

Fill in this information to identify the case:

Debtor 1 Belvidere Associates LLCDebtor 2
(Spouse, if filing)

United States Bankruptcy Court for the: Northern District of Illinois - Eastern Div

Case number 18-30043**FILED**
UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS

FEB 04 2019

JEFFREY P. ALLSTEADT, CLERK
TEAM - CA

Official Form 410

04/16

Proof of Claim

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?

John R. Claussen, Jr.
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)

John R. Claussen, Jr.
Name227 N. Skokie Hwy
Number StreetLake Bluff, IL 60044
City State ZIP CodeContact phone 847. 420-3551Contact email jbclaussen@gmail.com

Name

Number Street

City State ZIP Code

Contact phone

Contact email

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? \$ 2063.80 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.

unpaid accrued vacation time

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: unpaid accrued vacation time

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)?

☒ No☐ Yes. Check one:

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.

☐ Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).

\$ _____

☐ 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).

\$ _____

☐ 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).

\$ _____

☐ 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 4/01/19 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

01/06/2019
MM-DD-YY

Signature

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

Name

John
First nameR.
Middle nameClausen, Jr.
Last name

Title

Company

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

Address

227 N. Skokie Hwy
Number StreetLake Bluff
CityIL
State60044
ZIP Code

Contact phone

847-420-3551

Email

jbcclausen@gmail.com

Earl, Mike <mearl@hoboonline.com>

To: 'John Claussen'

Cc: Cwik, Julie

Dec 14 at 12:49 PM

Hi John,

Attached is your pay statement, your accrual balances, and the vacation policy which breaks down how you were accruing time.

Anything accrued in the 180 days prior to the bankruptcy (10/25/2018) less used during that time plus anything you accrued since 10/26 is considered a priority claim in the bankruptcy and is the only amount we are allowed to payout on a final paycheck. In addition, anything accrued since the bankruptcy is also required as a payout on your last check. Anything you accrued above that amount is considered a lower priority claim in the bankruptcy and must be filed as a claim in the bankruptcy.

You should have received or will be receiving shortly in the mail a 9 x 11 envelope with instructions on how to file a claim. Mine showed up in the mail yesterday. It's a plain white envelope so open all your mail.

In the 180 days before bankruptcy you accrued 60 hours of vacation time (26 weeks times 0.28846 days per week x 8 hours per day = 60 hours). Unfortunately during that same 180 days you had used 128 hour of vacation time so we were not able to pay out any time for that. However you were accruing 0.28846 days of vacation per week since 10/26/2018 so we were able to pay out $0.28846 \times 4 \text{ weeks} \times 8 \text{ hours per day} = 9.23 \text{ hours}$ or 9 hours 13 minutes on your last check.

According to your accrual report, you had 12 accrued days (or 96 hours) up through 07/15/2018. In addition you accrued 15 more weeks since your anniversary at 0.28846 days per week and 8 hours per day so you have 34.62 hours of time added to the 96. Therefore you should file a claim in the bankruptcy for 130.62 hours of vacation time at your last hourly rate of 15.80 per hour or \$2,063.80

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



To: All Full-Time Employees

From: Michael Earl

Date: 10/23/2018

Re: Changes to Vacation Policy – Effective Immediately

Effective immediately, the following changes and clarifications to the Company's Vacation Policy as set forth in the HOBO Employee Handbook are in effect:

From the date of this notice, full time employees in Illinois and Wisconsin will earn vacation time throughout each year (calculated from your employment anniversary date) in the following manner:

- After completing your 1st full-time year of employment, you will earn up to 1 week of paid vacation per year calculated from your first work anniversary date throughout the year until your next anniversary date at the rate of 0.09615 days per week of employment.
- After completing your 2nd full-time year of employment, and beginning on your second anniversary date, you are entitled to up to 2 weeks of paid vacation per year which shall accrue from your work anniversary date throughout the year until your next anniversary date at the rate of 0.19231 days per week of employment.
- After completing your 5th full-time year of employment, and beginning on your fifth anniversary date, you are entitled to up to 3 weeks of paid vacation per year which shall accrue from your work anniversary date throughout the year until the next anniversary date at the rate of 0.28846 days per week of employment.

The Company reaffirms its policy of not permitting full-time employees to carry vacation time not used into the following year. No exceptions to this "no carryover" policy for vacation earned from the date of this amendment shall be granted.

#103 - John R. Claussen 24				Voucher # (32276)		Pay Date: 12/07/2018 Pay Period: 11/18/2018-12/01/2018	
Earnings				Company Paid Benefits			
	Rate	Hours	YTD	Current	YTD	Current	YTD
COM					10,548.42		42.00
COM					36.76		2,536.32
HOL	15.80	8:00	24:00	126.40	370.08		
OT			4:40		110.61		
REG	15.80	25:54	1717:00	409.22	26,787.93		
SICK			42:45		670.89		
VAC			136:00		2,148.80		
VAC	15.80	9:13	9:13	145.62	145.62		
WC	15.80	5:39	5:39	89.27	89.27		
Gross Pay				770.51	40,908.38	58.94	3,252.50
Deductions				Tax Allowance Settings			
				Current	YTD	Federal:	Married/0
401k					1,855.48	Illinois:	Allowances: 0
LTD					305.58		Additional Allowances: 0
VOL ACCIDENT					339.24		
VOL LIFE CHILD					4.40		
VOL LIFE EE					78.76		
VOL LIFE SPOUSE					39.38		
Total				0.00	2,622.84		
Taxes Withheld							
	Taxable	Taxable YTD	Current	YTD			
FIT	770.51	39,052.90	32.63	3,060.10			
FICA	770.51	40,908.38	47.77	2,536.32			
MEDI	770.51	40,908.38	11.17	593.17			
SIT:IL	770.51	39,052.90	38.14	1,933.12			
Total				129.71	8,122.71		
Net Pay				640.80	30,162.83		
Checking (7369)				640.80	30,162.83		

