

Fill in this information to identify the case:

Debtor 1 John Q. Hammons Fall 2006, LLC
 Debtor 2 _____
 (Spouse, if filing)
 United States Bankruptcy Court for the: _____ District of Kansas
 (State)
 Case number 16-21142

RECEIVED

DEC 20 2016

BMC GROUP

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? Oracle America, Inc., successor in interest to MICROS Systems, Inc. ("Oracle")
 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? <u>Shawn Christianson Esq.</u> <u>Buchalter Nemer, P.C.</u> Name <u>55</u> <u>Second Street, 17th Floor</u> Number Street <u>San Francisco</u> <u>CA</u> <u>94105</u> City State ZIP Code Contact phone <u>415-227-0900</u> Contact email <u>schristianson@buchalter.com</u>	Where should payments to the creditor be sent? (if different) 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? _____

JQH Ctl ID

 00334

ORIGINAL



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? \$ 2784.00 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.
Software License and Service Agreements- QT5894400, GPOS- QT6030259 and related contracts, labor, and expenses (see attachments)

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)?

No
 Yes. Check all that apply:

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).

Amount entitled to priority

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).

\$ _____

\$ _____

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).

\$ _____

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 4/01/16 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).

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.

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

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.

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.

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 12/19/2016
MM/DD/YYYY



Signature

Shawn M. Christianson, Esq., counsel to Oracle

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

Name Shawn M. Christianson, Esq.
First name Middle name Last name

Title Counsel to Oracle

Company Buchalter Nemer P.C.
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address 55 Second Street, 17th Floor
Number Street

San Francisco Ca 94105

City State ZIP Code

Contact phone _____ Email _____

Attachment to Proof of Claim
Oracle America, Inc.

John Q. Hammons Fall 2006, LLC (“JQH”)
Case No. 16-21142

Oracle America, Inc., successor in interest to MICROS Systems (collectively, “Oracle”), hereby files its proof of claim stating:

Oracle also included the amount of this claim in its aggregated proof of claim filed in John Q. Hammons Hotels Management, LLC (Case No. 16-21153). Oracle is not seeking to recover duplicate sums by virtue of asserting these claims in both cases, but rather to ensure its rights are preserved against the correct debtor.

Oracle reserves the right to request payment for all invoices arising after the commencement of the case as an administrative expense under 11 U.S.C. §503, and files this proof of claim without waiver of any rights under Section 503 of the Bankruptcy Code, all of which are reserved.

In addition, Oracle reserves all rights under Section 365 of the Bankruptcy Code, including the right to seek to terminate the agreements on the grounds that the licenses granted to JQH may not be assumed by JQH or assumed and assigned to another entity, without Oracle’s consent.

DEBTOR NAMES	Total Labor Posted Prior to June 26th.	Total Expenses Posted Prior to June 26th	Hardware	Outstanding Invoice for Software/Hardware
John Q Hammons Fall 2006, LLC c/o Courtyard by Marriott Junction City (MHKCY)	\$ 2,784.00	\$ -	Shipped before 6/26/16	

December 19, 2016

BMC Group, Inc.
Attn: John Q. Hammons Claims Processing
3732 W. 120th Street
Hawthorne, CA 90250

Re: John Q. Hammons Claims

Dear Sir/Madam:

Enclosed for filing is an original and one copy of the proofs of claims to be filed in the following cases.

John Q. Hammons Fall 2006, LLC – Case No. 16-21142
John Q. Hammons Hotel Management, LLC – Case No. 16-21153
Hammons of Oklahoma City, LLC – Case No. 16-21157
JQH – Ft. Smith Development, LLC – Case No 16-21159
JQH – Glendale, AZ Development, LLC –Case No. 21169
JQH – Allen Development, LLC – Case No. 16-21174
JQH – Normal Development, LLC – Case No. 16-21194
Chateau Lake, LLC – Case No. 16-21183
JQH – La Vista CY Development, LLC – Case No. 16-21201
Richardson Hammons LP – Case No. 16-21209

Please return a conformed copy to our office in the self-addressed, stamped envelope provided.

BuchalterNemer

John Q. Hammons Claims Processing

December 19, 2016

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Please don't hesitate to contact me, if you have any questions. Thank you.

Best regards,

BUCHALTER NEMER
A Professional Corporation

By



Christine McIntire
Paralegal

Enclosures

District of Kansas Claims Register

[16-21142 John Q. Hammons Fall 2006, LLC](#)

Judge: Robert D. Berger **Chapter:** 11
Office: Kansas City **Last Date to file claims:** 12/23/2016
Trustee: **Last Date to file (Govt):**

<p><i>Creditor:</i> (8522396) Oracle America, Inc. c/o Shawn M. Christianson Buchalter Nemer PC 55 2nd St., 17th Fl. San Francisco, CA 94105</p>	<p>Claim No: 430 <i>Original Filed</i> Date: 12/21/2016 <i>Original Entered</i> Date: 12/21/2016</p>	<p><i>Status:</i> <i>Filed by:</i> CR <i>Entered by:</i> Terri Marshall <i>Modified:</i></p>
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Amount claimed: \$2784.00

History:

[Details](#) [430-1](#) 12/21/2016 Claim #430 filed by Oracle America, Inc., Amount claimed: \$2784.00 (Marshall, Terri)

Description: (430-1) License Agreement

Remarks:

Claims Register Summary

Case Name: John Q. Hammons Fall 2006, LLC
Case Number: 16-21142
Chapter: 11
Date Filed: 06/26/2016
Total Number Of Claims: 1

Total Amount Claimed*	\$2784.00
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		
Priority		
Administrative		