

Fill in this information to identify the case:	
Debtor 1	North Avenue Associates LLC
Debtor 2 (Spouse, if filing)	
United States Bankruptcy Court	Northern District of Illinois
Case number:	18-30054

FILED
 U.S. Bankruptcy Court
 Northern District of Illinois
 12/27/2018
 Jeffrey P. Allsteadt, Clerk

**Official Form 410
 Proof of Claim**

04/16

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?	James P. Hayes		
	Name of the current creditor (the person or entity to be paid for this claim)		
	Other names the creditor used with the debtor	James Hayes, James Patrick Hayes	
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?	Where should notices to the creditor be sent?	Where should payments to the creditor be sent? (if different)	
	James P. Hayes		
	Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Name	
	2105 Cumberland Dr. Plainfield, IL 60586-5511	Name	
	Contact phone	8156664803	Contact phone
	Contact email	djshayes@gmail.com	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

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? \$ 4808.05
 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.
 Unpaid accrued vacation pay

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 \$2,850* 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 \$12,850*) 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 4/1/19 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 12/27/2018

MM / DD / YYYY

/s/ JAMES P HAYES

Signature

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

Name JAMES P HAYES

First name Middle name Last name

Title _____

Company _____

Address 2105 Cumberland Dr.

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

Number Street
Plainfield, IL 60586-5511

City State ZIP Code

Contact phone 8156664803 Email djshayes@gmail.com

Vacation Accrual Not Paid- James P. Hayes, North Avenue Assoc. LLC

Vacation days accrued from 7/6/18 until 12/19/18 (24 weeks X .28846 days accrued per week)	6.923
Minus vacation days paid on final paycheck	-2.215
Vacation Days from Accruals History Report (32 days accrued minus 22 days taken)	10
Total unpaid vacation days	14.708
Total unpaid vacation hours (total days x 10 hours per day)	147.08
Total unpaid vacation dollars (total hours x hourly rate of \$32.69)	\$4,808.05



Jim Hayes <djshayes@gmail.com>

Pay Statement and Vacation Accrual

Earl, Mike <mearl@hoboonline.com>

26 December 2018 at 11:09

To: "djshayes@gmail.com" <djshayes@gmail.com>

Attached is your last pay statement.

Attached is your last pay statement and your vacation accrual report.

On your last pay check you would have received:

1. Vacation Time accrued in the 180 days prior to filing bankruptcy (10/25/2018) less time used during that same 180 days.
2. Vacation Time accrued since 10/25/2018 through to your termination date.

You can file a claim in the bankruptcy for any time you accrued that was not included in your final payout. Please be aware that the attached Vac Accrual Report only shows vacation time accrued through to your last anniversary date as well as vacation time taken through to your last day worked. This does not show time accrued from your last anniversary date through to your last day of employment which you will need to manually calculate.

VACATION TIME ACCRUED since your last anniversary date

count the number of full weeks worked since your last anniversary date (For example: 7 weeks and 3 days that will round down to 7 weeks. 7 weeks and 4 days will round up to 8 weeks)

Multiply that by

0.069615 days per week if this is your first year of FULL TIME employment

0.19231 days per week if this is your 2nd through 5th year of FULL TIME employment

0.28846 days per week if this is your 6th or greater year of FULL TIME employment

1. From the attached accrual report: Days Authorized – Days Taken = Balance accrued through your last anniversary date
2. Add the **VACATION TIME ACCRUED since your last anniversary date** Calculated above
3. Multiply the total by your standard daily hours
 - a. 8 hours per day for hourly, warehouse or corporate staff.
 - b. 10 hours per day for salaried STORE management.
4. Multiple that by your hourly rate (you can find that in PayServ:
 - a. <https://secure2.saashr.com/ta/PayServ173001.login?rnd=ZIE>
5. Subtract the vacation payout on your last pay statement (attached)
6. The result is what you accrued that was not paid out.

