**UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE**

# PROOF OF CLAIM

100784

**YOUR CLAIM IS SCHEDULED AS**

sa41163

UNKNOWN UNSECURED CONTINGENT DISPUTED UNLIQUIDATED

In re

Exide Technologies

Case Number

02-11125

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

☐ Check 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 box if you have never received any notices from the bankruptcy court in this case

☐ Check box if this address differs from the address on the envelope sent to you by the court

The amounts reflected above constitute your claim as scheduled by the Debtor If you agree with the amounts set forth herein and have no other claim against the Debtor you do not need to file this proof of claim EXCEPT as stated below

**If the amounts shown above are listed as Contingent Unliquidated or Disputed a proof of claim must be filed**

If you have already filed a proof of claim with the Bankruptcy Court or BMC you do not need to file again

THIS SPACE IS FOR COURT USE ONLY

**Name of Creditor and Address**

02209278109726

JONATHAN DUNN
4500 CASSILL ST
COLUMBUS OH 43220

Creditor Telephone Number 614-499-6045

| CREDITOR TAX I D # | ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR | Check here if this claim ☐ replaces or ☐ amends a previously filed claim dated _____ |
|---|---|---|

**1 BASIS FOR CLAIM**

☒ Goods sold
☐ Services performed
☐ Money loaned
☐ Personal injury/wrongful death
☐ Taxes
☐ Other (describe briefly)
☐ Retiree benefits as defined in 11 U S C § 1114(a)
☐ Wages salaries and compensation (Fill out below)

Your social security number 287-58-9390

Unpaid compensation for services performed from 7/02 (date) to 3/03 (date)

**2 DATE DEBT WAS INCURRED** 7/25/02 THRU 3/03 1-25-03

**3 IF COURT JUDGMENT, DATE OBTAINED**

**4 TOTAL AMOUNT OF CLAIM AS OF PETITION DATE**

| $ 5299 63 | $ | $ | $ |
|---|---|---|---|
| (unsecured) | (secured) | (unsecured priority) | (total) |

**If all or part of your claim is secured or entitled to priority, also complete Item 5 or 6 below**

☐ Check this box if claim includes interest or other charges in addition to the principal amount of the claim Attach itemized statement of all interest or additional charges

**5 SECURED CLAIM**

☐ Check this box if your claim is secured by collateral (including a right of setoff)

Brief description of collateral

☐ Real Estate
☐ Motor Vehicle
☐ Other _____

Value of collateral $ _____

Amount of arrearage and other charges at time case filed included in secured claim above if any $ _____

**6 UNSECURED PRIORITY CLAIM**

☐ Check this box if you have an unsecured priority claim

Specify the priority of the claim

☐ Wages salaries or commissions (up to $4 650 ) earned within 90 days before filing of the bankruptcy petition or cessation of the Debtor s business whichever is earlier 11 U S C § 507(a)(3)

☐ Contributions to an employee benefit plan 11 U S C § 507(a)(4)

☐ Up to $2 100 of deposits toward purchase lease or rental of property or services for personal family or household use 11 U S C § 507(a)(6)

☐ Alimony maintenance or support owed to a spouse former spouse or child 11 U S C § 507(a)(7)

☐ Taxes or penalties owed to governmental units 11 U S C § 507(a)(8)

☐ Other Specify applicable paragraph of 11 U S C § 507(a) _____

*Amounts are subject to adjustment on 4/1/01 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment*

**7 CREDITS** The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim

**8 SUPPORTING DOCUMENTS** *Attach copies of supporting documents,* such as promissory notes purchase orders invoices itemized statements of running accounts contracts court judgments mortgages security agreements and evidence of perfection of lien DO NOT SEND ORIGINAL DOCUMENTS If the documents are not available explain If the documents are voluminous attach a summary

**9 DATE-STAMPED COPY To receive an acknowledgment of your claim please enclose a self-addressed stamped envelope and an additional copy of this proof of claim**

