Fill in this information to identify the case:						
Debtor 1 The Revocable Trust of John Q. Hammons						
Debtor 2 (Spouse, if filing)	Debtor 2 (Spouse, if filing)					
United States Bankruptcy Court for the: District of Kansas						
Case number	40.04440					



## 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 W.W. Grainger, Inc. creditor? Name of the current creditor (the person or entity to be paid for this claim) Other names the creditor used with the debtor Has this claim been **Z** No acquired from ☐ Yes. From whom? someone else? 3. Where should notices Where should notices to the creditor be sent? Where should payments to the creditor be sent? (if and payments to the different) creditor be sent? W.W. Grainger, Inc. Federal Rule of Name Bankruptcy Procedure 7300 North Melvina Ave. MWX22881166334 (FRBP) 2002(g) Number Number Street Niles ZIP Code City State ZIP Code City Contact phone Contact phone Contact email Contact email Uniform claim identifier for electronic payments in chapter 13 (if you use one): **☑** No Does this claim amend one already filed? ☐ Yes. Claim number on court claims registry (if known) \_\_\_ Filed on MM / DD **☑** No Do you know if anyone else has filed a proof ☐ Yes. Who made the earlier filing? of claim for this claim? JQH Ctl ID

Official Form 410 Proof of Claim

page 1

00034

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 3 3 4
7.	How much is the claim?	\$
3.	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.  Goods Sold
Э.	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: (see addendum)  Basis for perfection: Goods Sold  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: \$
10.	Is this claim based on a lease?	□ No □ Yes. Amount necessary to cure any default as of the date of the petition. \$
1.	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)?	Yes. Check	one:				Amount entitled to priority
A claim may be partly priority and partly	Domes 11 U.S.	tic support obligations (inc C. § 507(a)(1)(A) or (a)(1)	uding alimony and child si (B).	upport) under		\$
nonpriority. For example, in some categories, the law limits the amount entitled to priority.	Up to \$	2,850* of deposits toward al, family, or household use	purchase, lease, or rental e. 11 U.S.C. § 507(a)(7).	of property or	services for	\$
	bankru	salaries, or commissions of the of th	(up to \$12,850*) earned w debtor's business ends, wh	rithin 180 days nichever is ea	s before the rlier.	\$
	Taxes o	or penalties owed to govern	nmental units. 11 U.S.C. §	507(a)(8).		\$
	☐ Contrib	utions to an employee ben	efit plan. 11 U.S.C. § 507(	(a)(5).		\$
	☑ Other. S	Specify subsection of 11 U	.S.C. § 507(a)(2) that ap	plies.		\$2,192.13
	* Amounts a	are subject to adjustment on 4	/01/19 and every 3 years after	r that for cases	begun on or afte	er the date of adjustment.
Part 3: Sign Below						
The person completing	Check the appro	priate box:				
this proof of claim must sign and date it.	☑ I am the cre	•				
FRBP 9011(b).		editor's attorney or authoriz	red agent			
If you file this claim		•	ū	intov Rule 30i	na.	
electronically, FRBP	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.					
5005(a)(2) authorizes courts to establish local rules	ruma gaar	amor, surety, enderser, or	outer codebtor. Darikrapti	.y 1 (uic 0000.		
specifying what a signature is.		t an authorized signature of				
A person who files a	amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.					
fraudulent claim could be fined up to \$500,000, imprisoned for up to 5	I have examined the information in this <i>Proof of Claim</i> and have a reasonable belief that the information is true and correct.					
years, or both. 18 U.S.C. §§ 152, 157, and 3571.	I declare under p	enalty of perjury that the f	oregoing is true and corre	ct.		
3371.	Executed on dat	e 09/02/2016 MM / DD / YYYY				
	<u>Cinh</u> Signature	- Dutal	· 			
	Print the name	of the person who is cor	npleting and signing this	s claim:		
	Name	Cynthia First name	L. Middle name	Deutsch	mann Last name	
	Title	Special Collection	Supervisor			
	Company	W. W. Grainger, In	c.			
		Identify the corporate service	cer as the company if the auth	orized agent is	a servicer.	
	Address	7300 N. Melvina				
		Number Street				
		Niles		IL	60714	
		City		State	ZIP Code	
	Contact phone	847-647-5646	<del></del>	Email Cyni	th <u>ia.deutscl</u>	hmann@grainger.com

