

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

Case number 16-21142

Official Form 410

Proof of Claim

This claim pertains to **Hammons, Inc.** case #16-21143.

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?** Lowther Johnson, Attorneys at Law, LLC
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)**

<p>Where should notices to the creditor be sent?</p> <p><u>Lee J. Viorel</u> Name</p> <p><u>901 St. Louis St., 20th Floor</u> Number Street</p> <p><u>Springfield</u> <u>MO</u> <u>65806</u> City State ZIP Code</p> <p>Contact phone <u>417-866-7777</u></p> <p>Contact email <u>lviorel@lowtherjohnson.com</u></p> <p>Uniform claim identifier for electronic payments in chapter 13 (if you use one): -----</p>	<p>Where should payments to the creditor be sent? (if different)</p> <p>_____ Name</p> <p>_____ Number Street</p> <p>_____ City State ZIP Code</p> <p>Contact phone _____</p> <p>Contact email _____</p>
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

4. **Does this claim amend one already filed?** No
 Yes. Claim number on court claims registry (if known) 340 Filed on 12/09/2016
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: 6 0 4 0

7. How much is the claim? \$ 12,593.26. 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 in American Tower matter.
This claim pertains to debtor Hammons, Inc. case #16-21143.

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: \$ 12,593.26 (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: \$ 12,593.26
Annual Interest Rate (when case was filed) 0 %
 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:

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:

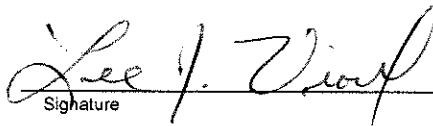
- I am the creditor.
- I am the creditor's attorney or authorized agent.
- I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.
- I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

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 12/21/2016
MM / DD / YYYY


Signature

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

Name Lee J. Viorel, III
First name Middle name Last name

Title Member / Attorney

Company Lowther Johnson, Attorneys at Law, LLC
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address 901 St. Louis Street, 20th Floor
Number Street

Springfield MO 65806
City State ZIP Code

Contact phone 417-866-7777 Email lviorel@lowtherjohnson.com



901 Saint Louis Street
20th Floor
Springfield, MO 65806

(417)866-7777

Federal ID #

Hammons, Inc.
300 John W. Hammons Parkway, Suite 900
Springfield, MO 65806

For Services Rendered through: November 18, 2016

Matter ID# 6-040: American Towers, LLC v. John Q. Hammons Hotels, et al.
Greene County Case No. 1431-CC01234

Total Current Billing: 0.00

Previous Balance: 12,523.96

Total Now Due: 12,523.96

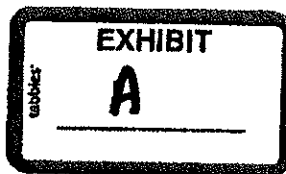
Current	Over30	Over60	Over90
212.50	0.00	0.00	12,311.46

Thank you for allowing our firm to be of service to you.
Should you have any questions regarding your account please
speak with our accounting department.

Payment Due upon receipt

Finance charges of 9% apply after 30 days

Please include Matter ID# 3-040 on all correspondence and payments.





901 Saint Louis Street
20th Floor
Springfield, MO 65806

(417) 866-7777

Federal ID #

Hammons, Inc.
300 John W. Hammons Parkway, Suite 900
Springfield, MO 65806

For Services Rendered through: **October 20, 2016**

Matter ID# **6-040: American Towers, LLC v. John Q. Hammons Hotels, et al.**
Greene County Case No. **1431-CC01234**

Professional Fees			Hours
10/4/2016	MKC	Email to Gregg Groves to check on the status of the bankruptcy case so that I may advise Judge Powell at Thursday's case status conference; email from attorney Ziedler; call from Heidi at Judge Powell's office	0.30
10/4/2016	MJG	Preparation of correspondence to all counsel re court's status conference; review of replies to same	0.30
10/6/2016	MKC	Call from Gregg Groves regarding the status of the bankruptcy; memo to the file	0.20
10/12/2016	MJG	Review and reply to correspondence from counsel for plaintiff re status conference	0.20
Sub-total Professional Time:			1.00
Sub-total Fees:			<u>212.50</u>

Rate Summary

Michael K. Cully	0.50 hours at \$ 225.00 /hr	112.50
Matthew J. Growcock	0.50 hours at \$ 200.00 /hr	100.00
Total hours:	<u>1.00</u>	<u>212.50</u>

Total Current Billing: 212.50

Previous Balance: 12,311.46

Current	Over30	Over60	Over90
0.00	0.00	165.00	12,146.46

Total Now Due: 12,523.96

**Thank you for allowing our firm to be of service to you.
Should you have any questions regarding your account please
speak with our accounting department.**

Payment Due upon receipt

Finance charges of 9% apply after 30 days

Please include Matter ID# 6-040 on all correspondence and payments.



