

Fill in this information to identify the case:

Debtor 1 Gold's Texas Holdings Group, Inc.

Debtor 2 _____
(Spouse, if filing)

United States Bankruptcy Court for the: Northern District of Texas

Case number 20-31318-hdh11

RECEIVED
 SEP 10 2020
 BMC GROUP

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?** United Lynn-Con Corporation
 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?** **Where should notices to the creditor be sent?** **Where should payments to the creditor be sent? (if different)**

Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	<u>Thomas R. Stauch</u> Name <u>10000 N. Central Expressway, Suite 1040</u> Number Street <u>Dallas TX 75231</u> City State ZIP Code Contact phone <u>214.823.2006</u> Contact email <u>tstauch@ns-law.net</u>	_____ Name _____ Number Street _____ City State ZIP Code Contact phone _____ Contact email _____
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Uniform claim identifier for electronic payments in chapter 13 (if you use one):

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? \$ 1,729.00 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.
Labor & materials - see attached Lien re 8900 S. Congress

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: See attached Lien Affidavit
 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: \$ 12,180,378.00
Amount of the claim that is secured: \$ 1,729.00
Amount of the claim that is unsecured: \$ 0.00 (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: \$ 1,729.00
Annual Interest Rate (when case was filed) 0.00 %
 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)?

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).

Amount entitled to priority

\$ _____

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.

\$ _____

* 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 09/09/2020
MM / DD / YYYY

Thomas R. Stauch

Signature

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

Name Thomas R. Stauch
First name Middle name Last name

Title Attorney at Law

Company Nowak & Stauch, PLLC
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address 10000 N. Central Expressway, Suite 1040
Number Street
Dallas TX 75231
City State ZIP Code

Contact phone 214.823.2006 Email tstauch@ns-law.net

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS



Dana DeBeauvoir

Dana DeBeauvoir, County Clerk
Travis County, Texas

May 15, 2020 12:18 PM Fee: \$46.00

2020078666

Electronically Recorded

**NOTICE: THIS IS NOT A LIEN.
THIS ONLY AN AFFIDAVIT CLAIMING A LIEN.**

AFFIDAVIT CLAIMING MECHANIC’S AND MATERIALMAN’S LIEN

State of Texas §
 §
County of Dallas §

BEFORE ME, the undersigned authority, personally appeared Bary Saladino, on oath swears that the following statements are true and are within his personal knowledge:

My name is Bary Saladino. I am the President of United Lynn-Con Corporation (“Claimant”). This affidavit is made to perfect a mechanic’s and materialman’s lien against the real property described below:

1. Claimant has an unpaid claim (the “Claim”) in the total amount of **\$1,729.00** (“Claim Amount”), and this amount is just and reasonable and has not been paid. The Claim constitutes the reasonable value of the Claimant’s services furnished after all extra charges, credits, payment, and offsets have been allowed.
2. The Claim Amount has accrued pursuant to a contract (the “Contract”) whereby Claimant furnished labor and materials, as subcontractor, for construction of improvements on the property on which this claim is made (the “Property”), including, but not limited to, the labor and materials required to perform flooring work at the Property. Work was done under the Contract in March 2020. The last month in which Claimant provided the services described herein was March 2020.
3. Claimant furnished materials and labor for improvements to the Property described herein under the Contract to CRG (Club Resource Group) (“CRG”), as original contractor, whose last known address is:

**CRG (Club Resource Group)
1875 N. MacArthur Dr.
Tracy, CA 95376**

4. The name and last known address of the owner or reputed owner (“Owner”) of the Property is:

**ER South by South Congress, LLC
5005 Lyndon B. Johnson Freeway, Suite 1200
Dallas, TX 75244**

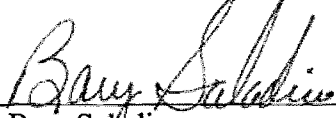
5. The legal description of the Property improved by Claimant’s above-described labor and materials is:

