

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

RECEIVED

JUL 28 2017

BMC GROUP

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?	<u>Davis & Campbell L.L.C.</u> 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?	<input checked="" type="checkbox"/> No <input type="checkbox"/> 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>Davis & Campbell L.L.C.</u> Name <u>401 Main Street, Suite 1600</u> Number Street <u>Peoria</u> <u>IL</u> <u>61602</u> City State ZIP Code Contact phone <u>(309) 673-1681</u> Contact email <u>dglubben@dcamplaw.com</u> Uniform claim identifier for electronic payments in chapter 13 (if you use one): _____	Where should payments to the creditor be sent? (if different) _____ Name _____ Number Street _____ City State ZIP Code Contact phone _____ Contact email _____
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? _____	

JQH Ct ID
00619

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: 1 9 3 2

7. How much is the claim? \$ 2,465.00 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.
Legal services rendered for EEOC litigation in Central Dist. Illinois

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)?

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

☒ 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 \$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 07/27/2017
MM / DD / YYYY

s/David G. Lubben

Signature

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

Name David Lubben
First name Middle name Last name

Title Member

Company Davis & Campbell L.L.C.
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address 401 Main Street, Suite 1600
Number Street
Peoria IL 61602
City State ZIP Code

Contact phone 309-673-1681 Email dglubben@dcamlaw.com

Name of Debtor: John Q. Hammons Hotels Management, LLC
Case No.: 16-21142
Claimant: Davis & Campbell L.L.C.

RIDER TO PROOF OF CLAIM

This Proof of Claim is being filed to evidence and assert Davis & Campbell L.L.C.'s ("D&C") claims for amounts owed in connection with legal services rendered to the Debtor, for the limited period of time after the filing of the petition for bankruptcy in June 2016 and before a petition was filed to formally retain D&C in this matter on or about August 23, 2016. D&C had previously been representing John Q. Hammons Hotels Management, LLC in a lawsuit filed by the EEOC in the Central District of Illinois going back to October 2015. The services provided were for the benefit, preservation and defense of the Debtor against claims asserted by the EEOC. The invoice supporting this Proof of Claim are attached. The amount claimed by D&C in this claim is \$2,465.00. This claim does not include any pre-petition legal services, and it does not include any legal services rendered after the petition to retain D&C was filed in this bankruptcy case, which are the subject of interim applications for approval filed separately.

DAVIS & CAMPBELL L.L.C.

401 MAIN STREET
SUITE 1600
PEORIA, ILLINOIS 61602-1241
TEL: (309) 673-1681

I.R.S. IDENTIFICATION NO. 36-4147777

01 /05/17

Billed through 08 /31/16

Client Number: 31932

John Q. Hammons Hotel Management, LLC

Attn: Gregg Groves
300 John Q. Hammons Parkway
Suite 900
Springfield, MO 65806

INVOICE SUMMARY

Matter 002 - 2015 EEOC Lawsuit

TOTAL FEES FOR THIS MATTER

\$2,465.00

TOTAL DISBURSEMENTS FOR THIS MATTER

\$0.00

TOTAL CHARGES FOR THIS MONTH

\$2,465.00

DAVIS & CAMPBELL L.L.C.

401 MAIN STREET
SUITE 1600
PEORIA, ILLINOIS 61602-1241
TEL: (309) 673-1681

I.R.S. IDENTIFICATION NO. 36-4147777

January 5, 2017

John Q. Hammons Hotel Management, LLC
Attn: Gregg Groves
300 John Q. Hammons Parkway
Suite 900
Springfield, MO 65806

Invoice #: 86963
Billed through: Aug-31-16

Re: Matter 002 - 2015 EEOC Lawsuit

File: 31932-002

FEES FOR PROFESSIONAL SERVICES

<u>Date</u>	<u>Timekeeper</u>	<u>Description</u>	<u>Hours</u>	<u>Fees</u>
Jun-27-16	DGL	Receipt and review of memorandum in support of EEOC's preferred language for the protective order relating to the EEOC's ability to use confidential information produced in discovery used in other law enforcement activity	0.50	145.00
Jun-29-16	DGL	Receipt and review of suggestion of stay and notice of bankruptcy filing; receipt and review of EEOC response in opposition to suggestion of stay; telephone conference with Camille Roe regarding effect of bankruptcy petition on EEOC litigation	0.50	145.00
Jun-30-16	DGL	Exchange emails with Camille Roe regarding responding to EEOC response to suggestion of stay and seeking continuance of deadline for same; receipt and review of text order from Magistrate Judge Hawley setting deadline of July 8 for JQHHM to respond	0.30	87.00
Jul-05-16	DGL	Telephone conference with Camille Roe regarding motion for extension of time to file response to EEOC's filing regarding the protective order and its desired language in paragraph 4; receipt and review of motion for extension filed in district court	0.50	145.00

DAVIS & CAMPBELL L.L.C.