901 Saint Louis Street
20th Floor
Springfield, MO 65806

(417)866-7777
Federal ID #

Hammons, Inc.
300 John W. Hammons Parkway, Suite 900
Springfield, MO 65806

For Services Rendered through: September 20, 2016

Matter ID# 6-040: American Towers, LLC v. John Q. Hammons Hotels, et al.
Greene County Case No. 1431-CC01234

Total Current Billing: 0.00

Previous Balance: 12,311.46

Total Now Due: 12,311.46

Current	Over 30	Over 60	Over 90
165.00	0.00	3,795.73	8,350.73

**Thank you for allowing our firm to be of service to you.
Should you have any questions regarding your account please
speak with our accounting department.**

Payment Due upon receipt

Finance charges of 9% apply after 30 days

Please include Matter ID# 6-040 on all correspondence and payments.



901 Saint Louis Street
20th Floor
Springfield, MO 65806

(417) 866-7777

Federal ID #

Hammons, Inc.
300 John W. Hammons Parkway, Suite 900
Springfield, MO 65806

For Services Rendered through: August 19, 2016

Matter ID# 6-040: American Towers, LLC v. John Q. Hammons Hotels, et al.
Greene County Case No. 1431-CC01234

Professional Fees			Hours
7/21/2016	MJG	Review of correspondences from counsel for plaintiff and counsel for Atrium defendants re court ordered stay and clarification of same	0.20
7/26/2016	MKC	Letter from counsel for Plaintiff to Judge Powell requesting clarification of the Stay Order	0.10
7/26/2016	MJG	Review of correspondence from counsel for American Towers to court re request for clarification of stay; preparation of correspondence to	0.20
7/28/2016	MJG	Review of correspondence from counsel for Atrium to Judge re scope of stay; preparation of correspondence to court re same	0.20
8/2/2016	MKC	Received an ECF notice of the filing of a letter from Atrium's counsel to the Court	0.10
Sub-total Professional Time:			0.80
Sub-total Fees:			165.00

Rate Summary		
Michael K. Cully	0.20 hours at \$ 225.00 /hr	45.00
Matthew J. Growcock	0.60 hours at \$ 200.00 /hr	120.00
Total hours:	0.80	165.00

Total Current Billing: 165.00

Previous Balance: 12,146.46

Total Now Due: 12,311.46

<u>Current</u>	<u>Over 30</u>	<u>Over 60</u>	<u>Over 90</u>
0.00	3,795.73	3,767.59	4,583.14

**Thank you for allowing our firm to be of service to you.
Should you have any questions regarding your account please
speak with our accounting department.**

Payment Due upon receipt

Finance charges of 9% apply after 30 days

Please include Matter ID # 16-040 on all correspondence and payments.



901 Saint Louis Street
20th Floor
Springfield, MO 65806

(417)866-7777

Federal ID #

Hammons, Inc.
300 John W. Hammons Parkway, Suite 900
Springfield, MO 65806

For Services Rendered through: July 20, 2016

Matter ID# 6-040: American Towers, LLC v. John Q. Hammons Hotels, et al.
Greene County Case No. 1431-CC01234

Professional Fees			Hours
6/21/2016	MJG	Travel to Kansas City, MO for deposition of Atrium corporate representative; attend and take deposition of Atrium defendants' corporate representative; post deposition conference with counsel for American Towers re case status and discovery; return to office	13.50
6/27/2016	MJG	Review and reply to correspondence from counsel for Atrium defendants re bankruptcy issues	0.20
6/30/2016	MKC	Dictated a Notice of Filing and Suggestion of Bankruptcy	0.20
7/5/2016	MKC	Review of the Suggestion of Bankruptcy and compared the named defendants to the list of debtors in the bankruptcy	0.20
7/6/2016	MKC	Received electronic notice of the Court's entry of the stay order and scheduling a case review for October 6, 2016 at 9 am; [REDACTED]	0.20
7/13/2016	MJG	Receive call from counsel for plaintiff re filing of bankruptcy and impact on case activity	0.20
7/19/2016	MKC	Received an electronic notice that Michelle Kiefer of Financial Risk Mitigation, Inc. had requested records from the court file; email to Linda Matney requesting she contact the circuit clerk to verify exactly what was requested and what was sent from the file	0.20
7/19/2016	MJG	Review and reply to correspondence from counsel for plaintiff re his proposal to send a letter to the court clarifying the court's stay of proceedings	0.20
7/20/2016	MKC	Email from Linda Matney along with the written request of the Circuit Clerk for records; [REDACTED]	0.10
Sub-total Professional Time:			15.00
Sub-total Fees:			<u>3,022.50</u>

Rate Summary		
Michael K. Cully	0.90 hours at \$ 225.00 /hr	202.50
Matthew J. Growcock	14.10 hours at \$ 200.00 /hr	2,820.00
Total hours:	<u>15.00</u>	<u>3,022.50</u>