1 Reduces your Federal & State withholding Taxable wage
2 For information purposes only. No effect on your net pay

HOB0 Group - Multi-EIN 2650 Belvidere Road, Waukegan, IL 60085

1 of 1

HOB0 Group - Multi-EIN
2650 Belvidere Road
Waukegan, IL 60085

Pay Date: 12/07/2018

Voucher #: (32276)

Deposited To The Account(s) Of	Deposit #	Account Type	Account #	Transit ABA	Deposit
John R. Claussen	1	Checking	XXXXX7369	071000013	640.80

24 103 12/07/2018 (32276)

John R. Claussen
227 N Skokie Hwy
Lake Bluff, IL 60044

NON-NEGOTIABLE - THIS IS NOT A CHECK

HOB0 Group - Multi-EIN
2650 Belvidere Road
Waukegan, IL 60085

24 103 12/07/2018 (32276)

John R. Claussen
227 N Skokie Hwy
Lake Bluff, IL 60044

PERSONAL & CONFIDENTIAL

Accruals History Report

Employee: John R. Claussen
Time Off: Vacation

Added	Transaction Type	Range	Days Authorized	Days Taken	Updated To Date	Comment	Created By	Created By Employee Id
10/11/2018 02:14p	Time Entry	10/09/2018	-	1.00			Amanda R. Sperry	415
10/01/2018 05:37p	Time Entry	10/04/2018	-	1.00			Amanda R. Sperry	415
09/04/2018 12:32p	Time Entry	09/09/2018	-	1.00			Amanda R. Sperry	415
08/24/2018 06:17p	Time Entry	08/26/2018	-	1.00			Lindsey B. Kuemmel	2641
08/12/2018 08:49a	Time Entry	08/07/2018	-	1.00			Lindsey B. Kuemmel	2641
08/10/2018 02:16p	Time Entry	08/11/2018	-	1.00			Lindsey B. Kuemmel	2641
08/10/2018 02:16p	Time Entry	08/10/2018	-	1.00			Lindsey B. Kuemmel	2641
07/26/2018 11:53a	Time Entry	07/26/2018	-	1.00			Lindsey B. Kuemmel	2641
07/26/2018 11:53a	Time Entry	07/23/2018	-	1.00			Lindsey B. Kuemmel	2641
07/26/2018 11:53a	Time Entry	07/22/2018	-	1.00			Lindsey B. Kuemmel	2641
07/15/2018 11:02a	Time Entry	07/20/2018	-	1.00			Lindsey B. Kuemmel	2641
07/15/2018 03:06a	Automatic Accruals Execution	07/15/2018 - 07/15/2019	15.00	-	07/15/2019		Lindsey B. Kuemmel	2641
07/15/2018 03:06a	Carry Over Rule	07/15/2018	8.00	-	07/15/2018		System Administrator	
07/15/2018 03:06a	Carry Over Rule Prev Year Adjustment	07/15/2018	-8.00	-	07/15/2018		System Administrator	
07/15/2018 03:06a	Time Entry	06/28/2018	-	1.00			Lindsey B. Kuemmel	2641
06/19/2018 12:30p	Time Entry	06/25/2018	-	1.00			Lindsey B. Kuemmel	2641
06/19/2018 12:30p	Time Entry	06/24/2018	-	1.00			Lindsey B. Kuemmel	2641
06/18/2018 10:17a	Time Entry	06/22/2018	-	1.00			Lindsey B. Kuemmel	2641
05/15/2018 11:04a	Time Entry	05/13/2018	-	1.00			Lindsey B. Kuemmel	2641
04/22/2018 12:10p	Time Entry	04/22/2018	-	1.00			Lindsey B. Kuemmel	2641
10/11/2017 01:08p	Manual Information Modification	07/14/2018	-	-	07/15/2018	Correct Updated To Date	System Administrator	
10/11/2017 01:07p	Manual Information Modification	07/14/2017	-	-	07/15/2017	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 12:13p	Time Entry	10/09/2017	-	1.00			Lindsey B. Kuemmel	2641
10/06/2017 08:59a	Initial Import Adjustment	08/13/2017	16.00	-	01/17/2018		System Administrator	
09/10/2017 09:33a	Time Entry	08/27/2017	-	1.00			Lindsey B. Kuemmel	2641
Report Total			31.00	19.00				

Sorted By: Added Descending

Bradenton

Generated: 12/21/2018 12:34p
Generated By: Michael J. Earl
Page 1 of 1

Northern District of Illinois Claims Register

18-30043 Belvidere Associates LLC

Honorable Judge: Jacqueline P. Cox

Chapter: 11

Office: Eastern Division

Last Date to file claims:

Trustee:

Last Date to file (Govt):

Creditor: (27505833)

Claim No: 88

Status:

John R Claussen Jr

Original Filed

Filed by: CR

227 N Skokie Hwy

Date: 02/04/2019

Entered by: Kevin Lyons

Lake Bluff IL 60044

Original Entered

Modified:

Date: 02/04/2019

Amount claimed: \$2063.80

History:

[Details](#) [88-1](#) 02/04/2019 Claim #88 filed by John R Claussen Jr, Amount claimed: \$2063.80 (Lyons, Kevin)

Description:

Remarks:

Claims Register Summary

Case Name: Belvidere Associates LLC

Case Number: 18-30043

Chapter: 11

Date Filed: 10/25/2018

Total Number Of Claims: 1

Total Amount Claimed*	\$2063.80
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		