

Fill in this information to identify the case:

Debtor 1 Fresh Acquisitions

Debtor 2 _____
(Spouse, if filing)

United States Bankruptcy Court for the: Northern District of Texas

Case number 21-30721

RECEIVED
JUN 28 2021

Official Form 410

BMC GROUP

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>DDRM HIGHLAND GROVE LLC</u> Name of the current creditor (the person or entity to be paid for this claim)	
	Other names the creditor used with the debtor <u>SITE Centers Corp.</u>	
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>DDRM HIGHLAND GROVE LLC</u> Name <u>3300 Enterprise Parkway</u> Number Street <u>Beachwood OH 44122</u> City State ZIP Code Contact phone <u>216-755-5853</u> Contact email <u>lbunjevac@sitecenters.com</u>	Name Number Street City State ZIP Code Contact phone _____ Contact email _____
Uniform claim identifier for electronic payments in chapter 13 (if you use one): _____		
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? _____	

FRESH POC



00209

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: 0 8 7 0

7. How much is the claim? \$ 442,062.69 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.
unexpired, non-residential real property lease

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. \$ 221,331.69

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)?

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).

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).

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).

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.

Amount entitled to priority

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

* 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 06/21/2021
MM / DD / YYYY

/s/Laura K. Bunjevac

Signature

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

Name Laura K. Bunjevac
First name Middle name Last name

Title Senior Paralegal

Company SITE Centers Corp.
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address 3300 Enterprise Parkway
Number Street
Beachwood OH 44122
City State ZIP Code

Contact phone 216-755-5853 Email lbunjevac@sitecenters.com

OCB Restaurant Company LLC dba Old Country Buffet # 251
 21250-30870
 Highland Grove Shopping Center
 Highland, IN
 Chapter 11 filed: April 20, 2021
 Landlord: DDRM HIGHLAND GROVE LLC
 Date Tenant Rejected: April 21, 2021
 Lease Expiration: December 31, 2024

Pre-petition amount through 6/30/2021 per attached aged delinquency report: \$221,331.69

Lease Term Damages				
Date	Base Rent	Real Estate Tax	Common Area Maintenance	Total
7/1/2021	\$ 14,310.80	\$ 2,235.35	\$ 1,848.10	\$ 18,394.25
8/1/2021	\$ 14,310.80	\$ 2,235.35	\$ 1,848.10	\$ 18,394.25
9/1/2021	\$ 14,310.80	\$ 2,235.35	\$ 1,848.10	\$ 18,394.25
10/1/2021	\$ 14,310.80	\$ 2,235.35	\$ 1,848.10	\$ 18,394.25
11/1/2021	\$ 14,310.80	\$ 2,235.35	\$ 1,848.10	\$ 18,394.25
12/1/2021	\$ 14,310.80	\$ 2,235.35	\$ 1,848.10	\$ 18,394.25
1/1/2022-12/31/2024	\$ 515,188.80	\$ 80,472.60	\$ 66,531.60	\$ 662,193.00
Total	\$ 601,053.60	\$ 93,884.70	\$ 77,620.20	\$ 772,558.50

Proof of Claim is the greater of 1 years rent or 15% of the balance of the Lease Term, not to exceed the total of 3 years rents.

1 Year's Rent	\$ 220,731.00
3 Year's Rent	\$ 662,193.00
Total Lease	
Term Damages	\$ 772,558.50
15% of Lease	
Term Damages	\$ 115,883.78

Claim	
Pre-Petition	\$221,331.69
one year of rent	\$ 220,731.00
Total Claim	\$ 442,062.69

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 21250-30870
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10/1/2021	\$ 14,310.80	\$ 2,235.35	\$ 1,848.10	\$ 18,394.25
11/1/2021	\$ 14,310.80	\$ 2,235.35	\$ 1,848.10	\$ 18,394.25
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TENANT DETAINED AGED OR DELINQUENCY

Page 1 of 5
DDR Corp.