**The original of this completed proof of claim form must be sent by mail or hand delivered (FAXES NOT ACCEPTED) so that it is received on or before 4 00 pm, prevailing Eastern Time on July 26 2004**

**BY MAIL TO**
Exide Technologies et al
c/o Bankruptcy Management Corporation
PO Box 1063
El Segundo CA 90245 1063

**BY HAND OR OVERNIGHT DELIVERY TO**
Exide Technologies et al
c/o Bankruptcy Management Corporation
1330 East Franklin Ave
El Segundo CA 90245

**THIS SPACE FOR COURT USE ONLY**

FILED

JUL 15 2004

BMC

Exide Technologies

04170

| DATE SIGNED | **SIGN** and print the name and title if any of the creditor or other person authorized to file this claim (attach copy of power of attorney if any) |
|---|---|
| 7-12-04 | JONATHAN DUNN |

Penalty for presenting fraudulent claim is a fine of up to $500 000 or imprisonment for up to 5 years or both 18 U S C §§ 152 AND 3571

# BATTERY CLAIM

| | | | |
|---|---|---|---|
| 1 | 7-15 | Battery | $63 41 |
| 2 | 7-25 | Firestone (electrical) | $232 27 |
| 3 | 8-29 | Firestone (electrical) | $129 26 |
| 4 | 9-30 | Crown Cry (repairs) | $2920 81 |
| 5 | 10-2 | Enterprise (rental) | $1215 88 |
| 6 | 10-6 | Enterprise (deductible) | $500 00 |
| 7 | 1-25 | Discover (interest) | $200 00 |
| | | | $5261 63 |

3-17 CHARGING SYSTEM TEST 38 00

5299 63

**This total does not include the many hours spent traveling back and forth to repair shops and several return visits after the work was completed for further electrical inspections**

Jonathan S Dunn
Claim #B509112002

# EXIDE TECHNOLOGIES CLAIM FORM

INSTRUCTIONS

1 Use this form only if a claim is being made for recompense against property damage or injuries
2 Batteries must be retained for Exide inspection, but DO NOT RETURN IT TO ANY EXIDE LOCATION WITHOUT PRIOR INSTRUCTIONS FROM CLAIMS ADJUSTER
3 **Amount of Claim** is required and must be supported by copies of estimates for repair of property damage and medical bills for treatment of injuries
4 Attach copies of any customer complaint form dealing with this claim
5 Include Photos of damages and battery if available
6 For prompt attention, provide all requested information
7 PROOF OF PURCHASE REQUIRED WITH THIS CLAIM
8 Sign and date the claim form
9 Submit form to Claims Department
Exide Technologies
3000 Montrose Avenue
Laureldale PA 19605
Phone (610) 921-4478
Fax (610) 921-4451
BRENDA SANTIN
BSANTIN@EXIDEWORLD CC

CLAIMANT NAME JONATHAN S DUNN
ADDRESS 4500 CASSILL ST
COLUMBUS, OHIO
43220
TELEPHONE NO 614-451-8988
* 614-778-1892 CELL
PRESENT LOCATION OF BATTERY EXIDE

RETAILER NAME SAM'S CLUB
STORE NUMBER #6242
STORE ADDRESS 5870 SAWMILL RD
DUBLIN, OH 43017
TELEPHONE NO 614-760-7771
STORE CONTACT LARRY BANASZAK

DATE OF FIRST REPORT 9-6-02
DATE OF INCIDENT 7-25-02
DATE OF BATTERY PURCHASE 7-15 02
DATE INSTALLED 7-15-02
INSTALLED BY CUSTOMER X RETAILER

BATTERY TYPE CHDT 34
BATTERY BRAND CHAMPION
BATTERY CODES

VEHICLE MAKE CHRYSLER
VEHICLE MODEL TOWN & COUNTRY
VEHICLE YEAR 1999
NON VEHICLE/ OTHER

**AMOUNT OF CLAIM $** 526.63

DESCRIBE INCIDENT AND BASIS OF CLAIM
BATTERY LEAKED ON MAIN WIRING HARNESS REQUIRING A REPAIR of over 2 WEEKS. CLAIM IS FOR REPAIR AND ASSOCIATED COSTS.

