

UNITED STATES BANKRUPTCY COURT District of Delaware

PROOF OF CLAIM

Name of Debtor:

QIMONDA RICHMOND, LLC

Case Number:

09-10589-MFW

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):

KEVIN C. RYAN

Name and address where notices should be sent:

KEVIN C. RYAN
2609 PARK GREEN WAY
GLEN ALLEN, VA 23060

Telephone number:

804-347-9642 cell

☐ Check this box to indicate that this claim amends a previously filed claim.

Court Claim Number:

(If known)

Filed on:

Name and address where payment should be sent (if different from above):

Telephone number:

☐ 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.

☐ Check this box if you are the debtor or trustee in this case.

1. Amount of Claim as of Date Case Filed: \$ 4589.76

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.

☐ 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.

2. Basis for Claim: SERVICES PERFORMED BY DIRECT EMPLOYEE
(See instruction #2 on reverse side.)

3. Last four digits of any number by which creditor identifies debtor: 2780

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: ☐ Real Estate ☐ Motor Vehicle ☐ 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 orders, invoices, itemized statements. You may also attach a summary of a security interest. You may also:

Filed: USBC - District of Delaware
Qimonda Richmond, LLC, Et Al.
09-10589 (MFW)

0000000015

missory notes, purchase and security agreements. f perfection of facted" on reverse side.)

DO NOT SEND ORIGINAL DOCUMENT SCANNING.

If the documents are not available, please explain:

Date:

03/05/2009

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.

[Signature]

FOR COURT USE ONLY

Amount entitled to priority:

\$ 4589.76

*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.

Note to financial institutions: This electronic representation of Kevin C. Ryan's paycheck was provided from Qimonda North America Corp.'s Payroll WorkCenter system on 2/25/2009.

Done



02/13/09

D0213720

6000 Technology Blvd.
Sandston VA 23150-

ADVICE OF DEPOSIT

\$2,192.03

— KEVIN C. RYAN
2609 PARK GREEN WAY
— GLEN ALLEN, VA 23060

NON-NEGOTIABLE

Employee	Id	Social Security	Status	Exemptions / Allowances	Number		
KEVIN C. RYAN	400850		Married	US-10/0 VA-4/0	D0213720		
Code	Paygroup	Division	Department	Hire Date	Period Start	Period End	Pay Date
MPUSA	RIC	95	405	06/15/98	01/24/09	02/06/09	02/13/09
Earnings	Rate	Units	Current	YTD	Direct Deposit Accounts		Amount
Salary	-	-24.00	2411.58	9990.86	Checking - 004130498630		2192.03
PTO Scheduled	43.0640	16.00	689.02	2411.58			
Incentive Plan					Memo Entries	Current	YTD
Payment	-	-	-	5248.98	PTO Balance	66.58	-
Group Term Life	-	-	-		Dependent Care Match	19.23	76.92
> \$50,000	-	-	5.40	21.60			
ROCE Plan						Current	YTD
Payment	-	-	-	642.69	W2 Gross Wages	2668.38	16211.72
Total Gross			3106.01	18315.71			
Taxes							
Federal Income Tax			112.04	1868.84			
Social Security (FICA)			176.97	1073.18			
Federal Medicare			41.39	250.99			
Virginia Income Tax			128.38	831.88			
Total			458.76	4024.89			
PreTax Deductions							
401(k) Plan (Pretax)			186.04	1097.66			
Pretax Medical Plan			84.31	337.24			
Pretax Dental Plan			11.50	46.00			
Pretax Vision Plan			1.93	7.72			
Health Care Spending Account			115.39	461.53			
Dependent Care Spending Acct			38.46	153.84			
Total			437.63	2103.99			
AfterTax Deductions							
GTL>\$50,000 Offset			5.40	21.60			
Life Insurance			11.17	29.87			
Child Life Insurance			1.02	4.08			
Total			17.59	55.55			
Net Pay			2192.03				

HOURLY
RATE

EARNED
VACATION

Qimonda North America Corp. - 6000 Technology Blvd. Sandston, VA 23150

ADP National Account Services
Outsourcing by M&B, Rent's and Payroll

NOTE! 40hrs OF WORK WAS PERFORMED FEB 9 - FEB 13
= \$1722.56
66.58hrs TIME OFF IS OWED = \$2867.20
TOTAL CLAIM = \$4589.76



February 25, 2009

Kevin Ryan
2609 Park Green Way
Glen Allen, Virginia 23060

Dear Kevin:

As you know, last month our parent company, Qimonda AG, filed for insolvency protection in Germany. On Friday, February 20, Qimonda North America Corp. and Qimonda Richmond LLC filed a voluntary petition for relief under Chapter 11 of the U.S. Bankruptcy Code. Chapter 11 is the section that regulates corporate reorganizations.

