

Fill in this information to identify the case:

Debtor 1 <u>Gas-Mart USA, Inc.</u>
Debtor 2 (Spouse, if filing)
United States Bankruptcy Court Western District of Missouri
Case number: <u>15-41915</u>

FILED
 U.S. Bankruptcy Court
 Western District of Missouri
 6/14/2016
 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>OGLETREE DEAKINS NASH SMOAK & STEWART PC</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>Ogletree Deakins</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>OGLETREE DEAKINS NASH SMOAK & STEWART PC</u>	_____
	Name	Name
	<u>PO BOX 89</u> <u>COLUMBIA SC 29202-0000</u>	
	Contact phone <u>(816)471-1301</u>	Contact phone _____
	Contact email <u>justin.dean@ogletreedekins.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? _____	

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: 4495

7. How much is the claim? \$ 5251.50 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 healthcare information.
Legal fess associated with defending claim

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. \$ _____

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)?	<input checked="" type="checkbox"/> No <input 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 type="checkbox"/> Other. Specify subsection of 11 U.S.C. § 507(a)(_) that applies	\$ _____
* 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 6/14/2016
MM / DD / YYYY

/s/ Justin M Dean

Signature

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

Name Justin M Dean

First name Middle name Last name

Title Attorney

Company Ogletree, Deakins, Nash, Smoak, & Stewart, P.C

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

Address 4520 Main Stree, Suite 400

Number Street

Kansas City, MO 64111

City State ZIP Code

Contact phone (816) 471-1301 Email justin.dean@ogletreedeakins.com



**OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.**

Attorneys at Law

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www.ogletreedeakins.com

June 13, 2016

Kelly Overfield
GasMart USA, Inc.
10777 Barkley Street, Suite 200
Overland Park, KS 66211

PERSONAL AND CONFIDENTIAL

Invoice # 1542715
Matter # 044495-000001

Re: Clara Caswell v. GasMart USA, Inc. - DIP

For professional services rendered through May 31, 2016, in connection with the above-referenced matter as outlined on the attached detailed billing sheets:

Fees	\$3,607.00
Expenses	\$0.00
Total Due This Invoice	\$3,607.00

PLEASE REMIT TO: Ogletree, Deakins, Nash, Smoak & Stewart, P.C.
Post Office Box 89
Columbia, SC 29202
Federal ID # 57-1044820

Payable upon receipt.

Direct inquiries to the billing attorney or the Account Services Department (864) 241-1900.



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06/13/16

Invoice No. 1542715
044495-000001-JMD

Kelly Overfield
GasMart USA, Inc.
10777 Barkley Street, Suite 200
Overland Park, KS 66211

Re: Clara Caswell v. GasMart USA, Inc. - DIP

For professional services rendered through May 31, 2016:

Date	Initials	Description	Hours	Amount
07/07/15	JMD	Analyze potential issues and impact associated with Chapter 11 bankruptcy filing.	0.30	93.00
07/07/15	JMD	Telephone call with Nick Zluticky, bankruptcy counsel, regarding Chapter 11 bankruptcy filing.	0.20	62.00
07/08/15	JMD	Prepare Suggestion of Bankruptcy pleading.	0.10	31.00
07/08/15	JMD	E-mail to Alicia Kelman at AIG regarding case status.	0.10	31.00
07/20/15	JMD	E-mail with Kelly Overfield regarding case status.	0.20	62.00
10/27/15	JMV	Appear for case management conference.	1.50	412.50
02/01/16	JMD	Research and analyze potential for joint and several liability on Plaintiff's claim against PCF Saleco.	0.50	155.00
02/01/16	JMD	Telephone call to Louise Tilghman and e-mail to Rob Biddison to discuss case status.	0.10	31.00
02/01/16	JMD	E-mail correspondence to Nick Zluticky and Stinson Leonard firm regarding bankruptcy status.	0.10	31.00
02/01/16	JMD	E-mails with court staff regarding scheduling status conference requested by judge.	0.20	62.00
02/01/16	JMD	Telephone call with Plaintiff's counsel regarding GasMart USA status and Plaintiff's plan to proceed against PCF Saleco.	0.30	93.00
02/02/16	JMD	E-mail to Alicia Kelman and AIG regarding case status update.	0.20	62.00



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Invoice No. 1542715

044495-000001-JMD

Date	Initials	Description	Hours	Amount
02/02/16	JMD	Research regarding co-defendant PCF Saleco's status.	0.20	62.00
02/02/16	JMD	Analysis regarding potential for separate trials and strategize regarding seeking a continuance.	0.70	217.00
02/02/16	JMD	E-mail with Court staff regarding status conference requested by judge.	0.10	31.00
02/02/16	JKO	Analysis and research regarding default judgment against co-defendant.	1.80	495.00
02/03/16	JMD	Telephone conference with Plaintiff's counsel regarding case status and claim against PCF Saleco.	0.40	124.00
02/03/16	JMD	E-mails with Court staff and Plaintiff's counsel regarding case management teleconference.	0.20	62.00
02/03/16	JMD	Analyze potential option for dismissal of individual defendants without prejudice.	0.10	31.00
02/03/16	JKO	Prepare Motion for Continuance.	1.50	412.50
02/08/16	JMD	Prepare for case management teleconference with the Court.	0.20	62.00
02/08/16	JMD	Appear for case management teleconference with the Court and Plaintiff's counsel regarding case status and stay of all deadlines.	0.50	155.00
02/08/16	JKO	Scheduling conference with Court.	0.20	55.00
02/10/16	JMD	Telephone call with Kelly Helm at GasMart regarding bankruptcy status.	0.10	31.00
02/10/16	JMD	E-mail to Alicia Kelman at AIG regarding case status update.	0.30	93.00
02/16/16	JMD	Multiple attempts to contact Louise Tilghman and Rob Biddison regarding case status.	0.20	62.00
02/16/16	JMD	Telephone call with Defendant Louise Tilghman regarding case status.	0.20	62.00
02/17/16	JMD	Review and analyze bankruptcy status.	0.20	62.00
02/17/16	JMD	E-mail to Plaintiff's counsel regarding GasMart's bankruptcy status.	0.20	62.00