TENDER OF THIS FORM BY EXIDE FOR COMPLETION IS NOT AN ADMISSION OF LIABILITY FOR DAMAGES

I AUTHORIZE EXIDE TECHNOLOGIES TO REMOVE THE SEALED COVER FROM THE BATTERY FOR THEIR EXAMINATION AND TESTING AND PERFORM ADDITIONAL DIAGNOSTIC AND/OR DESTRUCTIVE TESTING, IF NECESSARY

Submitted by (Please Print) JONATHAN DUNN
Telephone No 614-451-8988 Home
* 614-778-1292 Cell
Submittee by (Signature)
Date 1-25-03

cc Bob Heinrich

FOR OFFICE USE ONLY BS09112002

WAL-MART STORES, INC
C/O CLAIMS MANAGEMENT, INC
P O BOX 8083
BENTONVILLE, AR 72712-8083

1-800-527-0566

20514

09/10/2002

Exide Technologies
Attn Brenda Santin
3000 Montrose Ave
Laureldale, PA 19605
Phone (610) 921-4478

Date of Loss 09/06/2002
File # L2817752
Club # 6242 Larry Banaszak
5870 Sawmill Road
Dublin, OH 43017
Phone (614) 760-7771

Re Jonathan Dunn
4500 Cassill
Upper Arlington ,OH 43220

Customer Phone Number
(614) 778-1892
(614) 451-8988

Dear Claims Dept

I have been notified that one of our customers has experienced a problem with your product Champion Battery (leaked on wires in van, clmt needed rental car also)

PLEASE CONTACT THE CUSTOMER AND ASSUME THE HANDLING OF THIS CLAIM OR REQUEST THAT YOUR LIABILITY CARRIER TAKE OVER THE MATTER WE ASK THAT THE CUSTOMER BE CONTACTED AS SOON AS POSSIBLE

Vendor No 115600
UPC No 8082439433
Item No 305889
Location of Product CUSTOMER has the battery

Model/Stock No CHDT 34
Date of Purchase July 15, 2002

By copy of this letter to our customer, I am advising them of our request, and notifying you to contact the customer for further information Please notify us of the final disposition

If you have any further questions you may contact me at 800-527-0566, extension 20514

Thank you for your anticipated cooperation

Sincerely,

Jeremiah Sanders
Product Case Manager
Product Specialty Team

c Mike McKinney Department # 10 Buyer 0745
Jonathan Dunn - Customer, File

Claims Management, Inc
(dba)
Claims Management, Inc of Arkansas
Arkansas Claims Management, Inc

EXIDE

Dear Exide Customer

Thank you for contacting Exide Technologies regarding your situation, we apologize for the inconvenience you have experienced

If you are interested in filing a claim, please take a moment to complete the enclosed battery claim form and return it to the address listed on the form All claims require a claim amount with an estimate or receipt to substantiate the amount Claims submitted with missing/incomplete information will be returned to you for completion Upon receiving all the requested information, Exide will proceed with an investigation

At this time, we are requesting that you secure the battery in question If the battery has been returned to the store, please alert the manager to secure the battery Exide may retrieve the battery to be tested for manufacturing defects Arrangements to retrieve the battery would be made after all the claim information is received

Thank you for your cooperation

Brenda Santin

Brenda Santin
Claims Department

CLAIMS MANAGEMENT, INC
P O BOX 8083
BENTONVILLE, AR 72712-8083

479-621-2900

JEREMIAH
800-527-0566 x20514
3-17 left MESSAGE (JEREMIAH)
3-17 [redacted] CHRIS HOWISON
LEFT MESS
JEREMIAH SUPPLIES.
NEVER RETURNED

02/25/2003

Jonathan Dunn
4500 Cassill
Upper Arlington , OH 43220

Jonathan Dunn - Wal-Mart Stores, Inc
File # L2817752
Date of Loss 09/06/2002
Store # 6242

