Fill in this information to identify the case:

Debtor 1 Restaurant Aquisition 1, LLC

Debtor 2 (Spouse, if filing) _____

United States Bankruptcy Court for the: District of Delaware

Case number 15-12406(kg)

Official Form 410

Proof of Claim

12/15

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached 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. **Do not send original documents;** they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to $500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

Part 1: Identify the Claim

1. Who is the current creditor?

Roberto Herrera
Name of the current creditor (the person or entity to be paid for this claim)

Other names the creditor used with the debtor _____

2. Has this claim been acquired from someone else?

☑ No
☐ Yes. From whom? _____

3. Where should notices and payments to the creditor be sent?

Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)

Where should notices to the creditor be sent?	Where should payments to the creditor be sent? (if different)
Roberto Herrera Name	Name
313 Magnolia Estates dr Number Street	Number Street
League City Tx 77573 City State ZIP Code	City State ZIP Code
Contact phone 713-677-9926	Contact phone _____
Contact email robertoaide@aol.com	Contact email _____

Uniform claim identifier for electronic payments in chapter 13 (if you use one):

_ _

4. Does this claim amend one already filed?

☑ No
☐ Yes. Claim number on court claims registry (if known) _____ Filed on _____ MM / DD / YYYY

5. Do you know if anyone else has filed a proof of claim for this claim?

☑ No
☐ Yes. Who made the earlier filing? _____

Restaurants Acquisition I
00199

Part 2: Give Information About the Claim as of the Date the Case Was Filed

6. Do you have any number you use to identify the debtor?

☐ No
☑ Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: 2 4 0 6

7. How much is the claim?

$ 11,684.53. **Does this amount include interest or other charges?**

☑ No
☐ Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. What is the basis of the claim?

Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card.

Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).

Limit disclosing information that is entitled to privacy, such as health care information.

Wages/salaries for 4 weeks and two days. Pat days 15 not included

9. Is all or part of the claim secured?

☑ No
☐ Yes. The claim is secured by a lien on property.

Nature of property:

☐ Real estate. If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.
☐ Motor vehicle
☐ Other. Describe: _____

Basis for perfection: _____

Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)

Value of property: $_____

Amount of the claim that is secured: $_____

Amount of the claim that is unsecured: $ 11,684.53 (The sum of the secured and unsecured amounts should match the amount in line 7.)

Amount necessary to cure any default as of the date of the petition: $_____

Annual Interest Rate (when case was filed)_____%

☐ Fixed
☐ Variable

10. Is this claim based on a lease?

☑ No
☐ Yes. **Amount necessary to cure any default as of the date of the petition.** $_____

11. Is this claim subject to a right of setoff?

☑ No
☐ Yes. Identify the property: _____

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?		Amount entitled to priority
A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.	☐ No	
	☑ Yes. *Check all that apply:*	
	☐ Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).	$
	☐ Up to $2,775* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).	$
	☑ Wages, salaries, or commissions (up to $12,475*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).	$ 4,988.90
	☐ Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).	$
	☐ Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).	$
	☐ Other. Specify subsection of 11 U.S.C. § 507(a)(__) that applies.	$
	☑ Bonus insentive plan	$ 6695.63

* Amounts are subject to adjustment on 4/01/16 and every 3 years after that for cases begun on or after the date of adjustment.

Part 3: Sign Below

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to $500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

☑ I am the creditor.
☐ I am the creditor's attorney or authorized agent.
☐ I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.
☐ I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that 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.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 10/03/2016
MM / DD / YYYY

Roberto Herrera
Signature

Print the name of the person who is completing and signing this claim:

Name: Roberto Herrera
First name | Middle name | Last name

Title: General Manager

Company: The Blackeyed Pea Restaurant
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address: 313 Magnolia Estates Dr
Number Street

League City | Tx | 77573
City | State | ZIP Code

Contact phone: 713-677-9926 | Email: robertoaide@aol.com

Bonus sheets

Period 3, 2016, Roberto Herrera GM unit # 2015

Period	Unit #	PY Sales	Current	Varianc	Increase %	PY OCF	Current	Variance
3	2015	$ 126,915	$ 140,602	$ 13,687	10.78%	$ 27,443	$ 43,115	$ 15,672
3	2027	$ 124,948	$ 116,232	$ (8,716)	-6.98%	$ 34,364	$ 29,049	$ (5,315)
3	2031	$ 103,645	$ 138,597	$ 34,952	33.72%	$ 18,907	$ 42,344	$ 23,437
3	2032	$ 165,495	$ 157,230	$ (8,265)	-4.99%	$ 52,941	$ 50,648	$ (2,293)
3	2035	$ 133,260	$ 117,069	$ (16,191)	-12.15%	$ 35,615	$ 28,379	$ (7,236)
3	2117	$ 129,788	$ 114,033	$ (15,755)	-12.14%	$ 33,363	$ 30,827	$ (2,536)