All Company

As of Wednesday, June 16, 2021

Company	Tenant Number	Lease Number	Litigation Code	Invoice Date	Bill Code	Open Amount	Any to 0 Days	0 to 30 Days	31 to 60 Days	61 to 90 Days	91 to 120 Days	Over 120 Days
OLD COUNTRY BUFFET #251												
21250	405049	00030870	LITIGATION	3/2/2019	CAP	-14,536.20						-14,536.20
21250	405049	00030870	LITIGATION	3/2/2019	CAP	313.62						313.62
21250	405049	00030870	LITIGATION	3/2/2019	CAP	11,465.41						11,465.41
21250	405049	00030870	LITIGATION	3/2/2019	CAP	475.86						475.86
21250	405049	00030870	LITIGATION	3/2/2019	CAP	709.36						709.36
21250	405049	00030870	LITIGATION	3/2/2019	CAP	155.24						155.24
21250	405049	00030870	LITIGATION	3/2/2019	CAP	76.95						76.95
21250	405049	00030870	LITIGATION	3/2/2019	CAP	931.53						931.53
21250	405049	00030870	LITIGATION	3/2/2019	CAP	791.77						791.77
21250	405049	00030870	LITIGATION	4/16/2019	LAT	250.00						250.00
21250	405049	00030870	LITIGATION	4/16/2019	LAT	8.72						8.72
21250	405049	00030870	LITIGATION	7/1/2019	RTB	1,895.44						1,895.44
21250	405049	00030870	LITIGATION	7/17/2019	LAT	250.00						250.00
21250	405049	00030870	LITIGATION	7/17/2019	LAT	35.76						35.76
21250	405049	00030870	LITIGATION	2/11/2020	PRY	1,690.57						1,690.57
21250	405049	00030870	LITIGATION	3/11/2020	CAP	-775.37						-775.37
21250	405049	00030870	LITIGATION	4/1/2020	CAM	1,815.96						1,815.96
21250	405049	00030870	LITIGATION	4/1/2020	RET	2,079.28						2,079.28
21250	405049	00030870	LITIGATION	4/1/2020	RTB	14,310.80						14,310.80
21250	405049	00030870	LITIGATION	5/1/2020	CAM	1,815.96						1,815.96
21250	405049	00030870	LITIGATION	5/1/2020	RET	2,079.28						2,079.28
21250	405049	00030870	LITIGATION	5/1/2020	RTB	14,310.80						14,310.80
21250	405049	00030870	LITIGATION	5/12/2020	REP	-248.84						-248.84
21250	405049	00030870	LITIGATION	6/1/2020	CAM	1,815.96						1,815.96
21250	405049	00030870	LITIGATION	6/1/2020	RET	2,079.28						2,079.28
21250	405049	00030870	LITIGATION	6/1/2020	RTB	14,310.80						14,310.80
21250	405049	00030870	LITIGATION	6/2/2020	REP	432.11						432.11
21250	405049	00030870	LITIGATION	7/1/2020	CAM	1,815.96						1,815.96
21250	405049	00030870	LITIGATION	7/1/2020	RET	2,079.28						2,079.28
21250	405049	00030870	LITIGATION	7/1/2020	RTB	14,310.80						14,310.80
21250	405049	00030870	LITIGATION	8/1/2020	CAM	1,815.96						1,815.96
21250	405049	00030870	LITIGATION	8/1/2020	RET	2,079.28						2,079.28
21250	405049	00030870	LITIGATION	8/1/2020	RTB	14,310.80						14,310.80
21250	405049	00030870	LITIGATION	9/1/2020	CAM	1,815.96						1,815.96
21250	405049	00030870	LITIGATION	9/1/2020	RET	2,079.28						2,079.28
21250	405049	00030870	LITIGATION	9/1/2020	RTB	14,310.80						14,310.80
21250	405049	00030870	LITIGATION	9/8/2020	LLF	150.00						150.00
21250	405049	00030870	LITIGATION	10/1/2020	CAM	1,815.96						1,815.96
21250	405049	00030870	LITIGATION	10/1/2020	RET	2,079.28						2,079.28
21250	405049	00030870	LITIGATION	10/1/2020	RTB	14,310.80						14,310.80
21250	405049	00030870	LITIGATION	11/1/2020	CAM	1,815.96						1,815.96

TENANT DETAINED AGED DELINQUENCY

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 DDR Corp.

All Company

As of Wednesday, June 16, 2021

Company	Tenant Number	Lease Number	Litigation Code	Invoice Date	Bill Code	Open Amount	Any to 0 Days	0 to 30 Days	31 to 60 Days	61 to 90 Days	91 to 120 Days	Over 120 Days
21250	405049	00030870	LITIGATION	11/1/2020	RET	2,079.28						2,079.28
21250	405049	00030870	LITIGATION	11/1/2020	RTB	14,310.80						14,310.80
21250	405049	00030870	LITIGATION	12/1/2020	CAM	1,815.96						1,815.96
21250	405049	00030870	LITIGATION	12/1/2020	RET	2,079.28						2,079.28
21250	405049	00030870	LITIGATION	12/1/2020	RTB	14,310.80						14,310.80
21250	405049	00030870	LITIGATION	1/1/2021	CAM	1,848.10						1,848.10
21250	405049	00030870	LITIGATION	1/1/2021	RET	2,235.35						2,235.35
21250	405049	00030870	LITIGATION	1/1/2021	RTB	14,310.80						14,310.80
21250	405049	00030870	LITIGATION	2/1/2021	CAM	1,848.10						1,848.10
21250	405049	00030870	LITIGATION	2/1/2021	RET	2,235.35						2,235.35
21250	405049	00030870	LITIGATION	2/1/2021	RTB	14,310.80						14,310.80
21250	405049	00030870	LITIGATION	3/1/2021	CAM	1,848.10					1,848.10	
21250	405049	00030870	LITIGATION	3/1/2021	RET	2,235.35					2,235.35	
21250	405049	00030870	LITIGATION	3/1/2021	RTB	14,310.80					14,310.80	
21250	405049	00030870	LITIGATION	3/2/2021	CAP	625.21					625.21	
21250	405049	00030870	LITIGATION	5/17/2021	REP	-2,402.56		-2,402.56				
Total for Lease Number 00030870						221,331.69		-2,402.56			19,019.46	204,714.79

TENANT DETAINED AGED DELINQUENCY

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 DDR Corp.