#### **ADDENDUM TO PROOF OF CLAIM**

W.W. Grainger, Inc. ("Grainger"), hereby submits this addendum (the "Addendum") to its proof of claim (the "Proof of Claim") against The Revocable Trust of John Q Hammons and its administratively consolidated debtors<sup>1</sup> (collectively, the "Debtors") and in support thereof states as follows:

#### **General Background**

On June 26, 2016 (the "Petition Date"), the Debtors filed voluntary petitions for relief under Chapter 11 of Title 11, United States Code (the "Bankruptcy Code") in the United States Bankruptcy Court for the DISTRICT OF KANSAS. The Debtors remain in possession of their property and continue to operate their businesses as debtors-in-possession pursuant to Bankruptcy Code §§ 1107(a) and 1108.

### **Claims of Grainger Against the Debtors**

#### **Pre-Petition Claim**

2. Grainger's claim arises from unpaid invoices for goods provided by Grainger to the Debtors prior to the Petition Date. Attached as <u>Exhibit 1</u> is a spreadsheet of amounts owed by the Debtors to Grainger for pre-Petition Date goods provided by Grainger to the Debtors totaling \$2,380.25. Accordingly, the Debtors are liable to Grainger in the total amount of at least \$2,380.25.

<sup>1</sup>The Debtors consist of the following entities: Embassy Suites Nashville So-Franklin TN, Residence Inn. Springfield, MO, Renaissance Hotel, Tulsa OK, Embassy Suites Hotel, St Charles, MO, Embassy Suites, Frisco, TX, Emabassy Suites –East Peoria II, John Q Hammons/EPRO Springfiled MO, Residence Inn Kansas, MO

#### **Administrative Claim**

3. Pursuant to Bankruptcy Code section 503(b)(9), any claim for goods received by the Debtors within the 20 day period prior to the Petition Date is entitled to administrative expense priority status. See 11 U.S.C. § 503(b)(9). During the 20 days prior to the Petition Date, Grainger provided certain goods to the Debtors. Attached as Exhibit 2 is a spreadsheet detailing those amounts owed by the Debtors to Grainger for pre-Petition Date goods provided by Grainger to the Debtors during this 20 day period prior to the Petition Date. Accordingly, the Debtors are liable to Grainger in the total amount of \$2,192.13 for administrative claims pursuant to Bankruptcy Code section 503(b)(9) (the "Section 503(b)(9) Claim").

#### **Total Claim of Grainger**

- 4. Accordingly, the Debtors are liable to Grainger in the total amount (the "Claim") of at least \$2,380.25 comprising:
  - a. \$2,192.13 remaining due and unpaid as an administrative, Section 503(b)(9) Claim; and
  - b. \$188.12 = (2,380.25) (2,192.13) as a general unsecured claim for goods delivered to the Debtors.
- 5. Grainger requests allowance and payment of the Claim as stated herein. To the extent that the Section 503(b)(9) Claim is not allowed by this Court, the Proof of Claim is filed as an unsecured claim in the entire amount of \$2,380.25. To the extent this claim accrues after the Petition Date as a result of the actions or positions taken by the Debtors, or as otherwise allowed by law, this claim is asserted as an administrative expense claim of a first priority under Bankruptcy Code section 503.

#### Reservation of Other Claims and Rights

- 6. The filing of this Proof of Claim is not intended and should not be construed to be an election of remedies, waiver of any past, present or future defaults or events of default, or a waiver or limitation of any rights, remedies, claims, or interest of Grainger. The filing of this Proof of Claim is not and should not be construed as: (1) a waiver of jury trial rights; or (2) a waiver or limitation of any right, interest, or cause of action held by Grainger.
- 7. Grainger expressly includes a claim against the Debtors and each and every one of the affiliates of the Debtors and others purporting to act on their behalf, for the benefit derived from the use of any of the Debtors' assets or the proceeds of such assets traceable to such person, and for imposition of constructive trusts or equitable liens thereon, subrogation and all other claims thereto, and for any and all other legal or equitable remedies, rights, and interest to which Grainger may be entitled by virtue of the use, possession and enjoyment by the Debtors or any of the affiliates of the Debtors or any other recipient of any of the Debtors' assets or the proceeds of such assets, either directly or indirectly. Grainger further reserves any and all rights against parties other than the Debtors based on the foregoing facts and circumstances.
- 8. Grainger expressly reserves its rights, remedies, interests, priorities, protections, claims, setoffs, and recoupments against the Debtors under Sections 510, 544, 545, 548, 549, 550, and 553 of the Bankruptcy Code, including claims to equitable subordination and the right and benefit at law or in equity of all Grainger's rights and interests.
- 9. Other than those documents named and described herein, there may be additional documents in the possession or under the control of the Debtors that would further support the claims hereunder. Grainger expressly reserves its right to supplement the foregoing Proof of Claim and Addendum against the Debtors and any of the affiliates of the Debtors after full disclosure of all relevant facts in these bankruptcy proceedings, whether pursuant to Bankruptcy

Code section 1104 or 1106, or such adversary actions or other legal proceedings as may be necessary or appropriate.

