

Fill in this information to identify the case:

Debtor 1 Fresh Acquisitions, LLC

Debtor 2 _____
(Spouse, if filing)

United States Bankruptcy Court for the: Northern District of Texas, Dallas Division

Case number 21-30721-hdh11

E-Filed on 04/30/2021
Claim # 30

Official Form 410

Proof of Claim

04/19

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?		<u>City of Sulphur Springs</u> 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?		<input checked="" type="checkbox"/> No <input type="checkbox"/> 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)
	<u>Linebarger Goggan Blair & Sampson, LLP</u> Name <u>2777 N Stemmons Fwy Ste 1000</u> Number Street <u>Dallas TX 75207</u> City State ZIP Code Contact phone <u>(214) 880-0089</u> Contact email <u>dallas.bankruptcy@lgbs.com</u> Uniform claim identifier for electronic payments in chapter 13 (if you use one): _____		_____ Name _____ Number Street _____ City State ZIP Code Contact phone _____ Contact email _____
4. Does this claim amend one already filed?		<input checked="" type="checkbox"/> No <input type="checkbox"/> 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?		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing? _____	

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: _____

7. How much is the claim? \$ 415.13. 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.
AD Valorem Taxes

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: \$ _____ (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. \$ 0.00

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)?

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 one:

☐ Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).

Amount entitled to priority

\$ 0.00

☐ Up to \$3,025* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).

\$ 0.00

☐ Wages, salaries, or commissions (up to \$13,650*) 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).

\$ 0.00

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

\$ 0.00

☐ Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).

\$ 0.00

☐ Other. Specify subsection of 11 U.S.C. § 507(a)() that applies.

\$ 0.00

* Amounts are subject to adjustment on 4/01/22 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 04/30/2021
MM / DD / YYYY

Laurie A. Spindler
Signature

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

Name Laurie A. Spindler
First name Middle name Last name

Title Attorney TXBN 24028720

Company Linebarger Goggan Blair & Sampson, LLP
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address
Number Street

City State ZIP Code

Contact phone Email

Terri Marshall

From: Michael Alvis <Michael.Alvis@lgbs.com>
Sent: Monday, May 3, 2021 6:46 AM
To: Info
Cc: Michael Alvis
Subject: POC Fresh Acquisitions, LLC - 21-30721

Greetings,

Tina Marie referred us to your group for assistance.

Case # 21-30721

Fresh Acquisitions, LLC

Claim #30 – City of Sulphur Springs
Filed 4/30/2021

Update needed: Please indicate this claim as secured.

Thank you,

Mike

Michael Alvis
Researcher
Dallas Office
Linebarger Goggan Blair & Sampson, LLP
Attorneys at Law
2777 N. Stemmons Freeway, Suite 1000
Dallas, TX 75207
Michael.Alvis@lgbs.com
Main: (214) 880-0089
Direct: (469) 221-5031
Fax: (469) 221-5003
<http://www.lgbs.com/>

CONFIDENTIALITY STATEMENT

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Attachment 1 - POC City of Sulphur Springs 21-30721.pdf

Description -

Fill in this information to identify the case:

Debtor 1 **FRESH ACQUISITIONS, LLC**

Debtor 2
(Spouse, if filing)