Total with Kicker	Sales But Not OCF	# of Mgrs	GM 50%	AGM 25%	AM 12.5%	DM 10%
$ 4,897.50	0.00	3	$ 2,448.75	$ 1,224.38	$ 612.19	$ 489.75
$ -	0.00	3				
$ 7,324.06	0.00	3	$ 3,662.03	$ 1,831.02		$ 732.41
$ -	0.00	3				
$ -	0.00	1				
$ -	0.00	3				

$ 1,222.16

Flow Thru	Bonus Pool OCF&Sales	Flow Thru Adj	Pool w/ Flow Thru Adj	Bonus Pool OCF Only	Extra Sales Kicker
114.5%	$ 3,918.00		$ 3,918.00	$ -	$ 979.50
61.0%	$ -		$ -	$ -	$ -
67.1%	$ 5,859.25		$ 5,859.25	$ -	$ 1,464.81
27.7%	$ -		$ -	$ -	$ -
44.7%	$ -		$ -	$ -	$ -
16.1%	$ -		$ -	$ -	$ -

Flow Thru Adj	
Percent of Flow Thru	Bonus Pool Adj
50% or more	None
40% to 49.99%	less 10%
30% to 39.99%	less 30%
20% to 29.99%	less 50%
10% to 19.99%	less 70%
0% to 9.99%	less 90%
Less than 0	100%

Period 4, 2016, Roberto Herrera GM unit 2015

Total with Kicker	Sales But Not OCF	# of Mgrs	GM 50%	AGM 25%	AM 12.5%	DM 10%
$ 3,048.13	0.00	3	$ 1,524.06	$ 762.03	$ 381.02	$ 304.81
$ -	0.00	3				
$ 296.00	0.00	3	$ 148.00	$ 74.00	$ 37.00	$ 29.60
$ -	0.00	3				
$ -	0.00	1				
$ 267.00	0.00	3	$ 133.50	$ 66.75	$ 33.38	$ 26.70
						$ 361.11

Flow Thru	Bonus Pool OCF&Sales	Flow Thru Adj	Pool w/ Flow Thru Adj	Bonus Pool OCF Only	Extra Sales Kicker
88.2%	$ 2,438.50		$ 2,438.50	$ -	$ 609.63
10.2%	$ -		$ -	$ -	$ -
-46.4%	$ -		$ -	$ 296.00	$ -
32.1%	$ -		$ -	$ -	$ -
12.5%	$ -		$ -	$ -	$ -
-76.0%	$ -		$ -	$ 267.00	$ -

Flow Thru Adj	
Percent of Flow Thru	Bonus Pool Adj
50% or more	None
40% to 49.99%	less 10%
30% to 39.99%	less 30%
20% to 29.99%	less 50%
10% to 19.99%	less 70%
0% to 9.99%	less 90%
Less than 0	100%

Period	Unit #	PY Sales	Current	Varianc	Increase %	PY OCF	Current	Variance
4	2015	$ 127,763	$ 138,824	$ 11,061	8.66%	$ 29,635	$ 39,389	$ 9,754
4	2027	$ 115,332	$ 110,112	$ (5,220)	-4.53%	$ 25,269	$ 24,738	$ (531)
4	2031	$ 101,714	$ 96,607	$ (5,107)	-5.02%	$ 17,644	$ 20,012	$ 2,368
4	2032	$ 165,831	$ 154,908	$ (10,923)	-6.59%	$ 53,044	$ 49,541	$ (3,503)
4	2035	$ 123,931	$ 116,281	$ (7,650)	-6.17%	$ 28,763	$ 27,808	$ (955)
4	2117	$ 114,532	$ 111,720	$ (2,812)	-2.46%	$ 23,299	$ 25,435	$ 2,136

Period 5, 2016, Roberto Herrera EM unit 2015

Total with Kicker	Sales But Not OCF	# of Mgrs	GM 50%	AGM 25%	AM 12.5%	DM 10%
$ 3,229.38	0.00	3	$ 1,614.69	$ 807.34	$ 403.67	$ 322.94
$ -	0.00	3				
$ -	0.00	3				
$ -	0.00	3				
$ -	0.00	1				
$ -	0.00	3				
						$ 322.94

