

Fill in this information to identify the case:

Debtor 1 Gold's North Carolina, LLC

Debtor 2 _____
(Spouse, if filing)

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

Case number 20-31328-hdh11

E-Filed on 08/18/2020
Claim # 230

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?** Rosen Burlington LLC
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?** No
 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>Melissa Lavin</u> Name <u>40 East 69th Street</u> Number Street <u>New York NY 10021</u> City State ZIP Code Contact phone <u>(212) 249-4630</u> Contact email <u>mlavin@rosengroupinc.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?** No
 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?** No
 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?** \$ 81,919.11. **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.
Rent and Ancillary

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)?

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

\$ 0.00

\$ 0.00

\$ 0.00

\$ 0.00

\$ 0.00

\$ 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 08/18/2020
MM / DD / YYYY

Melissa Lavin

Signature

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

Name Melissa Lavin
First name Middle name Last name

Title CFO

Company Rosen Equities LLC
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address _____
Number Street

City State ZIP Code

Contact phone _____ Email _____

Attachment 1 - Burlington Proof of Claim_8.18.2020.pdf

Description - A/R Arrears. \$14,369.58 represents real estate tax accrued pre-petition but posted post-petition due to timing of receipt.

Aging Detail

DB Caption: LIVE Tenant: bchgolds Status: Current, Past, Future Age As Of: 08/18/2020 Post To: 08/2020

Property	Customer	Lease	Status	Tran#	Charge Code	Date	Month	Current Owed	0-30 Owed	31-60 Owed	61-90 Owed	Over 90 Owed	Pre-payments	Total Owed
Burlington-Golds Gym Plaza (mchurch)														
Gold's North Carolina, LLC (bchgolds)														
mchurch	Gold's North Carolina, LLC		Past	C-574146	rec_tax	03/01/2020	03/2020	43,464.97	0.00	0.00	0.00	43,464.97	0.00	43,464.97
mchurch	Gold's North Carolina, LLC		Past	C-574144	rec_cam	03/31/2020	03/2020	-8,461.00	0.00	0.00	0.00	-8,461.00	0.00	-8,461.00
mchurch	Gold's North Carolina, LLC		Past	C-574145	rec_ins	03/31/2020	03/2020	3,511.80	0.00	0.00	0.00	3,511.80	0.00	3,511.80
mchurch	Gold's North Carolina, LLC		Past	C-571663	est_cam	04/01/2020	04/2020	2,165.33	0.00	0.00	0.00	2,165.33	0.00	2,165.33
mchurch	Gold's North Carolina, LLC		Past	C-571664	rent	04/01/2020	04/2020	30,231.67	0.00	0.00	0.00	30,231.67	0.00	30,231.67
mchurch	Gold's North Carolina, LLC		Past	C-584878	rec_cam	07/01/2020	07/2020	-2,804.71	0.00	-2,804.71	0.00	0.00	0.00	-2,804.71
mchurch	Gold's North Carolina, LLC		Past	C-584879	rec_cam	07/01/2020	07/2020	-948.42	0.00	-948.42	0.00	0.00	0.00	-948.42
mchurch	Gold's North Carolina, LLC		Past	C-584880	rec_ins	07/01/2020	07/2020	293.23	0.00	293.23	0.00	0.00	0.00	293.23
mchurch	Gold's North Carolina, LLC		Past	C-584881	rec_ins	07/01/2020	07/2020	96.66	0.00	96.66	0.00	0.00	0.00	96.66
mchurch	Gold's North Carolina, LLC		Past	C-589730	rec_tax	08/01/2020	08/2020	10,806.87	10,806.87	0.00	0.00	0.00	0.00	10,806.87
mchurch	Gold's North Carolina, LLC		Past	C-589731	rec_tax	08/01/2020	08/2020	3,562.71	3,562.71	0.00	0.00	0.00	0.00	3,562.71
								81,919.11	14,369.58	-3,363.24	0.00	70,912.77	0.00	81,919.11
mchurch								81,919.11	14,369.58	-3,363.24	0.00	70,912.77	0.00	81,919.11
Grand Total								81,919.11	14,369.58	-3,363.24	0.00	70,912.77	0.00	81,919.11

Userld : mlavin Date : 8/18/2020 Time : 11:13 AM