All Company

As of Wednesday, June 16, 2021

Company	Tenant Number	Lease Number	Litigation Code	Invoice Date	Bill Code	Open Amount	Any to 0 Days	0 to 30 Days	31 to 60 Days	61 to 90 Days	91 to 120 Days	Over 120 Days
MAIN TOTAL:						221,331.69		-2,402.56			19,019.46	204,714.79

R5515402
VER0002

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Lease Profile Report

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As Of - 6/16/2021

Building ID 21250
Shopping Center HIGHLAND GROVE SHOPPING CENTER
Lease ID 30870
OLD COUNTRY BUFFET #251

Property Information

HIGHLAND GROVE SHOPPING CENTER
INDIANAPOLIS BLVD (US 41) & MAIN ST
HIGHLAND, IN 46322

Legal Name OCB RESTAURANT COMPANY LLC
Tenant Number 405049
DBA Name OLD COUNTRY BUFFET
Contact Name
Phone No.
FAX No.

Unit No 00044
Unit SqFt 10,222
Lease Status I
Lease Execution 8/29/1996
Lease Commencement 1/9/1997
Turn Over 12/15/1996
SLR Date 12/15/1996
Store Open
Term Begin 10/7/2016
Rent Commencement 1/9/1997
Vacate - Actual Out 3/25/2020
Stop Bill Date 3/31/2021
Term End 12/31/2024
Security Deposit Bal .00

Unit Information

Unit No 00044
Floor No 0001
Unit Type ANCHO ANCHOR
Unit Usage R RETAIL SALES
Unit Status V VACANT
EP Unit Type GU1 GROSS UP 1
Unit Billing Status OBL OWNED BILLABLE
Operational Status OPE OPERATING
Leased Rate De OPE OPERATING
Leased Ra .
Unit Code .
Unit Address 02
Unit Address 03

Notice Address

OCB RESTAURANT COMPANY LLC
ATTN REAL ESTATE DEPT
2338 N LOPP 1604 W STE 350
SAN ANTONIO TX 78248

Type of Tenant NAT NATIONAL
Natl Tenant (Parent) OCB OLD COUNTRY BUFFET
Chain (DBA) OCB OLD COUNTRY BUFFET
Tenant Category 536 RESTAURANTS (NATIONAL)
Tenant Sub-Cat .
Insurance Code 02 TENANT CONTENTS IMPR
Primary .
GRS Lease Identifier .
CAM Backup .
Tax Assessment .
Tax Category .
Reporting Category N RETAIL, NATIONAL
Franchise Code FRN FRANCHISEE OWNED AND OPERATED

Lease Information

Lease Version 2
Lease Type ST STANDARD
Lease Term 192
Collect Status L03 LITIGATION
Chrg Prorate Method .
Prior Lease Number

Legal Clauses - Options

Option Type	Detail Type	Option Begin	Option End	Notice Date	Amt PSF	Type	Begin Amt Date	End Amt Date	Annual Amt
RENEWAL OPTION	THIRD RENEWAL OPTION	1/1/2025	12/31/2029	6/30/2024	20.00	PSF	1/1/2025	12/31/2029	204,440.00

Retail

Reporting Frequency MONTHLY
Report Due Days 45
Annual Report Due Days 45
Report YE Month 12
Billing Frequency ANNUAL DECEMBER
Computation Method 2 Cumulative

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SIFF Centers Corp.
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Lease Profile Report

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As Of - 6/16/2021

Building ID 21250
Shopping Center HIGHLAND GROVE SHOPPING CENTER
Lease ID 30870
OLD COUNTRY BUFFET #251

G/L Offset RTO
Payment Terms - A/R Net 30 Days (Override)
Tax Expl Code
Tax Rate/Area

Breakpoint

Start Date	End Date	Sales Type	Sales %	Dollar Breakpoint	Suspend Code	Suspended Date
10/7/2016	12/31/2017	GROS	3.00%	3,600,000.00		
1/1/2018	3/31/2021	GROS	3.00%	3,800,000.00		
1/1/2023	12/31/2024	GROS	3.00%	4,200,000.00	Y	3/31/2021

Lease Logs

Log Class	Description	Am ID	Description	Start Date	Expired Date	Critical Date	Explanation - Remark
DL	DEFAULT LETTER	DLCP	Default Letter Cure Period	6/1/2009			ten (10)
DL	DEFAULT LETTER	DLLS	Default Letter Lease Section	6/1/2009			Section 26 A
MS	MISCELLANEOUS CRITICAL DATE		Coronavirus – Perm Closure	3/25/2020			
SA	SALES INFORMATION		SALES AUDIT	1/1/2008	12/31/2010		7/19/11
TM	TERM/TERM NOTICE/NAT EXP/SB		Stop Billing	3/31/2021			