BEING 7.558 ACRES OF LAND, MORE OR LESS, OUT OF AND A PORTION OF THE F.M. HODGES SURVEY NO. 22 AND THE STEPHEN H. SLAUGHTER LEAGUE BOTH IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN CALLED 1.682 ACRE TRACT OF LAND CONVEYED BY DEED TO CAPITAL CITY WAREHOUSING, INC. AS RECORDED IN TRACT TWO OF VOLUME 12962, PAGE 125 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING OUT OF AND A PORTION OF LOT 3 OF THE TOM F. DUNNAHOO SUBDIVISION, AS RECORDED IN VOLUME 683, PAGE 1 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID LOT 3 BEING CONVEYED BY DEED TO CAPITAL CITY WAREHOUSING, INC. IN TRACT 1 OF SAID VOLUME 12962, PAGE 125 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, MORE PARTICULARLY DESCRIBED IN THE CORRECTION DEED RECORDED AS CLERK'S DOCUMENT NO. 2017094296 IN THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, WHICH IS ADOPTED AND INCORPORATED HEREIN BY REFERENCE, AND ALSO COMMONLY REFERRED TO AS BEING LOCATED AT 8900 S. CONGRESS AVE., AUSTIN, TX 78745.

6. Gold's Texas Holdings Group, Inc. ("Gold's") owns the leasehold interest ("Leasehold") on the Property. That Leasehold and improvements on it are sought to be charged with Claimant's lien; Claimant is not asserting a lien on the real property or Owner.
7. Claimant's physical and mailing address is:

**1308 S. Hampton Road
DeSoto, Texas 75115**
8. True and correct copies of all notices reflecting the date and method by which the Claim Amount was sent are attached hereto as Exhibit A and are incorporated by reference.
9. Claimant claims a mechanic's and materialman's lien on the above-described Leasehold thereon to secure payment of the Claim Amount in accordance with Chapter 53 of the Texas Property Code.
10. Claimant is sending one copy of this affidavit to Owner, CRG, and Gold's at their last known addresses by certified mail, return receipt requested.

United Lynn-Con Corporation

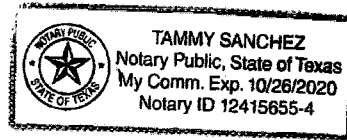


By: Bary Saladino
President

SUBSCRIBED AND SWORN TO before me on the 13th day of May, 2020, by Bary Saladino.



Notary Public, State of Texas



AFTER RECORDING RETURN TO:

Thomas R. Stauch
NOWAK & STAUCH, PLLC
10000 North Central Expressway, Suite 1040
Dallas, Texas 75231
Telephone: (214) 823-2006
Facsimile: (214) 823-2007

United Lynn-Con Corporation
 FLOORING SPECIALISTS
 1308 S HAMPTON ROAD • DeSOTO, TEXAS 75115
 (972)223-2540 • FAX (972)223-5530

INVOICE

INVOICE DATE		CUSTOMER NO.	INVOICE NUMBER
3/30/2020		CLUB01	51435
P.O. #	JOB NUMBER	JOB NAME	
PO159920	19-31350-04	GOLDS/AUSTIN/19-31350-04	
SALES PERSON		TERMS	
EW		Net 30	

TO: CLUB RESOURCE GROUP
 1875 N MACARTHUR DRIVE
 TRACY, CA 95376

JOB SITE:

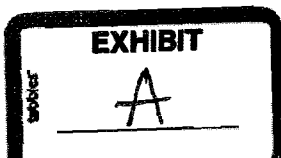
GOLD'S GYM
 8900 S CONGRESS AVE
 AUSTIN, TX 78748

DESCRIPTION	QUANTITY	UNIT PRICE	AMOUNT
RETURN TRIPS, F&I ADDITIONAL BASE, THRESHOLDS, CUT RUBBER @TURF		3,610.00	3,610.00
BACKCHARGE FOR REPAIR DAMAGED FENCE		-1,881.00	-1,881.00
Subtotal			\$1,729.00
Sales Tax (0.0%)			\$0.00
Total			\$1,729.00

Balance Due \$1,729.00

Thank You!