Dear Mr Dunn

Claims Management, Inc , is the claims handler for Wal-Mart Stores Inc , and for their insurance carrier, concerning customer incidents

We have given your claim careful consideration, and according to our investigation, the incident was not caused by any negligence of Wal-Mart Stores, Inc We must therefore respectfully deny your claim for damages

If you have any questions regarding this matter, please feel free to contact me at (800) 527-0566, extension 20514
Thank you for your understanding

Sincerely,

Jeremiah Sanders
Product Case Manager

Crown Chrysler Jeep Inc
dba Crown Kia
6520 Perimeter Loop Road
Dublin Ohio 43017
(614) 761 2360
(614) 791-8220 FAX

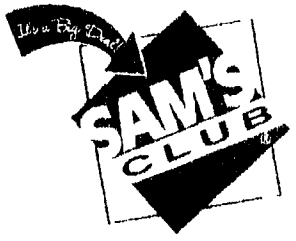
TO WHOM IT MAY CONCERN

MR DUNN BROUGHT HIS 1999 CHRYSLER TOWN & COUNTRY TO CROWN CHRYSLER 09-04-02 WITH CONCERNS THST THE VEHICLE IS HARD TO START WE INITIALLY FOUND FAULT THE BODY CONTROL MODULE WHICH WOULD HAVE BEEN UNDER WARRANTY ,WE ORDERED PART & UPON INSTALLATION FOUND MAIN & SECONDARY ENGINE WIRING HARNESS' DAMAGED BY BATTERY ACID,WE INSPECTED AND FOUND THE VENTS AT BACK SIDE OF 'CHAMPION' BATTERY HAD LEAKED ACID ON HARNESS' AND SHORTED SYSTEM HAD TO REPLACE WIRING HARNESS' AND BATTERY- TO CORRECT(SEE RO#83292)

ANY QUESTIONS FEEL FREE TO CALL MARK BYRNES AT (614)761-2360 X 2223

SINCERLY

MARK A. BYRNES




DUBLIN,OH

07/15/02 20 00 7182 6242 008 517

W MEMBER 101-10028617439
JONATHAN DUNN

| | | |
|---|---|---|
| 305889 CHDT34 BTRY | | 59 96 T |
| TAX 1 | 5 750 % | 3 45 |
| | TOTAL | 63 41 |
| | CASH TEND | 65 01 |
| | CHANGE DUE | 1 60 |

# ITEMS SOLD 1

TC# 6119 7598 8376 6822 5146

SHOP US ONLINE WWW SAMSCLUB COM
07/15/02 20 00 44

CROWN

Crown Chrysler Plymouth
Jeep Eagle, Inc
6520 Perimeter Loop Rd.
Dublin, Ohio 43017

(614) 761-2360
(614) 766-8531
(PARTS DEPARTMENT)

**DISCLAIMER OF WARRANTIES**

Any warranties on the products sold hereby are those made by the manufacturer The Seller hereby expressly disclaims all warranties either express or implied including any implied warranty of merchantability or fitness for a particular purpose and neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of said products

No refunds returns or exchanges on electrical or special ordered items Returned mdse subject to 20% handling charge All special ordered parts must be paid for 100% in advance No refunds or returns after 10 days In case of litigation for collection of this bill, attorney's fees and court costs will be paid by the customer

I ACKNOWLEDGE RECEIPT OF THE PARTS AND/OR LABOR LISTED BELOW X Prepay

---- --- ---------- INVOICE TO ---------- ------ ---- ------ DRIVER/OWNER INFORMATION - INVOICE # [illegible]

DUMM JONATHAN & STEPHANIE

DUMM JONATHAN & STEPHANIE

- ---------- ------ FOR OFFICE USE ------ - ---------- ------- ---------- VEHICLE INFORMATION ---------- ----

THIS SPACE ADV TO BYRNES, IN DICED 09/30/2001 [illegible] 28 [illegible] MC TOWNSCNTRY COLI LICENSE NUMBER OH PZ[illegible]