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Lease Profile Report

SHPP Centers Corp.
Lease Profile Report

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As Of - 6/16/2021

Building ID 21250
Shopping Center HIGHLAND GROVE SHOPPING CENTER
Lease ID 30870
OLD COUNTRY BUFFET #251

Property Information

HIGHLAND GROVE SHOPPING CENTER
INDIANAPOLIS BLVD (US 41) & MAIN ST
HIGHLAND, IN 46322

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Tenant Number 104076
DBA Name OLD COUNTRY BUFFET
Contact Name
Phone No.
FAX No. (651) 3652356

Unit No 00044
Unit SqFt 10,222
Lease Status I
Lease Execution 8/29/1996
Lease Commencement 1/9/1997
Turn Over 12/15/1996
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Vacate - Actual Out
Stop Bill Date 10/6/2016
Term End 10/6/2016
Security Deposit Bal .00

Unit Information

Unit No 00044
Floor No 0001
Unit Type ANCHO ANCHOR
Unit Usage R RETAIL SALES
Unit Status V VACANT
EP Unit Type GU1 GROSS UP 1
Unit Billing Status OBL OWNED BILLABLE
Operational Status OPE OPERATING
Leased Rate De OPE OPERATING
Leased Ra
Unit Code
Unit Address 02
Unit Address 03

Notice Address

OCB RESTAURANT CO
C/O BUFFETS INC
ATTN REAL ESTATE PORTFOLIO MANAGER
1020 DISCOVERY RD STE 100
EAGAN MN 55121

Type of Tenant	NAT	NATIONAL
Natl Tenant (Parent)	OCB	OLD COUNTRY BUFFET
Chain (DBA)	OCB	OLD COUNTRY BUFFET
Tenant Category	536	RESTAURANTS (NATIONAL)
Tenant Sub-Cat	.	
Insurance Code	00	NOT APPLICABLE
Primary	.	
GRS Lease Identifier	.	
CAM Backup	.	
Tax Assessment	.	
Tax Category	.	
Reporting Category	N	RETAIL, NATIONAL
Franchise Code	FRN	FRANCHISEE OWNED AND OPERATED

Lease Information

Lease Version	1	
Lease Type	ST	STANDARD
Lease Term	192	
Collect Status	.	
Chrg Prorate Method	.	
Prior Lease Number	.	

Retail

Reporting Frequency MONTHLY
Report Due Days 45
Annual Report Due Days 45
Report YE Month 12
Billing Frequency ANNUAL DECEMBER
Computation Method 2 Cumulative
G/L Offset RTO
Payment Terms - A/R Net 30 Days (Override)
Tax Expl Code
Tax Rate/Area

R5515402
VER0002

report

SIFF Centers Corp.
Page 4 of 4
Lease Profile Report

6/16/2021 14:51:52
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As Of - 6/16/2021

Building ID 21250
Shopping Center HIGHLAND GROVE SHOPPING CENTER
Lease ID 30870
OLD COUNTRY BUFFET #251

Breakpoint

Start Date	End Date	Sales Type	Sales %	Dollar Breakpoint	Suspend Code	Suspended Date
1/9/1997	12/31/2002	GROS	3.00%	3,000,000.00		
1/1/2003	12/31/2007	GROS	3.00%	3,200,000.00		
1/1/2008	12/31/2012	GROS	3.00%	3,400,000.00		
1/1/2013	12/31/2017	GROS	3.00%	3,600,000.00	Y	10/6/2016
1/1/2018	12/31/2022	GROS	3.00%	3,800,000.00	Y	10/6/2016
1/1/2023	12/31/2024	GROS	3.00%	4,200,000.00	Y	10/6/2016

Lease Logs

Log Class	Description	Am ID	Description	Start Date	Expired Date	Critical Date	Explanation - Remark
DL	DEFAULT LETTER	DLCP	Default Letter Cure Period	6/1/2009			ten (10)
DL	DEFAULT LETTER	DLLS	Default Letter Lease Section	6/1/2009			Section 26 A
SA	SALES INFORMATION		SALES AUDIT	1/1/2008	12/31/2010		7/19/11

Northern District of Texas Claims Register

[21-30721-sgj11 Fresh Acquisitions, LLC](#)

Judge: Stacey G. Jernigan **Chapter:** 11
Office: Dallas **Last Date to file claims:** 08/30/2021
Trustee: **Last Date to file (Govt):** 11/29/2021

<p><i>Creditor:</i> (19460828) DDRM HIGHLAND GROVE LLC 3300 Enterprise Parkway Beachwood, OH 44122</p>	<p>Claim No: 14 <i>Original Filed</i> <i>Date:</i> 06/21/2021 <i>Original Entered</i> <i>Date:</i> 06/21/2021 <i>Last Amendment</i> <i>Filed:</i> 06/21/2021 <i>Last Amendment</i> <i>Entered:</i> 06/21/2021</p>	<p><i>Status:</i> <i>Filed by:</i> CR <i>Entered by:</i> Eric C. Cotton <i>Modified:</i></p>
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Amount claimed: \$442062.69

