

**PROOF OF CLAIM**

101730  
**YOUR CLAIM IS SCHEDULED AS**  
sa42109  
UNKNOWN UNSECURED CONTINGENT  
DISPUTED UNLIQUIDATED

In re  
Exide Technologies  
  
P268-069209-01

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**  
 02209278109532  
Elizabeth Fisher  
~~JACKIE DELONG~~ CLAIM REPRESENTATIVE  
SEARS C/O HELMSMAN MGMT SVCS INC  
1000 PLAZA DR STE 000 PO Box 768  
SCHAUMBURG IL 60173-7900  
MISAWAKA IN 46546 0768

Creditor Telephone Number (800) 348-2478 X 2506  
CREDITOR TAX ID # 04-2791584  
ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR P268-069209-01

Check here  replaces or amends a previously filed claim dated \_\_\_\_\_

**1 BASIS FOR CLAIM**  
 Goods sold  Personal injury/wrongful death  Retiree benefits as defined in 11 U.S.C. § 1114(a)  
 Services performed  Taxes  Wages, salaries and compensation (Fill out below)  
 Money loaned  Other (describe briefly) Battery leaked and damaged etc  
Your social security number \_\_\_\_\_  
Unpaid compensation for services performed from \_\_\_\_\_ to \_\_\_\_\_  
(date) (date)

**2 DATE DEBT WAS INCURRED** 08-16-2000 **3 IF COURT JUDGMENT, DATE OBTAINED**

**4 TOTAL AMOUNT OF CLAIM AS OF PETITION DATE** \$ 440.58 (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**  
AUG 04 2004  
**BMC**  
Exide Technologies  
  
04652

**DATE SIGNED** 7/29/2004  
**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).  
Elizabeth A Fisher for Helmsman Management Service

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

PAGE 01	CHECK LIST (CK)	SPEC CLM SERV H
INSD SEARS ROEBUCK AND CO	DOL 08/16/2000	CLAIM NO P 268-069209-01 HO2
CLMT ABBE, PAT		CLAIM STATUS O

SV NO	CH/EFT NO	PAYEE	PYMT AMT	ISSUE DATE	T/C PR	RV R/R	ID
001	00101074	PAT ABBE	440 58	01/03/2001		00	C268B07

SKIP TO DATE

ENTER SV NO AND  
 SP CMSP R+C CMR+C STATUS STOP PRINT DISPLAY CORR MENU  
 R/R ST MESSAGE

SCREEN SUFFIX REMARKS Y ID A499B10

S



Helmsman  
Management  
Services, Inc

NOTICE OF RELEASE AND  
SETTLEMENT OF CLAIM

Pat Abbe - Sears Roebuck & Co  
File No P268-069209-01

For the sole consideration of  
Four Hundred Forty Dollars And 58/100 (\$440.58) The undersigned hereby  
releases and forever discharges

SEARS ROEBUCK & COMPANY, HELMSMAN MANAGEMENT SERVICES,  
EXIDE, and all other persons, firms and corporations from all claims and  
demands, rights and cause of action of any kind the undersigned now has or  
hereafter may have on account of or in any way growing out of Personal injuries  
known or unknown to me/us at the present time and Property Damage resulting  
or to result from an occurrence which happened on or prior to, August 16<sup>th</sup>, 2000,  
and do hereby covenant to indemnify and save harmless the said party or parties  
from against all claims and demands whatsoever on account of or in any way  
growing out of said occurrence or its results both to person and property This  
release expresses a full and complete SETTLEMENT of a liability claimed and  
denied, regardless of the adequacy of the above consideration, the acceptance of  
this release shall not operate as an admission of liability on the part of anyone  
nor as estoppel, waiver or bar with respect to any claim the party or parties  
released may have against the undersigned Witness my hand and seal

X) Dated 12/28 / 2000

YOU ARE MAKING A FINAL  
SETTLEMENT THIS IS A RELEASE  
READ BEFORE SIGNING

(4) \_\_\_\_\_  
(Witness Signature)

\_\_\_\_\_  
(Address)

(5) \_\_\_\_\_  
(Witness Signature)

\_\_\_\_\_  
(Address)

X) I/WE A PATRICK ABBE  
[Signature]  
(Signature)

(3) \_\_\_\_\_  
(Signature)