Expenses

6/21/2016	Travel to Kansas City for deposition of Atrium corporate representative and return to office	180.36
7/6/2016	Payment to National Depo	592.20
7/6/2016	Postage	0.47
7/6/2016	Photocopying	0.20
	Sub-total Expenses:	773.23

Payments

6/28/2016	Payment	#912399	7,098.70
	Sub-total Payments:		7,098.70
	Total Current Billing:		3,795.73

Previous Balance: 8,350.73

Current	Over30	Over60	Over90
0.00	3,767.59	0.00	4,583.14

Total Now Due: 12,146.46

**Thank you for allowing our firm to be of service to you.
Should you have any questions regarding your account please
speak with our accounting department.**

Payment Due upon receipt

Finance charges of 9% apply after 30 days

Please include Matter ID # 6-040 on all correspondence and payments.



901 Saint Louis Street
20th Floor
Springfield, MO 65806

(417)866-7777
Federal ID #

Hammons, Inc.
300 John W. Hammons Parkway, Suite 900
Springfield, MO 65806

For Services Rendered through: June 20, 2016

Matter ID# 16-040: American Towers, LLC v. John Q. Hammons Hotels, et al.
Greene County Case No. 1431-CC01234

Professional Fees		Hours	
5/24/2016	MJG	Preparation for deposition of Justin Harris to prepare for deposition; prepare for deposition	3.50
5/25/2016	MJG	Conference with Matt Growcock regarding Justin Harris' deposition; attend and defend deposition of Justin Harris;	4.50
5/26/2016	MKC	Conference with Matt Growcock regarding Justin Harris' deposition testimony	0.20
6/3/2016	MKC	Conference with Greg G...; email and letter from Catherine Singer to Ed Ziegler objecting to the deposition notices directed to the Atrium corporate representatives	0.50
6/3/2016	MJG	Review of correspondence from counsel for American Towers re objections to corporate representative topics	0.20
6/6/2016	MJG	Review and analyze documents provided by client;	1.80
6/14/2016	MJG	Review amended notices of deposition for Atrium defendants; review of correspondence from counsel for Atrium re objections to notices	0.30
6/15/2016	MKC	Email and letter from Catherine Singer to Ed Ziegler regarding the depositions of the Atrium corporate representatives; email from Ed Ziegler; received and reviewed an amended notice of the taking of the deposition of Atrium V	0.20
6/15/2016	MJG	Review of multiple correspondences between counsel re scope of Atrium corporate representative depositions	0.20
6/20/2016	MJG	Preparation for depositions of Atrium corporate representatives, including review of relevant documents and preparation of outline	2.00
Sub-total Professional Time:		13.40	
Sub-total Fees:		2,702.50	

		Rate Summary	
	Michael K. Cully	0.90 hours at \$ 225.00/hr	202.50
	Matthew J. Growcock	12.50 hours at \$ 200.00/hr	2,500.00
	Total hours:	13.40	2,702.50

Expenses

5/25/2016	Photocopying	0.20
6/1/2016	Payment to National Depo	694.00
6/1/2016	Postage	0.47
6/13/2016	Payment to Midwest Litigation Services	369.75
6/14/2016	Postage	0.47
6/14/2016	Photocopying	0.20

Sub-total Expenses: 1,065.09

Total Current Billing: 3,767.59

Previous Balance: 11,681.84

<u>Current</u>	<u>Over 30</u>	<u>Over 60</u>	<u>Over 90</u>
7,098.70	0.00	245.00	4,338.14

Total Now Due: 15,449.43

**Thank you for allowing our firm to be of service to you.
Should you have any questions regarding your account please
speak with our accounting department.**

Payment Due upon receipt

Finance charges of 9% apply after 30 days

Please include Matter ID# 6-040 on all correspondence and payments.

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):

Creditor: (8624501)
Lowther Johnson, Attorneys at
Law, LLC
901 St. Louis St., 20th Floor
Springfield, MO 65806

Claim No: 340
Original Filed
Date: 12/09/2016
Original Entered
Date: 12/09/2016
Last Amendment
Filed: 12/21/2016
Last Amendment
Entered: 12/21/2016

Status:
Filed by: CR
Entered by: Lee J Viorel
Modified:

Amount claimed: \$12593.26

History:

[Details](#) [340-1](#) 12/09/2016 Claim #340 filed by Lowther Johnson, Attorneys at Law, LLC, Amount claimed: \$12593.26 (Viorel, Lee)

[Details](#) [340-2](#) 12/21/2016 Amended Claim #340 filed by Lowther Johnson, Attorneys at Law, LLC, Amount claimed: \$12593.26 (Viorel, Lee)

Description: (340-1) Legal services rendered in American Tower matter.
(340-2) Legal services rendered in American Tower matter.

Remarks: (340-2) This Claim pertains to debtor Hammons, Inc. case #16-21143.

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*	\$12593.26
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		