History:

[Details](#) [14-1](#) 06/21/2021 Claim #14 filed by DDRM HIGHLAND GROVE LLC, Amount claimed: \$442062.69 (Cotton, Eric)

[Details](#) [14-2](#) 06/21/2021 Amended Claim #14 filed by DDRM HIGHLAND GROVE LLC, Amount claimed: \$442062.69 (Cotton, Eric)

Description: (14-1) unexpired, non-residential real property lease
 (14-2) unexpired, non-residential real property lease

Remarks: (14-2) amended to attached PDF version of POC

Claims Register Summary

Case Name: Fresh Acquisitions, LLC
Case Number: 21-30721-sgj11
Chapter: 11
Date Filed: 04/20/2021
Total Number Of Claims: 1

Total Amount Claimed*	\$442062.69
Total Amount Allowed*	

*Includes general unsecured claims

The values are reflective of the data entered. Always refer to claim documents for actual amounts.

	Claimed	Allowed
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Secured		
Priority		
Administrative		

Case 21-30721-sj11 Claim 14-1 Part 2 Filed 06/21/21 Desc Exhibit Damage Calculation spreadsheet Page 1 of 1

OCE Restaurant Company LLC the Old Country Burren # 241
 2150Aldridge
 Highland Grove Shopping Center
 Chester, Maryland 21515
 Landlord: OCE Restaurant Company LLC
 Date Resident Evicted: April 23, 2021
 Lease Expiration: December 31, 2024

Date	Base Rent	Real Estate Tax	Maintenance	Common Area	Total
7/1/2021	\$ 14,310.80	\$ 2,256.35	\$ 1,848.10	\$ 18,394.25	
8/1/2021	\$ 14,310.80	\$ 2,256.35	\$ 1,848.10	\$ 18,394.25	
9/1/2021	\$ 14,310.80	\$ 2,256.35	\$ 1,848.10	\$ 18,394.25	
10/1/2021	\$ 14,310.80	\$ 2,256.35	\$ 1,848.10	\$ 18,394.25	
11/1/2021	\$ 14,310.80	\$ 2,256.35	\$ 1,848.10	\$ 18,394.25	
12/1/2021	\$ 14,310.80	\$ 2,256.35	\$ 1,848.10	\$ 18,394.25	
1/1/2022	\$ 14,310.80	\$ 2,256.35	\$ 1,848.10	\$ 18,394.25	
2/1/2022	\$ 14,310.80	\$ 2,256.35	\$ 1,848.10	\$ 18,394.25	
3/1/2022	\$ 14,310.80	\$ 2,256.35	\$ 1,848.10	\$ 18,394.25	
4/1/2022	\$ 14,310.80	\$ 2,256.35	\$ 1,848.10	\$ 18,394.25	
Total	\$ 80,185.20	\$ 13,538.10	\$ 11,088.60	\$ 112,811.90	

Proof of Claim is the greater of 1 years rent or 15% of the balance of the Lease Term, not to exceed the total of 3 years rent.

3 Years Rent	\$ 240,555.60
15% of Lease	\$ 169,262.80
Total Claim	\$ 409,818.40

Base Rent	\$ 14,310.80
Real Estate Tax	\$ 2,256.35
Maintenance	\$ 1,848.10
Common Area	\$ 18,394.25
Total	\$ 36,810.50