---------- ---------- ---------- ---------- ---------- ----------

------ -- --------- ------ -- ---- - --- -- --------- GRAND TOTALS ---------- ------- ----------

| SUMMARY OF CHARGES FOR INVOICE [illegible] | | PAYMENT DISTRIBUTION FOR INVOICE OF [illegible] | |
|---|---|---|---|
| PARTS | 1607 0[illegible] | TOTAL CHARGE | [illegible] |
| SUPPLIES | 15 00 | | |
| LAB-MECHANICAL | 1140 0[illegible] | CASH DUE | [illegible] |
| SUB-TOTAL | 2762 00 | | |
| TAX | 158 [illegible] | | |
| TOTAL CHARGE | 2920 91 | | |

pd

TO [illegible]
04 15-0[illegible], RALL MADE RE; RECALL
ATTENTION: THE FOLLOWING INVOICES ALSO EXIST
WF WARRANTY
IF YOU HAVE ANY QUESTIONS PLEASE SEE MARY BYRNES
THANK YOU FOR CHOOSING CROWN CDJE
MOST REPAIRS ARE WARRANTIED FOR 12 MONTHS AND 12 [illegible] MILES, [illegible]
WARRANTY IS ON FACTORY SUPPLIED PARTS AND DOES NOT EXTEND THE
MANUFACTURERS WARRANTY BEYOND THE BASIC WARRANTY PERIOD SOME BRAKE
COMPONETS ONLY HAVE A 12,000 MILE/12 MONTH WARRANTY REMANUFACTURED
COMPONETS MAY HAVE A 3A MONTH/36,000 MILE WARRANTY

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RENTAL AGREEMENT
PAGE 1 OF 1

SUMMARY OF CHARGES

ADDITIONAL DRIVER
JOHNNY LUNCHMEAT
LICENSE # F3770-230
STATE OF EXPIRES 2 06/05 AGE 35

PERMISSION TO LEAVE STATE

CUSTOMER SIGNATURE ON FILE

PAYMENT INFORMATION

SALES TAX 5.75 60.11

TOTAL CHARGES 215.88

DEPOSIT 1215.88
REFUND

CLOSED TICKET PAYMENT INF

# CROWN


own Chrysler Plymouth
Jeep Eagle, Inc
6520 Perimeter Loop Rd
Dublin, Ohio 43017

(614) 761-2360

(614) 766-8531
(PARTS DEPARTMENT)


**DISCLAIMER OF WARRANTIES**

Any warranties on the products sold hereby are those made by the manufacturer The Seller hereby expressly disclaims all warranties either express or implied including any implied warranty of merchantability or fitness for a particular purpose and neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of said products

No refunds returns or exchanges on electrical or special ordered items Returned mdse subject to 20% handling charge All special ordered parts must be paid for 100% in advance No refunds or returns after 10 days In case of litigation for collection of this bill attorney s fees and court costs will be paid by the customer

I ACKNOWLEDGE RECEIPT OF THE PARTS AND/OR LABOR LISTED BELOW X_____

--- -------- -- INVOICE TO ---- - --- ----- -- -- - --- -- SERVICE INFORMATION INVOICE DATA

BLANK, ST MYANTE M — BLANK STEPHANIE M

- - ----- -- CUSTOMER USE ---- -- -- - - - -- ---- --- - - - TRUCK INFORMATION -- - - -------

TWO 2761 ANY 4 TO BE USED NOTED C/O PAGE 1 OF 2 COMMENTARY CODE CLAIM NUMBER DO-ZZ 4DR

----- ------------ -- -- -- - --- - - - ***** QUOTE & SO, INV PO ***- - ---- -- - -- -- -------- - - - -------

| CORRECTION | SERVICED TRANS | | | | | | |
|---|---|---|---|---|---|---|---|
| | PART NUMBER | POS | NOTE | DESCRIPTION | QTY | SELL | AMOUNT |
| | CHC J486450SAB | | | FLTR PKG TRANSMISSION | 1 | 5 50 | 50 |
| | CHC 05010294AA | | | TRACK PIN | 4 | 7 38 | 7 38 |
| | CHC 05010174AA | | | FLUID ATF, TRANS AUT | 1 | 6 62 | 6 62 |

