

Fill in this information to identify the case:

Debtor 1 <u>Aving-Rice, LLC</u>
Debtor 2 (Spouse, if filing)
United States Bankruptcy Court <u>Western District of Missouri</u>
Case number: <u>15-41917</u>

FILED
 U.S. Bankruptcy Court
 Western District of Missouri
 6/6/2016
 Paige Wymore-Wynn, Clerk

**Official Form 410
 Proof of Claim**

12/15

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>QUERREY & HARROW</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>QUERREY & HARROW</u>	_____
	Name	Name
	<u>175 WEST JACKSON BLVD. STE 1600 CHICAGO IL 60604-2827</u>	_____
	Contact phone <u>312-540-7000</u>	Contact phone _____
Contact email <u>dfivnn@querrey.com</u>	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? _____	

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

<p>6. Do you have any number you use to identify the debtor?</p>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: _____
<p>7. How much is the claim?</p>	<p>\$ <u>9562.75</u></p> <p>Does this amount include interest or other charges? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).</p>
<p>8. What is the basis of the claim?</p>	<p>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 healthcare information.</p> <p><u>Legal Services/Attorney Fees</u></p>
<p>9. Is all or part of the claim secured?</p>	<p><input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. The claim is secured by a lien on property.</p> <p>Nature of property: <input type="checkbox"/> Real estate. If the claim is secured by the debtor's principal residence, file a <i>Mortgage Proof of Claim Attachment</i> (Official Form 410-A) with this <i>Proof of Claim</i>. <input type="checkbox"/> Motor vehicle <input type="checkbox"/> Other. Describe: _____</p> <p>Basis for perfection: _____</p> <p>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.)</p> <p>Value of property: \$ _____</p> <p>Amount of the claim that is secured: \$ _____</p> <p>Amount of the claim that is unsecured: \$ _____ (The sum of the secured and unsecured amounts should match the amount in line 7.)</p> <p>Amount necessary to cure any default as of the date of the petition: \$ _____</p> <p>Annual Interest Rate (when case was filed) _____ %</p> <p><input type="checkbox"/> Fixed <input type="checkbox"/> Variable</p>
<p>10. Is this claim based on a lease?</p>	<p><input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Amount necessary to cure any default as of the date of the petition. \$ _____</p>
<p>11. Is this claim subject to a right of setoff?</p>	<p><input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Identify the property: _____</p>

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes. <i>Check all that apply.</i>	Amount entitled to priority
A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the 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 \$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"/> Wages, salaries, or commissions (up to \$12,475*) 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).	\$ _____
	<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 checked="" type="checkbox"/> Other. Specify subsection of 11 U.S.C. § 507(a)(1) that applies	\$ 9562.75
* Amounts are subject to adjustment on 4/1/16 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 6/6/2016
MM / DD / YYYY

/s/ David J. Flynn

Signature

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

Name David J. Flynn

First name Middle name Last name

Title Managing Partner

Company _____

Identify the corporate servicer as the company if the authorized agent is a servicer

Address 175 W. Jackson, Suite 1600

Number Street

Chicago, IL 60604

City State ZIP Code

Contact phone 312-540-7000 Email dflynn@querrey.com

EXHIBIT "A"

37650016-GIE

This is an attempt to collect a debt and any information obtained will be used for that purpose

In re: Debtor Aving-Rice, LLC Case No. 15-41917

Addendum to Proof of Administrative Priority Claim of:

QUERREY & HARROW, LTD.

QUERREY & HARROW, LTD. has an Unsecured Priority Administrative Claim against Debtor Aving-Rice, LLC ("Debtor") in the amount of \$9,562.75 (Case No. 15-41917). Such Claim may incorporate or include amounts for legal services which involved or related to co-Debtors Gas-Mart USA, Inc. (Case No. 15-41915) and Fuel Service Mart, Inc. (15-42930), and to the extent any recovery is received from either Bankruptcy Matter pursuant to a separate Proof of Claim, an appropriate Credit will be applied in this Matter.

QUERREY & HARROW, LTD. expressly reserves the right to amend, restate and/or supplement this Proof of Claim to: (i) add and/or include any additional amounts or claims not referenced herein; (ii) provide any additional documentation that may be necessary or appropriate to further evidence and/or establish its claim; and/or (iii) restate the nature and/or classification of this proof of claim (or any portion of this proof of claim) for any reason, including, but not limited to, any determination that this proof of claim is properly allowable as a priority and/or secured claim, and further expressly reserves all of its rights to setoff.

	Matter Name	BK Case No.	Invoice Date	Billed	Adjustments	Total
Ch. 11 Bankruptcy Administrative Claims	Gas-Mart, USA; Aving-Rice, LLC; and, Fuel Service Mart, Inc.	Nos. 15-41915, 15-41917 and 15-42930				
			608801 08/05/2015	\$2,382.75	-\$150.00	\$2,232.75
			609515 09/02/2015	\$3,542.50	\$0.00	\$3,542.50
			610243 10/02/2015	\$1,127.50	\$0.00	\$1,127.50
			612232 01/05/2016	\$220.00	\$0.00	\$220.00
			612857 02/02/2016	\$165.00	\$0.00	\$165.00
			614250 04/04/2016	\$165.00	\$0.00	\$165.00
			608753 08/04/2015	\$300.00	\$0.00	\$300.00
			608464 08/04/2015	\$1,018.00	\$0.00	\$1,018.00
			609888 10/05/2015	\$32.00	\$0.00	\$32.00
			611223 12/02/2015	\$160.00	\$0.00	\$160.00
			608635 08/04/2015	\$600.00	\$0.00	\$600.00
GRAND TOTAL						\$9,562.75

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> (15456552) QUERREY & HARROW 175 WEST JACKSON BLVD. STE 1600 CHICAGO IL 60604- 2827	Claim No: 13 <i>Original Filed</i> Date: 06/06/2016 <i>Original Entered</i> Date: 06/06/2016	<i>Status:</i> Filed by: CR Entered by: ePOC Modified:
Amount claimed: \$9562.75		
Priority claimed: \$9562.75		

History:

Details	13-1	06/06/2016 Claim #13 filed by QUERREY & HARROW, Amount claimed: \$9562.75 (ePOC)
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Description:

Remarks:

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*	\$9562.75
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	\$9562.75	
Administrative		