing Address of Individual	Address		
ligning in Representative	Telephone No.		
PETITIONIN	NG CREDITORS		
ne and Address of Petitioner	Nature of Claim	Amount of Claim	
char Capital, LLC, 1625 Grandview Ave., Glendale, CA 91201	SEE ATTACHED	SEE ATTACHED SEE ATTACHED	
ne and Address of Petitioner	Nature of Claim	Amount of Claim	
ne and Address of Petitioner	Nature of Claim	Amount of Claim	
te: If there are more than three petitioners, attach addition penalty of perjury, each petitioner's signature under the	nal sheets with the statement under	Total Amount of Petitioners' Claims	
and petitioning creditor information in the format above		SEE ATTACHED	

¹ continuation sheets attached

Name of Debtor_

FORM 5 Involuntary Petition (6/92)	Case No.	(court use only)
TRAN	NSFER OF CLAIM	(count use only)
Check this box if there has been a transfer of any claim ag the transfer and any statements that are required under Be	gainst the debtor by or to any petitioner.	Attach all documents evidencing
	UEST FOR RELIEF	
Petitioner(s) request that an order for relief be entered against this petition.	the debtor under the chapter of title 11, U	Inited States Code, specified in
Petitioner(s) declare under penalty of perjury that the foregoing is true and correct according to the best of their knowledge, information, and belief. X	Signature of Attorney	L 8-24-04 Date
Name of Petitioner Date Signed	L. Judson Tochunter/DEFREES & F Name of Attorney Firm (If any)	ISKE LLC
_	200 South Michigan Avenue, Suite	1100, Chicago, IL 60604
Name & Mailing Address of Individual	Address 312/372-4000	
Signing in Representative Capacity	Telephone No.	
x	To APPAN A D	0. da, 08/24/04
Signature of Petitioner or Representative (State title) R. Gerard Spehar, Pres. and Member	Signature of Attorney Steven A. Klenda/Steven A. Klenda	Date
Name of Petitioner Date Signed	Name of Attorney Firm (If any) 1600 Broadway St., Suite 2600, Den	iver, CO 80202
Name & Mailing Spehar Capital, LLC, Address of Individual	Address 303/832-1800	
Signing in Representative Capacity 1625 Grandview Avc., Glendale, CA 9	•	
·		
X Signature of Petitioner or Representative (State title)	X Signature of Attorney	Date
Name of Petitioner Date Signed	Name of Attorney Firm (If any)	
Name & Mailing	Address	
Address of Individual Signing in Representative	Telephone No.	
Capacity		,
PETITIONIN	IG CREDITORS	
ame and Address of Petitioner	Nature of Claim	Amount of Claim
Spehar Capital, LLC, 1625 Grandvicw Ave., Glendale, CA 91201	SEE ATTACHED	SEE ATTACHED
ame and Address of Petitioner	Nature of Claim	Amount of Claim
ame and Address of Petitioner	Nature of Claim	Amount of Claim
Note: If there are more than three petitioners, attach addition penalty of perjury, each petitioner's signature under the	ne statement and the name of attorney	Total Amount of Potitioners' Claims
and petitioning creditor information in the format above	/c.	SEE ATTACHED

continuation sheets attached

Continuation Sheet #1

Name and Address of Petitioner:

Spehar Capital, LLC, 1625 Grandview Ave., Glendale, CA 91201

Nature of Claim:

Unsecured deficiency, in excess of jurisdictional minimum stated in 11 U.S.C. §303(b)(2), remaining from Secured Judgment

Amount of Unsecured Claim:

At least \$12,500.00, or an amount in excess of jurisdictional minimum stated in 11 U.S.C. §303(b)(2)

Total Amount of Petitioners' Unsecured Claim:

At least \$12,500.00, or an amount in excess of jurisdictional minimum stated in 11 U.S.C. §303(b)(2)

EXHIBIT D

ORIGINAL

1 2 3

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

	EASTERN DIVISION
(n re:) Case No.: 04 B 31669
CMGT, INC.)) Chapter 7
Debtor.)
)

AT WHEATON, IL BEFORE THE HONORABLE JOHN SQUIRES, US BANKRUPTCY JUDGE, THIS DAY OF School, JOO

This matter coming before the Court on the Application of the Trustee to Enter into Post-petition Secured Financing and for Other Relief ("Application"), due notice having been given, no objections having been filed and the Court being otherwise advised in the premises:

IT IS HEREBY ORDERED:

- 1. The Application be, and the same hereby is, GRANTED.
- 2. Spehar Capital, LLC ("Spehar") shall advance to the chapter 7 estate of Debtor, CMGT, Inc. ("Estate") the sum of \$5,000.00 within ten business days of the delivery of this Order to Spehar or its counsel.
- 3. Spehar shall advance additional sums to the Estate upon the Trustee's written request for such an advance that is accompanied by a generalized statement as to the Trustee's expenditures to the date of the additional request and a brief statement as to the reasons for the requested additional advance. Provided, however, that: (a) the Trustee's statement of reasons for the requested additional advance shall not serve as the basis for Spehar to withhold any requested advance; (b) Spehar is not required to advance more than a total of \$5,000 to the estate under this provision, until and unless the Trustee provides Spehar with written confirmation from the special counsel that the Trustee has moved or will move to employ (Edward T. Joyce & Associates, P.C.) that the special counsel has committed to proceed with one or more of the causes of action that the Trustee has retained special counsel to evaluate; and (c) Spehar's total liability for any and all advances made or requested pursuant to this Order (including Spehar's initial advance of \$5,000.00) shall not exceed \$18,500.