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Date	Initials	Description	Hours	Amount
02/18/16	JMD	Telephone call with Alicia Kelman Dale and Ryan Potente regarding GasMart case status and issues related to individual defendants.	0.30	93.00
02/24/16	JMD	Telephone call with Alicia Kelman at AIG regarding status.	0.10	31.00
03/14/16	JMD	Analyze bankruptcy court rules regarding obtaining "comfort order" from Trustee.	0.30	93.00
03/14/16	JMD	E-mail to Trustee regarding case status and obtaining "comfort order."	0.20	62.00
04/11/16	JMD	Telephone call with Plaintiff's counsel regarding bankruptcy status.	0.10	31.00
04/11/16	JMD	E-mail with Plaintiff's counsel regarding bankruptcy status and options for pursuit of claim.	0.30	93.00
Total Services			12.20	3,607.00

Timekeeper Summary

Timekeeper	Title	Rate	Hours	Amount
Justin M. Dean	Shareholder	310.00	7.20	2,232.00
Jacquelyn M. Vavroch	Associate	275.00	1.50	412.50
Jennifer K. Oldvader	Associate	275.00	3.50	962.50

TOTAL FEES	\$3,607.00
TOTAL EXPENSES	\$0.00
TOTAL THIS INVOICE	\$3,607.00



**OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.**

Attorneys at Law

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Facsimile: 864.235.4649
www.ogletreedeakins.com

June 13, 2016

Kelly Overfield
GasMart USA, Inc.
10777 Barkley Street, Suite 200
Overland Park, KS 66211

PERSONAL AND CONFIDENTIAL

Invoice # 1542716
Matter # 044495-000002

Re: Smith-Roberts, Ashley vs. Gas-Mart USA

For professional services rendered through May 31, 2016, in connection with the above-referenced matter as outlined on the attached detailed billing sheets:

Fees	\$1,644.50
Expenses	\$0.00
Total Due This Invoice	\$1,644.50

PLEASE REMIT TO: Ogletree, Deakins, Nash, Smoak & Stewart, P.C.
Post Office Box 89
Columbia, SC 29202
Federal ID # 57-1044820

Payable upon receipt.

Direct inquiries to the billing attorney or the Account Services Department (864) 241-1900.



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06/13/16
Invoice No. 1542716
044495-000002-JMD

Kelly Overfield
GasMart USA, Inc.
10777 Barkley Street, Suite 200
Overland Park, KS 66211

Re: Smith-Roberts, Ashley vs. Gas-Mart USA

For professional services rendered through May 31, 2016:

Date	Initials	Description	Hours	Amount
07/08/15	JMD	Prepare Suggestion of Bankruptcy Pleading for filing.	0.10	31.00
07/08/15	JMD	E-mail to Ryan Potente at AIG regarding case status.	0.10	31.00
07/21/15	JMV	Attend case management conference and confer with Judge Roldan regarding bankruptcy issues.	1.60	440.00
12/17/15	JMV	Appear for case management conference.	1.90	522.50
04/11/16	JMD	Analyze status of Gas-Mart's bankruptcy in preparation for status conference with the Court.	0.50	155.00
04/12/16	JMD	Travel to court in Independence, MO for case management conference.	0.50	155.00
04/12/16	JMD	Appear for case management conference.	0.40	124.00
04/12/16	JMD	Return travel to office following case management conference.	0.40	124.00
04/18/16	JMD	E-mail with Ryan Potente at AIG regarding case dismissal.	0.10	31.00
04/18/16	JMD	E-mail with Sharon Stolte, bankruptcy counsel for Gas-Mart, regarding case dismissal.	0.10	31.00
Total Services			5.70	1,644.50

Timekeeper Summary

Timekeeper	Title	Rate	Hours	Amount
Justin M. Dean	Shareholder	310.00	2.20	682.00
Jacquelyn M. Vavroch	Associate	275.00	3.50	962.50



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Invoice No. 1542716
044495-000002-JMD

TOTAL FEES	\$1,644.50
TOTAL EXPENSES	\$0.00
TOTAL THIS INVOICE	\$1,644.50

Western District of Missouri Claims Register

[15-41915-abf11 Gas-Mart USA, Inc.](#)

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

Creditor: (15455990) OGLETREE DEAKINS NASH SMOAK & STEWART PC PO BOX 89 COLUMBIA SC 29202-0000	Claim No: 130 <i>Original Filed</i> Date: 06/14/2016 <i>Original Entered</i> Date: 06/14/2016	Status: Filed by: CR Entered by: ePOC Modified:
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Amount claimed: \$5251.50

History:

[Details](#) [130-](#) 06/14/2016 Claim #130 filed by OGLETREE DEAKINS NASH SMOAK & STEWART PC, Amount claimed: \$5251.50 (ePOC)
 [1](#)

Description:

Remarks: (130-1) Account Number (last 4 digits):4495

Claims Register Summary

Case Name: Gas-Mart USA, Inc.
Case Number: 15-41915-abf11
Chapter: 11
Date Filed: 07/02/2015
Total Number Of Claims: 1

Total Amount Claimed*	\$5251.50
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		