As of Wednesday, June 16, 2021
 All Company

Company	Tenant Number	Lease Number	Litigation Code	Invoice Date	Bill Code	Open Amount	Any to 0 Days	0 to 30 Days	31 to 60 Days	61 to 90 Days	91 to 120 Days	Over 120 Days
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21250	405049	00030870	LITIGATION	3/2/2019	CAP	-14,536.20						-14,536.20
21250	405049	00030870	LITIGATION	3/2/2019	CAP	313.62						313.62
21250	405049	00030870	LITIGATION	3/2/2019	CAP	11,465.41						11,465.41
21250	405049	00030870	LITIGATION	3/2/2019	CAP	475.86						475.86
21250	405049	00030870	LITIGATION	3/2/2019	CAP	709.36						709.36
21250	405049	00030870	LITIGATION	3/2/2019	CAP	155.24						155.24
21250	405049	00030870	LITIGATION	3/2/2019	CAP	76.95						76.95
21250	405049	00030870	LITIGATION	3/2/2019	CAP	931.53						931.53
21250	405049	00030870	LITIGATION	3/2/2019	CAP	791.77						791.77
21250	405049	00030870	LITIGATION	4/16/2019	LAT	250.00						250.00
21250	405049	00030870	LITIGATION	4/16/2019	LAT	8.72						8.72
21250	405049	00030870	LITIGATION	7/1/2019	RTB	1,895.44						1,895.44
21250	405049	00030870	LITIGATION	7/1/2019	LAT	250.00						250.00
21250	405049	00030870	LITIGATION	7/1/2019	LAT	35.76						35.76
21250	405049	00030870	LITIGATION	2/1/2020	PRY	1,690.57						1,690.57
21250	405049	00030870	LITIGATION	3/1/2020	CAP	-775.37						-775.37
21250	405049	00030870	LITIGATION	4/1/2020	CAM	1,815.96						1,815.96
21250	405049	00030870	LITIGATION	4/1/2020	RET	2,079.28						2,079.28
21250	405049	00030870	LITIGATION	5/1/2020	CAM	1,815.96						1,815.96
21250	405049	00030870	LITIGATION	5/1/2020	RET	2,079.28						2,079.28
21250	405049	00030870	LITIGATION	5/12/2020	REP	-248.84						-248.84
21250	405049	00030870	LITIGATION	6/1/2020	CAM	1,815.96						1,815.96
21250	405049	00030870	LITIGATION	6/1/2020	RET	2,079.28						2,079.28
21250	405049	00030870	LITIGATION	6/1/2020	RTB	14,310.80						14,310.80
21250	405049	00030870	LITIGATION	6/2/2020	REP	432.11						432.11
21250	405049	00030870	LITIGATION	7/1/2020	CAM	1,815.96						1,815.96
21250	405049	00030870	LITIGATION	7/1/2020	RET	2,079.28						2,079.28
21250	405049	00030870	LITIGATION	7/1/2020	RTB	14,310.80						14,310.80
21250	405049	00030870	LITIGATION	8/1/2020	CAM	1,815.96						1,815.96
21250	405049	00030870	LITIGATION	8/1/2020	RET	2,079.28						2,079.28
21250	405049	00030870	LITIGATION	8/1/2020	RTB	14,310.80						14,310.80
21250	405049	00030870	LITIGATION	9/1/2020	CAM	1,815.96						1,815.96
21250	405049	00030870	LITIGATION	9/1/2020	RET	2,079.28						2,079.28
21250	405049	00030870	LITIGATION	9/1/2020	RTB	14,310.80						14,310.80
21250	405049	00030870	LITIGATION	9/8/2020	LLF	150.00						150.00
21250	405049	00030870	LITIGATION	10/1/2020	CAM	1,815.96						1,815.96
21250	405049	00030870	LITIGATION	10/1/2020	RET	2,079.28						2,079.28
21250	405049	00030870	LITIGATION	10/1/2020	RTB	14,310.80						14,310.80
21250	405049	00030870	LITIGATION	11/1/2020	CAM	1,815.96						1,815.96

As of Wednesday, June 16, 2021
 All Company

Company	Tenant Number	Lease Number	Litigation Code	Invoice Date	Bill Code	Open Amount	Any to 0 Days	0 to 30 Days	31 to 60 Days	61 to 90 Days	91 to 120 Days	Over 120 Days
	21250	405049	00030870	LITIGATION	11/1/2020	RET	2,079.28					2,079.28
	21250	405049	00030870	LITIGATION	11/1/2020	RTB	14,310.80					14,310.80
	21250	405049	00030870	LITIGATION	12/1/2020	CAM	1,815.96					1,815.96
	21250	405049	00030870	LITIGATION	12/1/2020	RET	2,079.28					2,079.28
	21250	405049	00030870	LITIGATION	12/1/2020	RTB	14,310.80					14,310.80
	21250	405049	00030870	LITIGATION	11/1/2021	CAM	1,848.10					1,848.10
	21250	405049	00030870	LITIGATION	11/1/2021	RET	2,235.35					2,235.35
	21250	405049	00030870	LITIGATION	11/1/2021	RTB	14,310.80					14,310.80
	21250	405049	00030870	LITIGATION	2/1/2021	CAM	1,848.10					1,848.10
	21250	405049	00030870	LITIGATION	2/1/2021	RET	2,235.35					2,235.35
	21250	405049	00030870	LITIGATION	2/1/2021	RTB	14,310.80					14,310.80
	21250	405049	00030870	LITIGATION	3/1/2021	CAM	1,848.10				1,848.10	
	21250	405049	00030870	LITIGATION	3/1/2021	RET	2,235.35				2,235.35	
	21250	405049	00030870	LITIGATION	3/1/2021	RTB	14,310.80				14,310.80	
	21250	405049	00030870	LITIGATION	3/2/2021	CAP	625.21				625.21	
	21250	405049	00030870	LITIGATION	5/17/2021	REP	-2,402.56				-2,402.56	
Total for Lease Number 00030870							221,331.69	-2,402.56		19,019.46	204,714.79	

Case 21-30721-sgj11

Claim 14-1 Part 3 Filed 06/21/21 Desc Exhibit Aging report
TENANT DETAIL FOR AGENCY DELINQUENCY
DDR Corp.

