

B10 (Official Form 10) (04/13)

UNITED STATES BANKRUPTCY COURT Western District of Missouri		PROOF OF CLAIM
Name of Debtor: Aving-Rice, LLC		Case Number: 15-41917
NOTE: Do not use this form to make a claim for an administrative expense that arises after the bankruptcy filing. You may file a request for payment of an administrative expense according to 11 U.S.C. § 503.		
Name of Creditor (the person or other entity to whom the debtor owes money or property): McDowell Rice Smith & Buchanan, PC		FILED U.S. Bankruptcy Court Western District of Missouri 8/3/2015 Paige Wymore-Wynn, Clerk COURT USE ONLY
Name and address where notices should be sent: McDowell Rice Smith & Buchanan, PC 605 W. 47th St Suite 350 Kansas City, MO 64112 Telephone number: 816-753-5400 email: tbuchanan@mcdowellrice.com		<input type="checkbox"/> Check this box if this claim amends a previously filed claim. Court Claim Number: _____ (If known) Filed on: _____ <input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to this claim. Attach copy of statement giving particulars.
Name and address where payment should be sent (if different from above): Telephone number: email:		
1. Amount of Claim as of Date Case Filed: \$ <u>272518.75</u> If all or part of the claim is secured, complete item 4. If all or part of the claim is entitled to priority, complete item 5. <input type="checkbox"/> Check this box if the claim includes interest or other charges in addition to the principal amount of the claim. Attach a statement that itemizes interest or charges.		
2. Basis for Claim: <u>Legal Fees and Expenses</u> (See instruction #2)		
3. Last four digits of any number by which creditor identifies debtor: <u>4676</u>	3a. Debtor may have scheduled account as: _____ (See instruction #3a)	3b. Uniform Claim Identifier (optional): _____ (See instruction #3b)
4. Secured Claim (See instruction #4) Check the appropriate box if the claim is secured by a lien on property or a right of setoff, attach required redacted documents, and provide the requested information. Nature of property or right of setoff: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe: Value of Property: \$ _____ Annual Interest Rate (when case was filed) ___% <input type="checkbox"/> Fixed or <input type="checkbox"/> Variable		Amount of arrearage and other charges, as of the time case was filed, included in secured claim, if any: \$ _____ Basis for perfection: _____ Amount of Secured Claim: \$ _____ Amount Unsecured: \$ _____
5. Amount of Claim Entitled to Priority under 11 U.S.C. §507(a). If any part of the claim falls into one of the following categories, check the box specifying the priority and state the amount.		
<input type="checkbox"/> Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B).	<input type="checkbox"/> Wages, salaries, or commissions (up to \$12,475*) earned within 180 days before the case was filed or the debtor's business ceased, whichever is earlier - 11 U.S.C. §507(a)(4).	<input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. §507(a)(5). Amount entitled to priority: \$ _____
<input type="checkbox"/> 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).	<input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. §507(a)(8).	<input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. §507(a)(____).
*Amounts are subject to adjustment on 4/01/16 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.		
6. Credits. The amount of all payments on this claim has been credited for the purpose of making this proof of claim. (See instruction #6)		

Gas-Mart USA, Inc. POC

00046

7. Documents: Attached are **redacted** copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, security agreements, or, in the case of a claim based on an open-end or revolving consumer credit agreement, a statement providing the information required by FRBP 3001(c)(3)(A). If the claim is secured, box 4 has been completed, and **redacted** copies of documents providing evidence of perfection of a security interest are attached. If the claim is secured by the debtor's principal residence, the Mortgage Proof of Claim Attachment is being filed with this claim. (See instruction #7, and the definition of "redacted".)
DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.
If the documents are not available, please explain:

8. Signature: (See instruction #8) Check the appropriate box.
 I am the creditor. I am the creditor's authorized agent. I am the trustee, or the debtor, or their authorized agent. I am a guarantor, surety, indorser, or other codebtor.
(See Bankruptcy Rule 3004.) (See Bankruptcy Rule 3005.)

I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.

Print Name: Thomas R.

Buchanan

Title: President

Company: McDowell Rice Smith & Buchanan,

PC

Address and telephone number (if different from notice address above):

/s/ Thomas R. Buchanan
(Signature)

8/3/2015
(Date)

Telephone number: _ email: _

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.