United States Bankruptcy Court for the: **Northern** District of **TX**

Case number **21-30721** Chapter **11**

Official Form 410

Proof of Claim

04/19

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?	<u>City of Sulphur Springs</u> 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?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes From whom? _____				
3. Where should notices and payments to the creditor be sent? Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	<table><tr><td>Where should notices to the creditor be sent?</td><td>Where should payments to the creditor be sent? (If different)</td></tr><tr><td colspan="2">LINEBARGER GOGGAN BLAIR & SAMPSON, LLP 2777 N. STEMMONS FREEWAY SUITE 1000 DALLAS, TX 75207 (214) 880-0089 dallas.bankruptcy@publicans.com Uniform claim identifier for electronic payments in chapter 13 (if you use one): _____</td></tr></table>	Where should notices to the creditor be sent?	Where should payments to the creditor be sent? (If different)	LINEBARGER GOGGAN BLAIR & SAMPSON, LLP 2777 N. STEMMONS FREEWAY SUITE 1000 DALLAS, TX 75207 (214) 880-0089 dallas.bankruptcy@publicans.com Uniform claim identifier for electronic payments in chapter 13 (if you use one): _____	
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4. Does this claim amend one already filed?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Claim number on court claims registry (if known) _____ Filed On: _____				
5. Do you know if anyone else has filed a proof of claim for this claim?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Who made the earlier filing? _____				

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

6. Do you have any	<input type="checkbox"/> No
--------------------	-----------------------------

number you use to identify the debtor?	<input checked="" type="checkbox"/> Yes Last 4 digits of the debtor's account or any number you use to identify the debtor: _____ SEE ATTACHED EXHIBITS										
7. How much is the claim?	\$ <u>\$415.13</u> Does this amount include interest or other charges? <div style="text-align: center;"> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Attach statement itemizing interest, fees, expenses or other charges required by Bankruptcy Rule 3001(c)(2)(A). </div>										
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. <div style="text-align: center; border-top: 1px solid black; border-bottom: 1px solid black; margin: 10px 0;"> AD VALOREM TAXES </div>										
9. Is all or part of the claim secured?	<div> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes The claim is secured by a lien on property. </div> <div style="margin-top: 10px;"> Nature of property: <input type="checkbox"/> Real Estate. If claim is secured by the debtor's principal residence, file a <i>Mortgage Proof of Claim</i> Attachment (Official Form 410-A) with this Proof of Claim. <input type="checkbox"/> Motor Vehicle <input checked="" type="checkbox"/> Other. Describe: <u>SEE ATTACHED EXHIBITS</u> </div> <div style="margin-top: 10px;"> Basis for perfection: <u>Secured by Tax Lien §§ 32.01 and 32.05 of the Texas Property Tax Code. Secured claim to extent of collateral value. Unsecured Priority claim [11 U.S.C. 507 (a)(8)] to extent of any shortfall in collateral value and for personal liability.</u> 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.) </div> <div style="margin-top: 10px;"> Value of property: \$ <u>SEE ATTACHED EXHIBITS</u> Amount of the claim that is secured: \$ <u>\$415.13</u> Amount of the claim that is unsecured: \$ _____ (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: \$ <u>\$415.13</u> Annual Interest Rate (when case was filed) <u>12%</u> <input checked="" type="checkbox"/> Fixed <input type="checkbox"/> Variable </div>										
10. Is this claim based on a lease?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Amount necessary to cure any default as of the date of the petition. \$ _____										
11. Is this claim subject to a right of setoff?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Identify the property: _____										
12. Is all or part of the claim entitled to priority under 11 U.S.C. 507(a)? <small>A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.</small>	<div> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <i>Check all that apply:</i> </div> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 80%;"></th><th style="width: 20%; text-align: right; font-weight: normal;">Amount entitled to priority</th></tr> </thead> <tbody> <tr> <td><input type="checkbox"/> Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).</td><td style="text-align: right;">\$ _____</td></tr> <tr> <td><input type="checkbox"/> Up to \$3,025* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).</td><td style="text-align: right;">\$ _____</td></tr> <tr> <td><input type="checkbox"/> Wages, salaries, or commissions (up to \$13,650*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier.</td><td style="text-align: right;">\$ _____</td></tr> <tr> <td><input type="checkbox"/> Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).</td><td style="text-align: right;">\$ _____</td></tr> </tbody> </table>		Amount entitled to priority	<input type="checkbox"/> Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).	\$ _____	<input type="checkbox"/> Up to \$3,025* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).	\$ _____	<input type="checkbox"/> Wages, salaries, or commissions (up to \$13,650*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier.	\$ _____	<input type="checkbox"/> Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).	\$ _____
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<input type="checkbox"/> Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).	\$ _____										