Company

Tenant
Number

Lease
Number

Litigation
Code

Invoice Date

Bill
Code

Open
Amount

Any to 0
Days

0 to 30
Days

31 to 60
Days

61 to 90
Days

91 to 120
Days

Over 120
Days

MAIN TOTAL:

221,331.69

-2,402.56

19,019.46

204,714.79

R5515402
VER0002

6/16/2021 14:51:52

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As Of - 6/16/2021

Building ID 21250
Shopping Center HIGHLAND GROVE SHOPPING CENTER
Lease ID 30870
OLD COUNTRY BUFFET #251

Property Information

HIGHLAND GROVE SHOPPING CENTER
INDIANAPOLIS BLVD (US 41) & MAIN ST
HIGHLAND, IN 46322

Legal Name OCB RESTAURANT COMPANY LLC
Tenant Number 405049
DBA Name OLD COUNTRY BUFFET
Contact Name
Phone No.
FAX No.

Unit No 00044
Unit SqFt 10,222
Lease Status I
Lease Execution 8/29/1996
Lease Commencement 1/9/1997
Turn Over 12/15/1996
SLR Date 12/15/1996
Store Open
Term Begin 10/7/2016
Rent Commencement 1/9/1997
Vacate - Actual Out 3/25/2020
Stop Bill Date 3/31/2021
Term End 12/31/2024
Security Deposit Bal .00

Unit Information

Unit No 00044
Floor No 0001
Unit Type ANCHO ANCHOR
Unit Usage R RETAIL SALES
Unit Status V VACANT
EP Unit Type GU1 GROSS UP 1
Unit Billing Status OBL OWNED BILLABLE
Operational Status OPE OPERATING
Leased Rate De OPE OPERATING
Leased Ra
Unit Code
Unit Address 02
Unit Address 03

Notice Address

OCB RESTAURANT COMPANY LLC
ATTN REAL ESTATE DEPT
2338 N LOPP 1604 W STE 350
SAN ANTONIO TX 78248

Type of Tenant NAT NATIONAL
Nat'l Tenant (Parent) OCB OLD COUNTRY BUFFET
Chain (DBA) OCB OLD COUNTRY BUFFET
Tenant Category 536 RESTAURANTS (NATIONAL)
Tenant Sub-Cat
Insurance Code 02 TENANT CONTENTS IMPR
Primary
GRS Lease Identifier
CAM Backup
Tax Assessment
Tax Category
Reporting Category N RETAIL, NATIONAL
Franchise Code FRN FRANCHISEE OWNED AND OPERATED

Lease Information

Lease Version 2
Lease Type ST STANDARD
Lease Term 192
Collect Status L03 LITIGATION
Chrg Prorate Method
Prior Lease Number

Legal Clauses - Options

Option Type	Detail Type	Option Begin	Option End	Notice Date	Amt PSF	Type	Begin Amt Date	End Amt Date	Annual Amt
RENEWAL OPTION	THIRD RENEWAL OPTION	1/1/2025	12/31/2029	6/30/2024	20.00	PSF	1/1/2025	12/31/2029	204,440.00

Retail

Reporting Frequency MONTHLY
Report Due Days 45
Annual Report Due Days 45
Report YE Month 12
Billing Frequency ANNUAL DECEMBER
Computation Method 2 Cumulative

R5515402
VER0002

Building ID 21250
Shopping Center HIGHLAND GROVE SHOPPING CENTER
Lease ID 30870
OLD COUNTRY BUFFET #251

G/L Offset RTO
Payment Terms - A/R Net 30 Days (Override)
Tax Expl Code
Tax Rate/Area

Breakpoint

Start Date	End Date	Sales Type	Sales %	Dollar Breakpoint	Suspend Code	Suspended Date
10/7/2016	12/31/2017	GROS	3.00%	3,600,000.00		
1/1/2018	3/31/2021	GROS	3.00%	3,800,000.00		
1/1/2023	12/31/2024	GROS	3.00%	4,200,000.00	Y	3/31/2021

Lease Logs

Log Class	Description	Am ID	Description	Start Date	Expired Date	Critical Date	Explanation - Remark
DL	DEFAULT LETTER	DLCP	Default Letter Cure Period	6/1/2009			ten (10)
DL	DEFAULT LETTER	DLLS	Default Letter Lease Section	6/1/2009			Section 26 A
MS	MISCELLANEOUS CRITICAL DATE		Coronavirus - Perm Closure	3/25/2020			
SA	SALES INFORMATION		SALES AUDIT	1/1/2008	12/31/2010		7/19/11
TM	TERM/TERM NOTICE/NAT EXP/SB		Stop Billing	3/31/2021			

R5515402
VER0002

Building ID 21250
Shopping Center HIGHLAND GROVE SHOPPING CENTER
Lease ID 30870
OLD COUNTRY BUFFET #251

Property Information

HIGHLAND GROVE SHOPPING CENTER
INDIANAPOLIS BLVD (US 41) & MAIN ST
HIGHLAND, IN 46322

Legal Name OCB RESTAURANT CO
Tenant Number 104076
DBA Name OLD COUNTRY BUFFET
Contact Name
Phone No.
FAX No. (651) 3652356

