

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE DIVISION**

**IN RE:**

**PICCADILLY RESTAURANTS, LLC  
*ET AL.*,**

**DEBTORS**

\* **CASE NO. 12-51127**  
\*  
\* **JOINT ADMINISTRATION**  
\*  
\* **CHAPTER 11**  
\*  
\* **JUDGE ROBERT  
SUMMERHAYS**

**NOTICE TO WITHDRAW  
PROOF OF CLAIM NO. 47**

**NOW INTO COURT**, through undersigned counsel, comes Cora Ann Ball and Elwyn Ball (sometimes hereinafter “Mr. & Mrs. Ball”) who file their Notice to Withdraw Proof of Claim No. 47 in the amount of \$265,566.26 and respectfully represents:

1.

Mr. & Mrs. Ball filed their Motion (P-157) for an Order Modifying the Stay, pursuant to *11 U.S.C. §362(d)(1)*, to permit Mr. & Mrs. Ball to conclude their Appeal pending in the Louisiana Supreme Court, Case No. 2012-C-1448, entitled *Cora Ann Ball and Elwyn Ball vs. Piccadilly Restaurants, LLC and American Home Assurance Company* in a civil matter against Piccadilly Restaurants, LLC (sometimes hereinafter “Piccadilly” or “Debtor”) and its insurer, American Home Assurance Company (“American Home”) on October 1, 2012.

2.

A Consent Order Granting the Motion to Modify the Automatic Stay (P-321) was entered into the record on November 16, 2012 and Mr. & Mrs. Ball were allowed to conclude their Appeal pending in the Louisiana Supreme Court, Case No. 2012-C-1448, entitled *Cora Ann Ball and Elwyn Ball vs. Piccadilly Restaurants, LLC and American Home Assurance Company* in a civil matter against Piccadilly Restaurants, LLC and its insurer, American Home Assurance Company. The matter was resolved through the payment of the claim of Mr. & Mrs. Ball by a third party in January, 2013.

3.

As such, Mr. & Mrs. Ball pray that this Court Grant the Withdrawal of Proof of Claim No. 47 in the amount of \$ \$265,566.26 as the Louisiana Supreme Court, Case No. 2012-C-1448, entitled *Cora Ann Ball and Elwyn Ball vs. Piccadilly Restaurants, LLC and American Home Assurance Company* in a civil matter against Piccadilly Restaurants, LLC and its insurer, American Home Assurance Company has been resolved.

**WHEREFORE**, Cora Ann Ball and Elwyn Ball pray that this Honorable Court Withdraw their Proof of Claim No. 47 in the amount of \$265,566.26 in this matter.

Respectfully submitted,

*/s/ Phillip K. Wallace*

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**ATTORNEY FOR CORA ANN BALL  
AND ELWYN BALL**

**CERTIFICATE OF SERVICE**

I, Phillip K. Wallace do hereby certify that on June 10, 2013, I caused a copy of this forgoing Notice to Withdraw Proof of Claim No. 47 in the amount of \$265,566.26 to be served on the following listing via electronic mail and/or First Class Prepaid Mail.

Thomas Sanderman, Patrick L. McCune  
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Respectfully submitted,

*/s/ Phillip K. Wallace*

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