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401 MAIN STREET
SUITE 1600
PEORIA, ILLINOIS 61602-1241
TEL: (309) 673-1681

File #: 1932-002
Invoice #: 86963
Billed through: Aug-31-16

I.R.S. IDENTIFICATION NO. 36-4147777

Jul-06-16	DGL	Receipt and review of text order from Magistrate Hawley denying motion for extension of time to file response to protective order under misperception that motion pertained to suggestion of stay issue, exchange emails with Camille Roe on same and review corrected text order denying motion for extension of time	0.50	145.00
Jul-07-16	DGL	Receipt and review of response to EEOC filing regarding suggestion of stay and exhibit from bankruptcy court application to retain counsel, exchange emails with Camille Roe regarding same	0.30	87.00
Jul-08-16	DGL	Receipt and review of text order from Magistrate Judge Hawley shortening EEOC's response time to motion to stay	0.20	58.00
Jul-15-16	DGL	Receipt and review of EEOC response to motion to stay with exhibits from bankruptcy court relating to motions for approval to retain counsel for purposes of employment litigation and other matters	0.50	145.00
Jul-19-16	DGL	Exchange emails with Camille Roe and Charlie Harris regarding impending discovery cutoff date and need for motion for extension of same; receipt and review of order from Magistrate Judge denying motion for stay and ordering that protective order containing language desired by the EEOC be submitted; telephone conference with Camille Roe regarding same and motion for extension of time, review draft motion and suggest revisions to same, review status of bankruptcy case regarding retention of counsel	1.00	290.00
Jul-20-16	DGL	Review draft motion for extension of discovery period, suggest revisions to same and telephone conference with Camille Roe regarding same	0.50	145.00
Jul-21-16	DGL	Review revised form of motion for extension of time to complete discovery, telephone conference with Camille Roe regarding number of depositions still to be taken and status of written discovery, and effect of extension on trial date, suggest revisions to motion for extension of time, discuss status of retention of counsel in bankruptcy proceedings	0.50	145.00

DAVIS & CAMPBELL L.L.C.

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401 MAIN STREET
SUITE 1600
PEORIA, ILLINOIS 61602-1241
TEL: (309) 673-1681

File #: 1932-002
Invoice #: 86963
Billed through: Aug-31-16

I.R.S. IDENTIFICATION NO. 36-4147777

Jul-22-16	DGL	Telephone conference with Camille Roe regarding motion for extension of discovery period, final version of same, review emails with EEOC over requested extension and its position on same; receipt and review of filed motion to withdraw; telephone conference with Carrie Bellm regarding status of bankruptcy proceedings and of retention of counsel, review emails with EEOC responding to proposed extension of time, review revised draft confidentiality protective order	1.00	290.00
Jul-25-16	DGL	Receipt and review of email from Magistrate Judge Hawley's chambers regarding setting telephone hearing on motion to withdraw as counsel for JQHH, exchange emails with Charlie Harris regarding availability for same, telephone conference with administrative assistant in Magistrate Judge's chambers regarding availability for hearing, receipt and review of order setting telephone hearing for Wednesday morning at 9:30 a.m., review emails between Camille Roe, Charlie Harris and Rich Mrizek of EEOC on requested extension of discovery period and of EEOC's position that extension should only be for limited purpose of EEOC taking depositions with JQHH having no ability to take depositions it has requested	0.80	232.00
Jul-26-16	DGL	Receipt and review of protective order containing language proposed by EEOC (.1), receipt and review of motion for extension of discovery and dispositive motion dates filed by Camille Roe (.2), review bankruptcy case docket, telephone conference with Camille regarding status of retention by JQH and issues that may arise at hearing with magistrate judge, review discovery timeline and information on attempts to schedule depositions (.1), and meet and confer correspondence between Charlies Harris and Justin Mulaire over EEOC written responses to discovery requests (.1)	0.50	145.00
Jul-27-16	DGL	Receipt and review of agreed protective order approved by the District Court (.1); receipt and review of order from Magistrate Judge Hawley following telephone hearing, denying motion to withdraw without prejudice to refile, and	0.30	87.00

DAVIS & CAMPBELL L.L.C.

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401 MAIN STREET
SUITE 1600
PEORIA, ILLINOIS 61602-1241
TEL: (309) 673-1681

File #: 1932-002
Invoice #: 86963
Billed through: Aug-31-16

I.R.S. IDENTIFICATION NO. 36-4147777

staying discovery for thirty days for John Q.
Hammons to take steps to secure counsel, discuss
with Charlie Harris and Camille Roe (.2)

Aug-18-16	DGL	Review order from Magistrate Judge Hawley extending discovery period to September 1 (.3)	0.30	87.00
Aug-19-16	DGL	Receipt and review of text order from Magistrate Judge Jonathan Hawley changing time of status conference on August 29 to 3:30 p.m. (.3)	0.30	87.00
Totals:			8.50	\$2,465.00

Fee Summary:

<u>Timekeeper</u>	<u>Rate</u>	<u>Hours</u>	<u>Fees</u>
David G. Lubben	\$290.00	8.50	\$2,465.00
Totals:		8.50	\$2,465.00

DISBURSEMENTS & RECEIPTS

<u>Date</u>	<u>Description</u>	<u>Disbursements</u>	<u>Receipts</u>
Totals:		\$0.00	\$0.00

Total Fees & Disbursements: \$2,465.00

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: (8781967)
DAVIS & CAMPBELL L.L.C.
401 MAIN STREET, SUITE
1600
PEORIA, IL 61602

Claim No: 791
Original Filed
Date: 07/28/2017
Original Entered
Date: 07/28/2017

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

Amount claimed: \$2465.00

History:

[Details](#) [791-1](#) 07/28/2017 Claim #791 filed by DAVIS & CAMPBELL L.L.C., Amount claimed: \$2465.00
(Marshall, Terri)

Description: (791-1) Legal Services (John Q. Hammons Hotels Management, LLC)

Remarks: (791-1) ECF by Claims Agent 7/28/2017

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*	\$2465.00
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		