Michael J Earl, SPHR, SHRM-SCP

Director of Human Resources

Home Owners Bargain Outlet



2650 Belvidere Road

Waukegan, IL 60085

PH: 847-263-1240 ext 12

FX: 847-263-9170

2 attachments

 **PayStatement - Hayes, James.pdf**
64K

 **Vac Accrual - Hayes, James.pdf**
69K

#266 - James P. Hayes Voucher # (32862) Pay Date: 12/21/2018
 26 Pay Period: 12/02/2018-12/15/2018

Earnings					
Rate	Hours	YTD	Current	YTD	
BON			4,838.79	4,838.79	
HOL		30:00		980.76	
SAL	32.69	140:00	2390:00	4,576.92	78,134.61
SICK		70:00		2,288.45	
VAC		150:00		4,903.85	
VAC	32.69	22:15	22:15	727.40	727.40
Gross Pay			10,143.11	91,873.86	

Deductions			
	Current	YTD	
401k		751.87	¹
DENTAL125	33.46	845.10	²
FSA MED 125		2,446.08	²
LTD	37.27	969.02	
Loan 401K	31.52	819.52	
MED125	214.70	4,516.30	²
VISION125	5.33	138.58	²
VOL LIFE EE	21.46	557.96	
VOL LIFE SPOUSE	-85.93	171.58	
Total		257.81	11,216.01

Taxes Withheld				
	Taxable	Taxable YTD	Current	YTD
FIT	9,889.62	83,175.93	1,712.70	7,486.40
FICA	9,889.62	83,927.80	613.15	5,203.52
MEDI	9,889.62	83,927.80	143.40	1,216.95
SIT:IL	9,889.62	83,175.93	476.83	3,811.55
Total			2,946.08	17,718.42

Net Pay	6,939.22	62,939.43
Checking (7440)	500.00	13,000.00
Checking (0939)	6,439.22	49,939.43

Company Paid Benefits		
	Current	YTD
MED125	299.84	7,389.28
FUTA		42.00
FICA	613.15	5,203.52
MEDI	143.40	1,216.95
SUTA:IL		132.82
Total	1,056.39	13,984.57

Tax Allowance Settings

Federal: Married/3
 Illinois: Allowances: 3
 Additional Allowances: 0

¹ Reduces your Federal & State Withholding Taxable Wage
² Reduces your Federal Withholding, OASDI & Medicare Taxable Wage
³ For information purposes only. No effect on your net pay.

HOBO Group - Multi-EIN
 2650 Belvidere Road
 Waukegan, IL 60085

Pay Date: 12/21/2018
Voucher #: (32862)

Deposited To The Account(s) Of	Deposit #	Account Type	Account #	Transit ABA	Deposit
James P. Hayes	1	Checking	XXXXXX7440	071025661	500.00
26 266 12/21/2018 (32862)	2	Checking	XXXXXX0939	071025661	6,439.22
					6,939.22

James P. Hayes
 2105 Cumberland Dr
 Plainfield, IL 60586

NON-NEGOTIABLE - THIS IS NOT A CHECK

HOBO Group - Multi-EIN
 2650 Belvidere Road
 Waukegan, IL 60085

26 266 12/21/2018 (32862)
James P. Hayes
 2105 Cumberland Dr
 Plainfield, IL 60586