- Addendum or to file additional proofs of claims for additional claims, including, without limitation, claims for administrative expenses and all other claims, at law or in equity, arising prior to, on, or after the Petition Date. Grainger reserves the right to amend or supplement this Proof of Claim, if Grainger should deem it necessary and appropriate, for any reason including an updated statement of the amount then due, or for any other purpose for which a Proof of Claim filed in this proceeding could be amended.
- 11. Grainger does not consent to the jurisdiction of this Court for any purpose other than the proof and allowance of this Proof of Claim.

## **EXHIBIT 1**

## **Total Pre-Petition Claim**

#### **Pre-Petition Stmt**

EMBASSY SUITES NASHVILLE SO 820 CRESCENT CENTRE DR FRANKLIN, TN

DocumentNo P.O. No. Doc. Date Amt Reference

7913235503 8671 6/7/2016 -438.75 9132355034

-438.75

RESIDENCE INN 1303 E KINGSLEY ST SPRINGFIELD, MO

DocumentNo P.O. No. Doc. Date Amt Reference

8970092350 HECTOR CRUZ 03/26/15 -90.02 9700923502

-90.02

RENAISSANCE HOTEL 6808 S 107TH EAST AVE TULSA, OK

DocumentNo P.O. No. Doc. Date Amt Reference

7914549780 8725 06/21/16 90.37 9145497807

90.37

EMBASSY SUITES HOTEL
2 CONVENTION CENTER PLZ
SAINT CHARLES, MO

DocumentNo P.O. No. Doc. Date Amt Reference

7914319645 TIM LEWIN 06/17/16 178.49 9143196450

178.49

## EMBASSY SUITES 7600 JOHN Q HAMMONS DR FRISCO, TX

DocumentNo	P.O. No.	Doc. Date Amt		Reference	
7909516557	BRETT MASTERS	04/27/16	-115.52	9095165578	
7909516556	BRETT MASTERS	04/27/16	-191.02	9095165560	
7908874460	8568	04/20/16	83.42	9088744603	
7909516559	8559	04/27/16	-129.11	9095165594	
			-352.23		

## EMBASSY SUITES-EAST PEORIA 100 CONFERENCE CENTER DR EAST PEORIA, IL

DocumentNo	P.O. No.	Doc. Date	Amt	Reference
8972833053	MIKE	04/29/15	-40.69	9728330532
7900272475	MIKE SHANE	01/19/16	283.12	9002724756
7901254973	MIKE SHANE	02/01/16	-184.82	9012549730
7912817747	MIKE CHISN	06/02/16	222.2	9128177475
7914943296	8735	06/24/16	115.93	9149432966
			395.74	

## JOHN Q HAMMONS/EPRO 300 S JOHN Q HAMMONS PKWY, STE 900 SPRINGFIELD, MO

DocumentNo	P.O. No.	Doc. Date	Amt	Reference
1605968551	8600	05/02/16	248.53	9099090244
1606030328	B M	05/25/16	46.77	9122060727
1606079415	BRETT MASTERS	05/25/16	22.73	9122060735
1606064239	DICK DABAGIAN	06/03/16	32.53	9128995058
1606008035	8709	06/13/16	819.81	9137893328
1606008034	8714	06/15/16	358.9	9140861007
1605927084	8719	06/17/16	100.66	9143227537
1605927085	8722	06/20/16	82.19	9144377240
1606008036	8724	06/21/16	53.04	9145322179
1606073210	66120	06/21/16	187.03	9146292850
1605968554	FRED BERRY	06/22/16	-24.6	9152571197
1606072434	8732	06/23/16	357.74	9148314793
1606049918	8737	06/24/16	216.46	9149518913