This letter is to inform you that because of the laws regarding Chapter 11, unfortunately any payouts that were owed prior to February 20 cannot be paid at this time. This includes your final paycheck for the period of February 7 through February 20. It also includes any accrued paid time off (PTO) and/or unplanned time off (UTO). The bankruptcy court did not grant us authorization to make any payments to inactive employees.

You are eligible to apply for unemployment benefits dating back to your last paid day of work, Friday, February 6. As previously communicated, you are also eligible to apply for benefits continuation under COBRA. Once you receive COBRA notification from SHPS, Qimonda's benefits administrator, you have 60 days to enroll. For more information, please contact SHPS at 1-866-498-5520.

Below are some of the many alternative sources of health care coverage available. You may want to consider contacting these companies to receive information on rates and coverage options:

NORTH CAROLINA		
BCBS of NC	http://www.bcbsnc.com/	Blue Advantage (under 65): 1-800-324-4973 Blue Options HAS (under 65): 1-877-258-3334 Blue Medicare HMO or PPO: 1-877-494-7647
Humana	http://www.humana-one.com/north-carolina-health-insurance/plans-available.asp	1-866-215-7343
Aetna	http://www.aetna.com/members/individuals/index.html	1-800-MY HEALTH (1-800-694-3258) option 3
ING	www.ing.com/us/benefitssolutions	1-800-540-6297
United Health Care	http://www.uhc.com/individuals_families.htm	1-888-545-5205
VIRGINIA		
BCBS of VA	http://www.anthem.com/home-visitors.html	1-800-304-0372
Aetna	http://www.aetna.com/members/individuals/index.html	1-800-MY HEALTH (1-800-694-3258) option 3
United Health Care	http://www.uhc.com/individuals_families.htm	1-888-545-5205
CALIFORNIA		
BCBS of CA	https://www.blueshieldca.com/bsc/home/home.html	1-888-568-3560
ehealth Insurance	https://www.ehealthinsurance.com/ehi/Alliance	1-800-977-8860
Aetna	http://www.aetna.com/members/individuals/index.html	1-800-MY HEALTH (1-800-694-3258) option 3.

You may find that these providers offer more competitive rates than using COBRA to continue your health care benefits. Note that this is not a complete list of providers and Qimonda is not necessarily endorsing one provider over others.

We recognize and deeply regret the impact this news will have on employees and their families.

If you have any questions, please send them to QNAquestions@qimonda.com.

Sincerely,

Miriam Martinez
President & CFO
Qimonda North America



February 3, 2009

Kevin Ryan

Dear Kevin:

As you have been informed, the Qimonda Richmond operations at 6000 Technology Boulevard, Sandston, Virginia related to the production of 300 mm wafers will be quickly ramped down due to the continued worsening of economic conditions in our industry, our inability to secure the necessary capital and financing that we were actively seeking to continue our operations in Richmond, as well as the unexpected cancellation of orders by our sole customer, Qimonda AG, resulting from its inability to complete its bailout financing. These factors have led to the decision to end production in our operating unit involved in the manufacture of these products permanently and in its entirety. We will begin the ramp down of this operating unit immediately and expect to cease manufacturing wafers within the next 30 days. After the manufacturing has ceased, we will use the time necessary to clean, shut down and preserve all the tools involved.

As a result of these issues, your continued employment will be adversely affected. The purpose of this letter is to give you notice that your employment with Qimonda will end on 2/13/2009, or within 14 days following this date.

When your Qimonda employment status changes or when your employment terminates, your coverage under the Qimonda benefit plans will be affected as follows:

- Group health plan coverage (Medical, Dental, Vision and Employee Assistance Program will terminate on your last day of employment, which is scheduled for 2/13/2009.

You will receive a packet of materials which is intended to assist you through this difficult time.

Thank you for your contributions to Qimonda. We wish you well in your future endeavors.

Sincerely,

A handwritten signature in cursive script, appearing to read "Miriam Martinez".

Miriam Martinez
President & CFO
Qimonda North America

A handwritten signature in cursive script, appearing to read "Thomas Fu".

Thomas Fu
VP & Managing Director
Qimonda Richmond

Qimonda North America
6000 Technology Boulevard, Sandston, Virginia 23150
(804) 952-6000