

Fill in this information to identify the case:

Debtor 1 John Q. Hammons Hotels Management, LLC

Debtor 2 _____
(Spouse, if filing)

United States Bankruptcy Court for the: District of Kansas

Case number 16-21142

FILED
Kansas City KS
MAR 02 2017
Clerk
U.S. Bankruptcy Court

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? Hywell Davis
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>Richard J. Mrizek, EEOC</u> Name <u>500 W. Madison Street, Suite 2000</u> Number Street <u>Chicago IL 60661</u> City State ZIP Code Contact phone <u>312-869-8117</u> Contact email <u>richard.mrizek@eeoc.gov</u> | <u>Hywell Davis</u> Name <u>343 Pierre Moran Dr.</u> Number Street <u>Elkhart IN 46517</u> City State ZIP Code Contact phone <u>309-212-8451</u> Contact email <u>hywelldavis@yahoo.com</u> |

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? \$ 2,500.00. 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.
Judgment in a lawsuit

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 one:

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).

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.

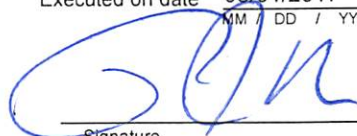
I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

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 03/01/2017
MM / DD / YYYY



Signature

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

Name Richard John Mrizek
First name Middle name Last name

Title Trial Attorney

Company U.S. Equal Opportunity Commission
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address 500 W. Madison Street, Suite 2000
Number Street
Chicago IL 60661
City State ZIP Code

Contact phone 312-869-8117 Email richard.mrizek@eeoc.gov

**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS
PEORIA DIVISION**

**U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,**

Plaintiff,

v.

**JOHN Q. HAMMONS HOTELS
MANAGEMENT LLC,**

Defendant.

Civil Action No. 15-cv-1415

Judge Mihm

Magistrate Judge Hawley

FINAL JUDGMENT

Judgment is hereby entered in favor of Plaintiff U.S. Equal Employment Opportunity Commission on behalf of Laketta Cooper Mundy in the amount of \$5,000, Prentice Brooks in the amount of \$2,500, Nerissa Buchanan in the amount of \$2,500, Hywell Davis in the amount of \$2,500, and Makoso Nzita in the amount of \$2,500; provided, however, that the EEOC acknowledges and agrees that (1) such judgment constitutes a general unsecured claim against John Q. Hammons Hotels Management, LLC's bankruptcy estate; (2) the EEOC cannot execute or otherwise collect or attempt to collect such judgment except that the EEOC may file a proof of claim in Case No. 16-21142 in the United States Bankruptcy Court for the District of Kansas; and (3) such judgment will be fully satisfied by any distribution pursuant to any confirmed plan of reorganization or liquidation in John Q. Hammons Hotels Management, LLC's bankruptcy case.

/s/ Michael M. Mihm

The Hon. Michael Mihm
United States District Judge

Date: 2/27/2017



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Chicago District Office

Richard J. Mrizek
Direct Dial: (312) 869-8117
Richard.mrizek@eeoc.gov

500 West Madison Street, Suite 2000
Chicago, IL 60661
EEOC General Information: (800) 669-4000
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March 1, 2017

Via Overnight mail

United States Bankruptcy Court for the District of Kansas
161 U.S. Courthouse
500 State Ave.
Kansas City, KS. 66101

RE: In re: John Q. Hammons Fall 2006, LLC, et al.,
Case No. 16-21142

Dear Clerk of the Court:

Attached please find the two copies of the proof of claim forms for Laketta Cooper Mundy, Prentice Brooks, Nerissa Buchanan, Hywell Davis, and Makoso Nzita, who are individuals that we represent in an employment discrimination suit against John Q. Hammons Hotels Management, LLC's, which is one of the debtors in a pending bankruptcy, Case No. 16-21142. Please have these proof of claim forms filed and return a file-stamped copy in the included self-addressed, stamped envelope. Please feel free to contact me at 312-869-8117, if you have any questions.

Sincerely,

s/Richard J. Mrizek

Richard J. Mrizek
Trial Attorney

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:

Trustee:

Last Date to file (Govt):

Creditor: (8671100)
Hywell Davis
Richard J. Mrizek, EEOC
500 W. Madison Street, Suite
2000
Chicago, IL 60661

Claim No: 777
Original Filed
Date: 03/06/2017
Original Entered
Date: 03/06/2017

Status:
Filed by: CR
Entered by: Terri Marshall
Modified:

Amount claimed: \$2500.00

History:

[Details](#) [777-1](#) 03/06/2017 Claim #777 filed by Hywell Davis, Amount claimed: \$2500.00 (Marshall, Terri)
[1](#)

Description: (777-1) Judgment in a Lawsuit (Listed debtor is John Q. Hammons Hotels Mgmt, LLC)

Remarks: (777-1) ECF by Claims Agent 3/6/2017

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* | \$2500.00 |
| 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 | | |