Unit No 00044
Unit SqFt 10,222
Lease Status I
Lease Execution 8/29/1996
Lease Commencement 1/9/1997
Turn Over 12/15/1996
SLR Date 12/15/1996
Store Open
Term Begin 1/9/1997
Rent Commencement 1/9/1997
Vacate - Actual Out
Stop Bill Date 10/6/2016
Term End 10/6/2016
Security Deposit Bal .00

Unit Information

Unit No 00044
Floor No 0001
Unit Type ANCHO ANCHOR
Unit Usage R RETAIL SALES
Unit Status V VACANT
EP Unit Type GU1 GROSS UP 1
Unit Billing Status OBL OWNED BILLABLE
Operational Status OPE OPERATING
Leased Rate De OPE OPERATING
Leased Ra
Unit Code
Unit Address 02
Unit Address 03

Notice Address

OCB RESTAURANT CO
C/O BUFFETS INC
ATTN REAL ESTATE PORTFOLIO MANAGER
1020 DISCOVERY RD STE 100
EAGAN MN 55121

Type of Tenant NAT NATIONAL
Nat'l Tenant (Parent) OCB OLD COUNTRY BUFFET
Chain (DBA) OCB OLD COUNTRY BUFFET
Tenant Category 536 RESTAURANTS (NATIONAL)
Tenant Sub-Cat
Insurance Code 00 NOT APPLICABLE
Primary
GRS Lease Identifier
CAM Backup
Tax Assessment
Tax Category
Reporting Category N RETAIL, NATIONAL
Franchise Code FRN FRANCHISEE OWNED AND OPERATED

Lease Information

Lease Version 1
Lease Type ST STANDARD
Lease Term 192
Collect Status
Chrg Prorate Method
Prior Lease Number

Retail

Reporting Frequency MONTHLY
Report Due Days 45
Annual Report Due Days 45
Report YE Month 12
Billing Frequency ANNUAL DECEMBER
Computation Method 2 Cumulative
G/L Offset RTO
Payment Terms - A/R Net 30 Days (Override)
Tax Expl Code
Tax Rate/Area

R5515402
VER0002

report Page 4 of 4
Lease Profile Report

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Page - 4 of 4

As Of - 6/16/2021

Building ID 21250
Shopping Center HIGHLAND GROVE SHOPPING CENTER
Lease ID 30870
OLD COUNTRY BUFFET #251

Breakpoint

Start Date	End Date	Sales Type	Sales %	Dollar Breakpoint	Suspend Code	Suspended Date
1/9/1997	12/31/2002	GROS	3.00%	3,000,000.00		
1/1/2003	12/31/2007	GROS	3.00%	3,200,000.00		
1/1/2008	12/31/2012	GROS	3.00%	3,400,000.00		
1/1/2013	12/31/2017	GROS	3.00%	3,600,000.00	Y	10/6/2016
1/1/2018	12/31/2022	GROS	3.00%	3,800,000.00	Y	10/6/2016
1/1/2023	12/31/2024	GROS	3.00%	4,200,000.00	Y	10/6/2016

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DL	DEFAULT LETTER	DLLS	Default Letter Lease Section	6/1/2009			Section 26 A
SA	SALES INFORMATION		SALES AUDIT	1/1/2008	12/31/2010		7/19/11

Northern District of Texas Claims Register

21-30721-sgj11 Fresh Acquisitions, LLC

Judge: Stacey G. Jernigan **Chapter:** 11
Office: Dallas **Last Date to file claims:** 08/30/2021
Trustee: **Last Date to file (Govt):** 11/29/2021

<p><i>Creditor:</i> (19460828) DDRM HIGHLAND GROVE LLC 3300 Enterprise Parkway Beachwood, OH 44122</p>	<p>Claim No: 14 <i>Original Filed</i> <i>Date:</i> 06/21/2021 <i>Original Entered</i> <i>Date:</i> 06/21/2021 <i>Last Amendment</i> <i>Filed:</i> 06/21/2021 <i>Last Amendment</i> <i>Entered:</i> 06/21/2021</p>	<p><i>Status:</i> <i>Filed by:</i> CR <i>Entered by:</i> Eric C. Cotton <i>Modified:</i></p>
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Amount claimed: \$442062.69

History:

Details 14-1 06/21/2021 Claim #14 filed by DDRM HIGHLAND GROVE LLC, Amount claimed: \$442062.69 (Cotton, Eric)

Details 14-2 06/21/2021 Amended Claim #14 filed by DDRM HIGHLAND GROVE LLC, Amount claimed: \$442062.69 (Cotton, Eric)

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 (14-2) unexpired, non-residential real property lease

Remarks: (14-2) amended to attached PDF version of POC

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Total Amount Allowed*	

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	Claimed	Allowed
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Secured		
Priority		
Administrative		