\_\_\_\_\_

S



**CRUISE N' COOL**  
**480 East Copans Road**  
**Pompano Beach, FL 33064**  
**(954) 786-1219**

Customer  
 Address  
 City, State  
 Day Phone  
 Night Phone  
 Fax  
 Date August 16, 2000  
 Time 01 11 PM

Service Writer  
 Service Tech  
  
 VID  
 Mileage

Vehicle 1995 Saab 900 SE Coupe 4-1985cc 2.0L DOHC Turbo EFI

Description	Part #/Labor Rate	Qty	Price/Time	Extended
VC Hose/Line				
AC Hoses Compressor to Evaporator Parts And Prices For Estimating Purpose Only	4230496	1	135 20	135 20
Replace One (B) Does Not Include Refrigerant Recovery Or Evacuate & Recharge AC System	Labor 65 00 / hr	1	1 30	84 50
34 A Evacuate & Re-Charge Evacuate & Re-charge A/C System		1	69 00	69 00
	<b>Labor Total</b>			84 50
	<b>Parts Total</b>			204 20
	<b>Sub-Total</b>			288 70
	<b>Labor Tax</b> 6 0%			5 07
	<b>Parts Tax</b> 6 0%			12 25
	<b>Tax Total</b>			17 32
	<b>Total</b>			<b>\$ 306 02</b>

THANK YOU

ALREADY DONE 134.50  
 \$440.58  
 TOTAL

Signature \_\_\_\_\_ Date \_\_\_\_\_

5

1000 Plaza Dr  
Suite 600  
Schaumburg Illinois 60173-7900

Telephone 800-811-8175  
Fax 847-517-2540



Helmsman  
Management  
Services, Inc

September 8, 2000

Exide Corporation  
645 Penn Street  
Reading, PA 19601  
Attn Brenda/Sheila

**FILE**

RE Pat Abbe - Sears, Roebuck & Co  
Claim Number P268-069209-01

To whom it may concern

Helmsman Management Services, Inc is the third party administrator for Sears, Roebuck & Co The above-captioned claim for damages has been made against Sears alleging liability arising out of the sale of your product We hereby tender complete defense and indemnification of Sears to you and your insurance company

Specifically, the claimant, Mr Abbe, alleges that on August 16<sup>th</sup>, 2000, the battery he purchased from Sears on 04/08/99, leaked and caused damage to his vehicle The battery has a model number of 36247 and the store is in possession of it at this time Mr Abbe, resides at 3551 NW 97<sup>th</sup> Terrace, Pompano Beach, FL 33065 He has a home phone number of 954-753-6751 Via carbon copy of this letter, we have advised the claimant of the tender of this claim to you

Your relationship with Sears requires that you add Sears as an additional insured on your insurance policy You also agreed to indemnify and hold harmless Sears for any liability it has arising out of the sale of the product

As a result, I request that you forward this tender to your insurer, and that you and your insurer agree to accept Sears' complete defense and indemnity with respect to this claim Please confirm within thirty (30) days that you and your insurance company will accept the complete defense and indemnification of Sears If confirmation is not received by that time, Helmsman and Sears will take whatever actions necessary to enforce your obligations to Sears

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Should you have any questions in this regard, please feel free to contact me at  
800-811-8175, ext 2492

Sincerely,

A handwritten signature in cursive script that reads "Elsa Perez".

Elsa Perez  
Claims Representative

cc Pat Abbe, claimant

Sears Roebuck & Co , customer  
Sears Auto Center  
2251 North Federal Highway  
Pompano Beach, FL 33062  
Attn Manny Felu  
954-783-1128

S



100 LINCOLN WAY WEST  
MISHAWAKA, IN 46544

PRESORTED  
FIRST CLASS



02 1A  
0004320170  
MAILED FROM ZIP CODE 46544  
\$ 05.75<sup>0</sup>  
JUL 30 2004

# FIRST CLASS MAIL

FROM



**Liberty  
Mutual™**

CENTRAL RECOVERY UNIT  
1 LIBERTY SQUARE  
100 LINCOLNWAY WEST  
MISHAWAKA, IN 46544

TO

EXIDE TECHNOLOGIES ET AL  
C/O BANKRUPTCY MANAGEMENT CORPORATION  
PO BOX 1063  
EL SEGUNDO CA 90245-1063

REC'D AUG 04 2004

*Please Handle Carefully*