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- The Estate shall use Spehar's initial advance to (a) obtain all documents that 4. have been produced to or made available to the Trustee related to any cause of action that the Trustee is pursuing, or is considering pursuing, and deliver said documents to the special counsel and (b) offset any cost or expense of administering the Estate.
- Any and all advances by Spehar to the Estate shall: (a) accrue interest at the 5. minimum Applicable Federal Rate as published by the Internal Revenue Service from time to time; and (b) be deemed to be an administrative expense under 11 U.S.C. § 506(c).
- Spehar's advances shall be collateralized by, and Spehar shall be repaid from, 6. the Estate's recovery that results from the action or participation of special counsel, including, but not limited to, the pursuit of a cause of action by special counsel. By virtue of its Citation to Discover Assets, Spehar has a valid and perfected lien on the proceeds of any such recovery. If the Estate does not obtain any recovery, then Spehar's advances shall not be repaid.
- Spehar shall share its Net Recovery with the Estate in accordance with the pro-7. forma attached to the Application, which is also attached hereto as Exhibit A, and is incorporated herein by reference. Net Recovery shall mean the Estate's gross recovery, less any special counsel fees and expenses as approved by the Court, less the repayment of any amounts advanced to the Estate by Spehar.
- The Trustee shall take all reasonable and appropriate actions to void all liens that 8. are asserted to be superior to Spehar's valid and perfected lien in CMGT's assets and take all necessary or appropriate steps to assist any special counsel that the Estate retains in his evaluation of any causes of action that the special counsel has been retained to evaluate.
- The Trustee shall provide Spehar with copies of any documents that have been produced to the Trustee. If the Trustee possesses these documents in an electronic format, the Trustee shall provide them to Spehar in an electronic format.
- 10. Spehar shall pay the Estate \$1,500 for all of the Estate's right, title and interest in and to or derived from the Estate's software and intangibles, including, but not limited to, CMGT's proprietary "Absence Expert" and "Poster" software. Spehar's payment shall be due within 20 days of the delivery to Spehar of the computer code for, and a working copy of, the version of the aforementioned software that CMGT last used to service its customers as of August 1, 2003, or upon such other terms and conditions as Spehar and the Estate have agreed

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1	in writing. If Spehar fails to pay the \$1,500 the sale to \$	Spehar shall be void, Spehar shall be	
2	deemed to forfeit repayment of its initial \$5,000 advance	e to the Estate.	
3	0/6	My N. Grade	
4	DATED:	Ign/ John Squires	
5		Inted States Bankruptcy Judge	
6	A PROPERTY AND TO FORM		
7	APPROVED AS TO FORM:	AVID E. GROCHOCINSKI	
8	STEVEN A. KLENDA, LLC		
9	Jan. Allando, colsilans D	Selle 18	
10 `	Steven A. Klenda, Esq.	lavid E. Grochocinski 900 Ravinia Place	
11	Denver, CO 80202	riand Park, IL 60462	
12	11 1101001 (000) 0	hone: (708) 226-2700 ax: (708) 226-9030	
13 14		HAPTER 7 TRUSTEE	
15	SPEHAR CAPITAL, LLC	, , , , , , , , , , , , , , , , , , , ,	
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Sharing Agreement Between CMGT TTEE & Spehar Capital, LLC

Pacovery 2										
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\$46,500 \$10,000 \$1,000,000 \$1,000,000 \$4% \$8,007,660 \$28,500 \$10,000 \$1,130,000 \$10,787,660 \$10,039,000 \$10,039,000 \$15,000,000 \$14,000,000 \$1,130,000 \$1,	640,420,444	000,000		*6,705,567	\$10,000,000	12.0%	\$830,000	83%	59.027.560	53%
\$28,500 \$8,039,000 \$12,000,000 \$1,130,000 105% \$10,787,880 \$58,500 \$10,039,000 \$15,000,000 \$1490,000 \$10,039,000		One 200		57,372,333	\$11,000,000		\$1,010,000	%	59 007 660	784
\$58,500 \$10,039,000 \$15,000,000 \$1490,000 \$10,039	006,180,024	200		S8,039,000	\$12,000,000		\$1 130 000	105%	610 797 680	2 60
	\$25,097,500	S58,500		\$10,039,000	\$15,000,000		84 400 DD0	200		ر ا و ا

Per CMGT documents and representations.

Any accepted Settlement or Trial Award will be a Lump Sum, not paid over Iting.

Estate Recovery is capped at \$1,600,000, after which 100% share goes to Spehar Capital, LLC.
Spehar Recovery cakulated net of expenses and billed legal costs of \$82,340

EXHIBIT E

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

IN RE:)	Chapter 7
CMGT, INC., a Delaware)	Bankruptcy No. 04 B 31669
corporation,)	Judge John H. Squires
Debtor.)	•

ORDER FOR RELIEF UNDER CHAPTER 7

On consideration of the petition filed on <u>August 25, 2004</u>, against the above-named debtor, an order for relief under Chapter 7 of the Bankruptcy Code (Title 11 of the United States Code) is granted.

ENTERED:

Dated: September 15, 2004

JOHN H. SQUIRES
United States Bankrupter Judge

cc:

Steven A. Klenda, Esq.
L. Judson Todhunter, Esq.
Spehar Capital, LLC

Ira Bodenstein, United States Trustee