INTEREST WILL BE CHARGED AT A RATE OF 1 1/2% PER MONTH (18% ANNUAL OR MAXIMUM ALLOWED) ON ALL PAST DUE ACCOUNTS



DocuSign Envelope ID: 1A6CD2CE-9231-46E4-ADA8-C68D10BFC60B



Subcontractor
 UNITED LYNN-CON CORPORA...
 1308 S. HAMPTON ROAD
 DESOTO TX 75115
 United States

Ship To
 Gold's Gym Slaughter & Congress
 8900 South Congress Avenue
 Building #1
 Austin TX 78748
 United States

Work Order

WO # **PO159920**
Date 3/26/2020
Ship Date 3/26/2020
Vendor #
Master Contract # 2020-UNIT
Sales Rep
Site Contact Eddy Watson
Site Phone Number 214.502.2335
1st App = Sales Rep Wendt, Eric A
2nd App = Binding Wendt, Eric A
Sales Order Number Sales Order #SO20-473
Install Date
Sidemark

INSTALL-FLR	1	INSTALLATION SERVICES C0#4	3,810.00	3,810.00
		ADDITIONAL SERVICES AS FOLLOWS: -Return Trip-Install Turf = \$450.00 ✓ (Too cold first trip) -Furnish/Install additional cove base = \$840.00 (480 Feet) ✓ -Return Trip to lay wall base = \$450.00 ✓ (Painter was not complete on first trip) Return Trips = \$900.00 ✓ (1) Maples 2x4 Infill for Expansion Void (2) Install thresholds-Delayed originally-Approved by Westport Punch -Cut Rubber @ turf = \$450.00 ✓ (Too high @ door) -Transitions = \$70.00 -Return Trip to install new transitions = \$450.00 ✓		
DISCOUNT	1	INSTALLATION SERVICES FOR C0#2	(1,881.00)	(1,881.00)
		- Backcharge for repair of damaged black vinyl chain link fence and pvc privacy slats Note: See ULC message dated 12/5/20 for breakdown of services/costs. Item number 2 was not approved GG Anderson Cove Base does not applicable		
		DocuSigned by: CA3F8F3738F14FE...		DS

Total \$1,729.00

This WO is issued pursuant to the Subcontractor Agreement between Subcontractor named above and CRG. The WO is subject to the terms and conditions contained in the Subcontract between the parties and is made a part thereof. Any term not otherwise defined herein shall have the meaning specific in the Subcontract. In the event of any conflict or inconsistency between the terms of the WO and the terms of the Subcontract, the terms of the WO shall govern and prevail. The WO is for the scope of work relating to the project name and address above and for the benefit of the customer. The Exhibit(s) to this WO if any, shall be deemed to be a part hereof. In the event of any inconsistencies between the terms of the body of the WO and the terms of the Exhibit(s) hereto, the terms of the body of this WO shall prevail. All work shall adhere to the schedule unless otherwise

Northern District of Texas Claims Register

20-31318-hdh11 GGI Holdings, LLC

Judge: Harlin DeWayne Hale **Chapter:** 11

Office: Dallas **Last Date to file claims:** 09/09/2020

Trustee: **Last Date to file (Govt):** 12/08/2020

<p><i>Creditor:</i> (19155693) United Lynn-Con Corporation c/o Thomas R. Stauch Nowak & Stauch, PLLC 10000 N. Central Expressway, Suite 1040 Dallas, Texas 75231</p>	<p>Claim No: 28 <i>Original Filed</i> <i>Date:</i> 09/09/2020 <i>Original Entered</i> <i>Date:</i> 09/09/2020 <i>Last Amendment</i> <i>Filed:</i> 09/09/2020 <i>Last Amendment</i> <i>Entered:</i> 09/09/2020</p>	<p><i>Status:</i> <i>Filed by:</i> CR <i>Entered by:</i> Thomas Richard Stauch <i>Modified:</i></p>
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Amount claimed: \$1729.00

Secured claimed: \$1729.00

History:

Details 28-1 09/09/2020 Claim #28 filed by United Lynn-Con Corporation, Amount claimed: \$1729.00 (Stauch, Thomas)

Details 28-2 09/09/2020 Amended Claim #28 filed by United Lynn-Con Corporation, Amount claimed: \$1729.00 (Stauch, Thomas)

Details 28-3 09/09/2020 Amended Claim #28 filed by United Lynn-Con Corporation, Amount claimed: \$1729.00 (Stauch, Thomas)

Description: (28-1) 8900 S. Congress

(28-2) 8900 S. Congress

(28-3) 8900 S. Congress

Remarks:

Claims Register Summary

Case Name: GGI Holdings, LLC

Case Number: 20-31318-hdh11

Chapter: 11

Date Filed: 05/04/2020

Total Number Of Claims: 1

Total Amount Claimed*	\$1729.00
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	\$1729.00	
Priority		
Administrative		