Period	Unit #	PY Sales	Current	Varianc	Increase %	PY OCF	Current	Variance
5	2015	$ 125,190	$ 134,018	$ 8,828	7.05%	$ 26,822	$ 37,156	$ 10,334
5	2027	$ 112,704	$ 107,602	$ (5,102)	-4.53%	$ 26,701	$ 19,500	$ (7,201)
5	2031	$ 105,424	$ 97,082	$ (8,342)	-7.91%	$ 24,782	$ 20,881	$ (3,901)
5	2032	$ 163,719	$ 156,459	$ (7,260)	-4.43%	$ 54,535	$ 48,978	$ (5,557)
5	2035	$ 124,672	$ 111,168	$ (13,504)	-10.83%	$ 30,692	$ 24,485	$ (6,207)
5	2117	$ 120,839	$ 106,600	$ (14,239)	-11.78%	$ 31,991	$ 23,015	$ (8,976)

Flow Thru	Bonus Pool OCF&Sales	Flow Thru Adj	Pool w/ Flow Thru Adj	Bonus Pool OCF Only	Extra Sales Kicker
117.1%	$ 2,583.50		$ 2,583.50	$ -	$ 645.88
141.1%	$ -		$ -	$ -	$ -
46.8%	$ -		$ -	$ -	$ -
76.5%	$ -		$ -	$ -	$ -
46.0%	$ -		$ -	$ -	$ -
63.0%	$ -		$ -	$ -	$ -

Flow Thru Adj	
Percent of Flow Thru	Bonus Pool Adj
50% or more	None
40% to 49.99%	less 10%
30% to 39.99%	less 30%
20% to 29.99%	less 50%
10% to 19.99%	less 70%
0% to 9.99%	less 90%
Less than 0	100%

Period 6, 2016

Roberto Herrera GM of unit #2015

Period	Unit #	PY Sales	Current	Varianc	Increase %	PY OCF	Current	Variance
6	2015	$ 116,785	$ 130,677	$ 13,892	11.90%	$ 24,790	$ 31,882	$ 7,092
6	2027	$ 114,142	$ 104,404	$ (9,738)	-8.53%	$ 22,778	$ 18,052	$ (4,726)
6	2031	$ 99,475	$ 86,654	$ (12,821)	-12.89%	$ 20,483	$ 10,144	$ (10,339)
6	2032	$ 154,226	$ 145,782	$ (8,444)	-5.48%	$ 43,904	$ 40,565	$ (3,339)
6	2035	$ 116,278	$ 105,355	$ (10,923)	-9.39%	$ 23,921	$ 19,740	$ (4,181)
6	2117	$ 119,679	$ 98,160	$ (21,519)	-17.98%	$ 27,157	$ 17,116	$ (10,041)

Roberto Herrera GM unit 2015

Flow Thru	Bonus Pool OCF&Sales	Flow Thru Adj	Pool w/ Flow Thru Adj	Bonus Pool OCF Only	Extra Sales Kicker
51.1%	$ 1,773.00		$ 1,773.00	$ -	$ 443.25
48.5%	$ -		$ -	$ -	$ -
80.6%	$ -		$ -	$ -	$ -
39.5%	$ -		$ -	$ -	$ -
38.3%	$ -		$ -	$ -	$ -
46.7%	$ -		$ -	$ -	$ -

Flow Thru Adj	
Percent of Flow Thru	Bonus Pool Adj
50% or more	None
40% to 49.99%	less 10%
30% to 39.99%	less 30%
20% to 29.99%	less 50%
10% to 19.99%	less 70%
0% to 9.99%	less 90%
Less than 0	100%

Roberto Herrera GM unit #2015

Total with Kicker	Sales But Not OCF	# of Mgrs	GM 50%	AGM 25%	AM 12.5%	DM 10%
$ 2,216.25	0.00	3	$ 1,108.13	$ 554.06	$ 277.03	$ 221.63
$ -	0.00	3				
$ -	0.00	3				
$ -	0.00	3				
$ -	0.00	2				
$ -	0.00	3				

$ 221.63

US BANKRUPTCY COURT, DISTRICT OF DELAWARE

PROOF OF CLAIM FILING INFORMATION FOR

RESTAURANTS ACQUISITION I, LLC
CASE NO. 15-12406 (KG)

Debtor Name	**Case No.**
Restaurants Acquisitions I, LLC	15-12406

General Bar Date: March 14, 2016

Governmental Bar Date: May 30, 2016

If you would like to file a proof of claim:

Mail original proof of claim form(s) and copies of supporting documentation to:

If by regular mail
BMC Group, Inc.
Attn: RAI Claims Processing
PO Box 90100
Los Angeles, CA 90009

If by messenger or overnight delivery
BMC Group, Inc.
Attn: RAI Claims Processing
3732 West 120th Street
Hawthorne, CA 90250

Once filed, a "Filed" stamped copy of the proof of claim will be returned to the claimant Within (3) business days of docketing IF the claimant encloses a stamped, Self addressed envelope with a copy of the proof of claim.

Revised document. with bonus sheet