Accruals History Report

Employee: James P. Hayes
Time Off: Vacation

Added	Transaction Type	Range	Days Authorized	Days Taken	Updated To Date	Comment	Created By	Created By Employee Id
09/07/2018 02:53p	Time Entry	09/15/2018	-	1.00			Nivia P. Marrero	275
09/07/2018 02:53p	Time Entry	09/14/2018	-	1.00			Nivia P. Marrero	275
09/07/2018 02:53p	Time Entry	09/13/2018	-	1.00			Nivia P. Marrero	275
09/07/2018 02:53p	Time Entry	09/12/2018	-	1.00			Nivia P. Marrero	275
09/07/2018 02:53p	Time Entry	09/10/2018	-	1.00			Nivia P. Marrero	275
09/07/2018 02:52p	Time Entry	09/07/2018	-	1.00			Nivia P. Marrero	275
07/19/2018 02:12p	Time Entry	07/22/2018	-	1.00			Nivia P. Marrero	275
07/19/2018 02:12p	Time Entry	07/20/2018	-	1.00			Nivia P. Marrero	275
07/19/2018 02:12p	Time Entry	07/19/2018	-	1.00			Nivia P. Marrero	275
07/06/2018 03:05a	Automatic Accruals Execution	07/06/2018 - 07/06/2019	15.00	-	07/06/2019		System Administrator	
07/06/2018 03:05a	Carry Over Rule	07/06/2018	4.00	-	07/06/2018		System Administrator	
07/06/2018 03:05a	Carry Over Rule Prev Year Adjustment	07/06/2018	-4.00	-	07/06/2018		System Administrator	
05/07/2018 08:09a	Time Entry	05/05/2018	-	1.00			Nivia P. Marrero	275
05/07/2018 08:09a	Time Entry	05/04/2018	-	1.00			Nivia P. Marrero	275
03/21/2018 12:02p	Time Entry	04/11/2018	-	1.00			Nivia P. Marrero	275
02/14/2018 09:29a	Time Entry	02/15/2018	-	1.00			Nivia P. Marrero	275
02/14/2018 09:29a	Time Entry	02/14/2018	-	1.00			Nivia P. Marrero	275
01/10/2018 02:56p	Time Entry (Modified)	01/03/2018	-	0.20			Julie A. Cwik	389
01/10/2018 02:50p	Time Entry	01/03/2018	-	0.80			Julie A. Cwik	389
11/14/2017 02:24p	Time Entry	11/14/2017	-	1.00			Nivia P. Marrero	275
11/14/2017 02:23p	Time Entry	11/11/2017	-	1.00			Nivia P. Marrero	275
10/11/2017 01:08p	Manual Information Modification	07/05/2018	-	-	07/06/2018	Correct Updated To Date	System Administrator	
10/11/2017 01:07p	Manual Information Modification	07/05/2017	-	-	07/06/2017	Correct Updated To Date	System Administrator	
10/11/2017 12:43p	Manual Information Modification	08/12/2017	-	-	08/13/2017	Correct Updated to Date	System Administrator	
10/06/2017 08:59a	Initial Import Adjustment	08/13/2017	17.00	-	07/19/2018		System Administrator	
08/27/2017 02:19p	Time Entry	08/18/2017	-	1.00			Michael J. Earl	388
08/27/2017 02:19p	Time Entry	08/19/2017	-	1.00			Michael J. Earl	388
08/27/2017 02:19p	Time Entry	08/21/2017	-	1.00			Michael J. Earl	388
08/27/2017 02:19p	Time Entry	08/22/2017	-	1.00			Michael J. Earl	388
08/27/2017 02:19p	Time Entry	08/23/2017	-	1.00			Michael J. Earl	388
Report Total			32.00	22.00				



Northern District of Illinois Claims Register

[18-30054 North Avenue Associates LLC](#)

Honorable Judge: Jacqueline P. Cox **Chapter:** 11
Office: Eastern Division **Last Date to file claims:**
Trustee: **Last Date to file (Govt):**

<p><i>Creditor:</i> (27404514) James P. Hayes 2105 Cumberland Dr. Plainfield, IL 60586-5511</p>	<p>Claim No: 9 <i>Original Filed</i> Date: 12/27/2018 <i>Original Entered</i> Date: 12/27/2018</p>	<p><i>Status:</i> <i>Filed by:</i> CR <i>Entered by:</i> EPoc ADI <i>Modified:</i></p>
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Amount claimed: \$4808.05

History:

[Details](#) [9-1](#) 12/27/2018 Claim #9 filed by James P. Hayes, Amount claimed: \$4808.05 (ADI, EPoc)

Description:

Remarks:

Claims Register Summary

Case Name: North Avenue Associates LLC
Case Number: 18-30054
Chapter: 11
Date Filed: 10/25/2018
Total Number Of Claims: 1

Total Amount Claimed*	\$4808.05
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		