TRACY RICH
ACCOUNTS RECEIVABLE MANAGER

605 W 47TH STREET
SUITE 350
KANSAS CITY, MO 64112
(816) 753-5400 FAX (816) 753-9996

Direct Dial: (816) 960-7338
Email: trich@mcdowellrice.com

July 6, 2015

Open Invoice Listing for Gas Mart USA

Invoice	Date	Original Balance	Payments	Current Balance
Matter ID: C14676.000 Matter Desc: GUSTIN, GREGORY				
394452	2/12/2014	\$54,561.43	\$4,265.55	\$50,295.88
394916	3/25/2014	\$97,896.72	\$0.00	\$97,896.72
396090	5/8/2014	\$63,980.76	\$0.00	\$63,980.76
396743	6/11/2014	\$47,114.56	\$0.00	\$47,114.56
396806	6/24/2014	\$17,079.26	\$0.00	\$17,079.26
397448	7/14/2014	\$1,911.01	\$0.00	\$1,911.01
398615	9/8/2014	\$2,039.11	\$0.00	\$2,039.11
399224	10/17/2014	\$2,039.11	\$0.00	\$2,039.11
400710	12/31/2014	\$2,039.11	\$0.00	\$2,039.11
401732	2/19/2015	\$2,039.11	\$0.00	\$2,039.11
402742	4/20/2015	\$2,039.11	\$0.00	\$2,039.11
403759	6/5/2015	\$2,039.11	\$0.00	\$2,039.11
Matter Total:				\$290,512.85
Matter ID: C14676.004 Matter Desc: NASB/GEORGE				
398601	9/8/2014	\$637.50	\$0.00	\$637.50
399225	10/17/2014	\$4.78	\$0.00	\$4.78
400711	12/31/2014	\$4.78	\$0.00	\$4.78
401733	2/19/2015	\$4.78	\$0.00	\$4.78
402743	4/20/2015	\$4.78	\$0.00	\$4.78
403760	6/5/2015	\$4.78	\$0.00	\$4.78
Matter Total:				\$661.40
Total Due:				\$291,174.25

Last payment : Wednesday, June 18, 2014 in the amount of \$ 4,265.55

Type	Invoice	Date	Fees	Cost	Other	Total
BILL	394452	02/12/2014	51,810.00	2,171.74	579.69	54,561.43
SPAY	8729	06/18/2014	-1,365.00	0.00	0.00	-1,365.00
SPAY	9998	06/18/2014	-728.81	-2,171.74	0.00	-2,900.55
InvoiceTotal	394452	02/12/2014	49,716.19	0.00	579.69	50,295.88
InvoiceTotal	394916	03/25/2014	95,913.50	998.65	984.57	97,896.72
InvoiceTotal	396090	05/08/2014	61,154.25	1,506.50	1,320.01	63,980.76
InvoiceTotal	396743	06/11/2014	43,723.50	1,789.40	1,601.66	47,114.56
InvoiceTotal	396806	06/24/2014	16,094.00	985.26	0.00	17,079.26
InvoiceTotal	397448	07/14/2014	0.00	0.00	1,911.01	1,911.01
InvoiceTotal	398601	09/08/2014	637.50	0.00	0.00	637.50
InvoiceTotal	398615	09/08/2014	0.00	0.00	2,039.11	2,039.11
InvoiceTotal	399224	10/17/2014	0.00	0.00	2,039.11	2,039.11
InvoiceTotal	399225	10/17/2014	0.00	0.00	4.78	4.78
InvoiceTotal	400710	12/31/2014	0.00	0.00	2,039.11	2,039.11
InvoiceTotal	400711	12/31/2014	0.00	0.00	4.78	4.78
InvoiceTotal	401732	02/19/2015	0.00	0.00	2,039.11	2,039.11
InvoiceTotal	401733	02/19/2015	0.00	0.00	4.78	4.78
InvoiceTotal	402742	04/20/2015	0.00	0.00	2,039.11	2,039.11
InvoiceTotal	402743	04/20/2015	0.00	0.00	4.78	4.78
InvoiceTotal	403759	06/05/2015	0.00	0.00	2,039.11	2,039.11
InvoiceTotal	403760	06/05/2015	0.00	0.00	4.78	4.78
GRAND TOTAL			267,238.94	5,279.81	18,655.50	291,174.25

\$ 272,518 ⁷⁵

Western District of Missouri Claims Register

[15-41917-abf11 Aving-Rice, LLC \(JOINT ADMIN-All Docketing to be done in 15-41915\)](#)

Judge: Arthur B. Federman **Chapter:** 11
Office: Kansas City **Last Date to file claims:**
Trustee: **Last Date to file (Govt):**

<i>Creditor:</i> (15480553) McDowell Rice Smith & Buchanan, PC 605 W. 47th St Suite 350 Kansas City, MO 64112	Claim No: 2 <i>Original Filed</i> Date: 08/03/2015 <i>Original Entered</i> Date: 08/03/2015	<i>Status:</i> <i>Filed by:</i> CR <i>Entered by:</i> ePOC <i>Modified:</i>
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Amount	claimed: \$272518.75				
Unsecured	claimed: \$272518.75				

History:
[Details](#) [2-1](#) 08/03/2015 Claim #2 filed by McDowell Rice Smith & Buchanan, PC, Amount claimed: \$272518.75 (ePOC)

Description:
Remarks: (2-1) Account Number (last 4 digits):4676

Claims Register Summary

Case Name: Aving-Rice, LLC (JOINT ADMIN-All Docketing to be done in 15-41915)
Case Number: 15-41917-abf11
Chapter: 11
Date Filed: 07/02/2015
Total Number Of Claims: 1

Total Amount Claimed*	\$272518.75
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
Secured		
Priority		
Administrative		