FACTORY TECH 324 PERSINGER DANI

--------- --- SUBTOTAL - -- ---- --- -

PARTS 55 56
LAB MECHANICAL 39 75
TYPE C TOTAL CHARGE FOR CONCERN 117 35

---- ---------- - - -------- -------- -- --- - ---- -- - - --- ---- --- ------ -- ---- - - --- --- - --- --

| CONCERN 35 | PERFORM CHARGING SYSTEM TEST-NOTE ALTERNATOR OUTPUTS AND BATTERY OUTPUTS | OPERATION | TECH | ITEM | AMOUNT |
|---|---|---|---|---|---|
| CORRECTION | BATTERY AT 12.7 VOLTS ALT OUTPUT 120 AMP AT 13 VOLTS BAT LOAD 1 | 45 | 324 | F1 | 0 00 |
| COMMENT | OPS TO 10 VOLTS AT 200 AMP, ALL WITHIN NORMAL LIMITS | | | | |
| FACTORY | TECH 324 - PERSINGER DANI | | | | |

-- ------ -- SUBTOTAL --- - --

LAB-MECHANICAL 39 00
TYPE: C TOTAL CHARGE FOR CONCERN 39 00

-- -------- -- ---------- --------- --------- ------ GRAND TOTALS -- -- ---- ---- - --- ------- - --- --- -- ---- -

| SUMMARY OF CHARGES FOR INVOICE 0 740 | | PAYMENT DISTRIBUTION FOR INVOICE 0740 | |
|---|---|---|---|
| PARTS | 55 00 | TOTAL CHARGE | 117 35 |
| SUPPLIES | 12 00 | | |
| LAB-MECHANICAL | 150 75 | AMT P | 200 00 |
| 25% CHARGE TO 1070 | 11 34- | | |
| SUB-TOTAL | 207 17 | | |
| TAX | 11 [illegible] | | |
| TOTAL CHARGE | 219 09 | | |

76 00
WE E-DO CALL MADE RE, ED-IL
IF YOU HAVE ANY QUESTIONS PLEASE SEE MI LAM A PARTS
THANK YOU FOR CHOOSING TOWN OF E
MOST REPAIRS ARE WARRANTED FOR 12 MONTH 4NF , 00 MI 23
REFERENCE 1 TIMES

CANARY = CUSTOMER COPY / PARTS


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Crown CH
6570 Perimeter
Dublin Oh

TERMINAL I D
MERCHANT #

VISA
414729930015?7420*
SALE
BATCH 000007
DATE. MAR 14 03
RPH 03830037
ORDER #: 01
AVS CODE' Z
CVV2 RESPONSE S

EXP 06/10
TRACE 598846
TIME 1/.37
AUTH NO 014120

TOTAL $219.08

X

I AGREE TO PAY ABOVE TOTAL AMOUNT
ACCORDING TO CARD ISSUER AGREEMENT
(MERCHANT AGREEMENT IF CREDIT VOUCHER)

# CROWN

uth

Rd

(614) 761-2360

(614) 766-8531

(PARTS DEPARTMENT)

**ER OF WARRANTIES**

ıose made by the manufacturer The Seller hereby expressly
l including any implied warranty of merchantability or fitness
r authorizes any other person to assume for it any liability in

No refunds returns or exchanges on electrical or special ordered items Returned mdse subject to 20% handling charge All special ordered parts must be paid for 100% in advance No refunds or returns after 10 days In case of litigation for collection of this bill attorney s fees and court costs will be paid by the customer

PARTS AND/OR LABOR LISTED BELOW X

OPERATION

32

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# Continuing problems

1. **A/C – Heater air blower comes on and stays on high. Cannot be shut off.**
2. **Front passenger window will come down, but will not go back up**

**Van has been returned 3 times to correct these problems. They have been unable to discover the cause**