	<input type="checkbox"/> Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5). \$ _____ <input type="checkbox"/> Other. Specify subsection of 11 U.S.C. § 507(a)(____) that applies. \$ _____
<small>* Amounts are subject to adjustment on 4/01/22 and every 3 years after that for cases begun on or after the date of adjustment.</small>	

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 co-debtor. 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 4/29/2021

/s/Laurie A. Spindler

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

Name : Laurie A. Spindler

Title : Attorney TXBN 24028720

Company : LINEBARGER GOGGAN BLAIR & SAMPSON, LLP

Address : 2777 N. STEMMONS FREEWAY
 SUITE 1000
 DALLAS, TX 75207
 (214) 880-0089

dallas.bankruptcy@publicans.com

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

IN RE:	§	
	§	CASE NO. 21-30721
FRESH ACQUISITIONS, LLC	§	
	§	
DEBTOR	§	CHAPTER 11
	§	

**City of Sulphur Springs
PROOF OF CLAIM SUMMARY OF EXHIBITS**

<u>Exhibit No.</u>	<u>Account No.</u>	<u>Tax Years included in Claim</u>	<u>Amount Due</u>
1	75-FURRS-0910	2020-2021 EST	\$415.13
TOTAL:			\$415.13

CITY OF SULPHUR SPRINGS

DELINQUENT TAX STATEMENT

125 S DAVIS
SULPHUR SPRINGS, TX 75482

Date: 04/29/2021

ACCOUNT NO : P000980
PROPERTY ID: 75-FURRS -0910
LOCATION : 1300 MOCKINGBIRD LN

PROPERTY OWNER

FRESH ACQUISITIONS LLC

ATTN: PROP TAX DEPT
120 CHULA VISTA
HOLLYWOOD PARK, TX 78232-0000

AMOUNT DUE IF PAID IN:
APRIL 228.22
MAY 232.33
JUNE 236.44
JULY 278.99

TO PAY ONLINE, GO TO
<http://www.texaspayments.com>

----- (cut here) ----- RETURN THIS PORTION WITH YOUR PAYMENT -----
RETAIN THIS PORTION FOR YOUR RECORDS. THIS COPY PLUS
YOUR CANCELLED CHECK IS YOUR RECEIPT.

CITY OF SULPHUR SPRINGS

125 S DAVIS
SULPHUR SPRINGS, TX 75482
(903)885-7541

PROPERTY DESCRIPTION
FURNITURE FIXTURES, INVENTORY
& SUPPLIES, 0

ACRES: 0.0000 ACCOUNT NUMBER: P000980
PIDN : 75-FURRS -0910

LOCATION: 1300 MOCKINGBIRD LN

TO PAY ONLINE, GO TO
<http://www.texaspayments.com>

STATUS: -

* * * * * D E L I N Q U E N T T A X E S D U E * * * * *

YEAR	ENTITY	TYPE	TAX DUE	IF PAID IN:	APRIL	MAY	JUNE
2020	103		186.91		207.47	211.21	214.95
2020	103	LR	18.69		20.75	21.12	21.49
TOTALS:			205.60		228.22	232.33	236.44

THE TAXES ON THIS PROPERTY ARE DELINQUENT. THE PROPERTY IS SUBJECT TO
A LIEN FOR THE DELINQUENT TAXES. IF THE DELINQUENT TAXES ARE NOT
PAID, THE LIEN MAY BE FORECLOSED ON.

Pursuant to SEC. 33.07 of the PROPERTY TAX CODE, an additional attorney fee, up to 20%, is added
to the base tax, penalty, and interest as of July 1st on all current year taxes remaining due.

Estimated taxes for year 2021 are 186.91 based on 2020 proposed value. Actual tax
amounts will be determined at a later date pursuant to Texas Law.