2,501.79

## RESIDENCE INN KANSAS CITY 10300 N AMBASSADOR DR KANSAS CITY, MO

DocumentNo	P.O. No.	D	oc. Date	Amt	Ref	ference
79146516	34	8730	06/22/16	20	0.88	9146516340
79147091	32	8730	06/22/16	73	3.98	9147091327
					1.86	
	Grand Tota	al		2,380	).25	

## **EXHIBIT 2**

Section 503(b)(9) Claim

#### 503(b)9 Stmt

## EMBASSY SUITES NASHVILLE SO 820 CRESCENT CENTRE DR FRANKLIN, TN

 DocumentNo
 P.O. No.
 Doc. Date
 Amt
 Reference

 7913235503
 8671
 6/7/2016
 -438.75
 9132355034

-438.75

RENAISSANCE HOTEL 6808 S 107TH EAST AVE TULSA, OK

 DocumentNo
 P.O. No.
 Doc. Date
 Amt
 Reference

 7914549780
 8725
 6/21/2016
 90.37
 9145497807

90.37

90.37

EMBASSY SUITES HOTEL 2 CONVENTION CENTER PLZ SAINT CHARLES, MO

 DocumentNo
 P.O. No.
 Doc. Date
 Amt
 Reference

 7914319645
 TIM LEWIN
 6/17/2016
 178.49
 9143196450

178.49

EMBASSY SUITES-EAST PEORIA 100 CONFERENCE CENTER DR EAST PEORIA, IL

 DocumentNo
 P.O. No.
 Doc. Date
 Amt
 Reference

 7914943296
 8735
 6/24/2016
 115.93
 9149432966

115.93

## JOHN Q HAMMONS/EPRO 300 S JOHN Q HAMMONS PKWY, STE 900 SPRINGFIELD, MO

DocumentNo	P.O. No.	Doc. Date	Amt	Reference
1606008035	8709	6/13/2016	819.81	9137893328
1606008034	8714	6/15/2016	358.9	9140861007
1605927084	8719	6/17/2016	100.66	9143227537
1605927085	8722	6/20/2016	82.19	9144377240
1606008036	8724	6/21/2016	53.04	9145322179
1606073210	66120	6/21/2016	187.03	9146292850
1605968554	FRED BERRY	6/22/2016	-24.6	9152571197
1606072434	8732	6/23/2016	357.74	9148314793
1606049918	8737	6/24/2016	216.46	9149518913

2,151.23

## RESIDENCE INN KANSAS CITY 10300 N AMBASSADOR DR KANSAS CITY, MO

DocumentNo	P.O. No.	Doc. Date	Amt	Reference
7914651634	8730	6/22/2016	20.88	9146516340
7914709132	8730	6/22/2016	73.98	9147091327
			94.86	•

Grand Total 2,192.13

# GRAINGER.

W.W. Grainger, Inc. 7300 N. Melvina Avenue Niles, IL 60714-3998 Tel: 847-647-7200 Fax: 847-647-9345

	Date:	09/02/2016
	Re: Case Number:	16-21140
Clerk's Office	John Q Hammo	DNS
161 Robert J. Dole US Courthouse		mons Parkway Suite
500 State Avenue, Kansas City, KS 66101	900	
	Springfield, MO 6	5806

Dear Sir or Madam:

Please find enclosed our proof of claim and itemized statement in subject bankruptcy reflecting the balance due of \$2,380.25. Kindly enter our claim and send acknowledgement back in the enclosed prepaid envelope. Thank you.

Sincerely,

Cindi Deutschmann

**Special Collections Division** 

## **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: (8559569)**WW GRAINGER** 7300 NORTH MELVINA AVE. MWX22881166334

NILES, IL 60714

Original Entered Date: 09/13/2016

Claim No: 70

Original Filed

Status: Filed by: CR

Date: 09/13/2016 Entered by: Terri Marshall Modified:

Amount claimed: \$2380.25 Secured claimed: \$2192.13

History:

70-1 09/13/2016 Claim #70 filed by WW GRAINGER, Amount claimed: \$2380.25 **Details** 

(Marshall, Terri)

Description: (70-1) Goods sold (21140; The Revocable Trust of John Q.

Hammons)

Remarks: (70-1) KSB Filed 9/8/16; ECF by Claims Agent 9/13/2016

### **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*	\$2380.25
<b>Total Amount Allowed*</b>	

<sup>\*</sup>Includes general unsecured claims

The values are reflective of the data entered. Always refer to claim documents for actual amounts.

	Claimed	Allowed
Secured	\$2192.13	
Priority		
Administrative		