

Fill in this information to identify the case:

Debtor1 HAMMONS INC

Debtor 2
(Spouse, if filing)

United States Bankruptcy Court for the: KANSAS CITY District of KANSAS

Case number 16-21143

FILED
Kansas City KS
AUG 29 2016

Clerk
U.S. Bankruptcy Court

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 data is on the notice of bankruptcy (Form 309) that you received.

Part 1: Identify the Claim

1. Who is the current creditor?	NM Taxation & Revenue Department Name of the current creditor (the person or entity to be paid for this claim) Other names the creditor used with the debtor		Creditor Number: 2264299
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 notice to the creditor be sent? NM Taxation & Revenue Department PO Box 8575 Albuquerque, NM 87198-8575	Where should payments to the creditor be sent? (if different) NM Taxation & Revenue Department PO Box 8575 Albuquerque, NM 87198-8575	
Telephone number: (505) 222-8695 email: douglas.kush@state.nm.us		Telephone number: (505) 222-8695 email: douglas.kush@state.nm.us	
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:		
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 Ctl ID
00039

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C §§ 152 and 3571.

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?	<div><input type="checkbox"/> No</div> <div><input checked="" type="checkbox"/> Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: <u>1374</u></div> <div style="text-align: center; margin-top: 10px;">*0-00-0, *1002</div>									
7. How much is the claim?	<div><u>\$134.78</u></div> <div>Does this amount include interest or other charges? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A)</div>									
8. What is the basis of the claim	<p>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.</p> <p style="margin-top: 20px;">State Taxes</p>									
9. Is all or part of the claim secured?	<div><input checked="" type="checkbox"/> No</div> <div><input type="checkbox"/> The claim is secured by a lien on property. Nature of property: <input type="checkbox"/> 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. <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other. Describe _____</div> <div>Basis for perfection: Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, line, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)</div> <div style="margin-top: 20px;"><table style="width: 100%;"><tr><td style="width: 40%;">Value of Property:</td><td style="width: 20%; text-align: right;"><u>\$0.00</u></td><td style="width: 40%;"></td></tr><tr><td>Amount of the claim that is secured:</td><td style="text-align: right;"><u>\$0.00</u></td><td></td></tr><tr><td>Amount of the claim that is unsecured:</td><td style="text-align: right;"><u>\$134.78</u></td><td>(The sum of the secured and unsecured amounts should match the amount in line 7.)</td></tr></table><div style="margin-top: 10px;">Amount necessary to cure any default as of the date of the petition: <u>\$0.00</u></div><div style="margin-top: 10px;">Annual Interest Rate (when case was filed) <u>4.00 %</u> Fixed <input checked="" type="checkbox"/> Variable</div></div>	Value of Property:	<u>\$0.00</u>		Amount of the claim that is secured:	<u>\$0.00</u>		Amount of the claim that is unsecured:	<u>\$134.78</u>	(The sum of the secured and unsecured amounts should match the amount in line 7.)
Value of Property:	<u>\$0.00</u>									
Amount of the claim that is secured:	<u>\$0.00</u>									
Amount of the claim that is unsecured:	<u>\$134.78</u>	(The sum of the secured and unsecured amounts should match the amount in line 7.)								
10. Is this claim based on a lease?	<div><input checked="" type="checkbox"/> No</div> <div><input type="checkbox"/> Yes, Amount necessary to cure any default as of the date of the petition: <u>\$0.00</u></div>									
11. Is this claim subject to a right of setoff?	<div><input checked="" type="checkbox"/> No</div> <div><input type="checkbox"/> Yes, Identify the property: _____</div>									

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C §§ 152 and 3571.

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

Nature of property:

☐ Domestic support obligations(including alimony and child support) under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B).

☐ 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 applicable paragraph of 11 U.S.C. §507 (a)() that applies.

Amount entitled to priority:

\$0.00

\$0.00

\$0.00

\$130.78

\$0.00

\$0.00

*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).

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 the 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.



August 16, 2016

(Signature)

(Date)

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

Name: Douglas Kush

Title: Tax Examiner

Company: New Mexico Taxation and Revenue Department

Address and telephone number (if different from notice address above):

Telephone number: (505) 222-8695 email: douglas.kush@state.nm.us

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C §§ 152 and 3571.



Proof of Claim
Form 410 Attachment

Susana Martinez
Governor

Demesia Padilla, CPA
Cabinet Secretary

In the Matter of:

HAMMONS INC
4243 HUNT ROAD
CINCINNATI, OH 45242

Case Number 16-21143
Chapter 11

August 16, 2016
EIN: **_***1374
Letter ID: L0453717552
Date of Petition 06/26/2016

\$130.78

Priority Comments

Debt is tax and interest due on late filed PTW-R return, ID # 06-543960-00-0, for period Dec 2014; estimated tax and interest on non-filed S-Corp return, ID # 04133671002-CIT, for period Dec 2015 less credit in Dec 2013.

\$4.00

General Unsecured Comments

Debt is estimated penalty on non-filed S-Corp return, ID # 04133671002-CIT, for period Dec 2015 less credit in Dec 2013.

CIT : 04133671002-CIT

Period	Debt Type	Tax	Penalty	Interest	Total Claim	Comments
12/31/2015	Empty	\$50.00	\$4.00	\$0.49	\$54.49	non-filed, estim avg
12/31/2013		(\$18.25)	\$0.00	\$0.00	(\$18.25)	credit, over-payment

PTW-R : 06-543960-00-0

Period	Debt Type	Tax	Penalty	Interest	Total Claim	Comments
12/31/2014	Return	\$95.00	\$0.00	\$3.54	\$98.54	late filed
TOTALS:		\$126.75	\$4.00	\$4.03	\$134.78	

TAXES: New Mexico has a self-reporting tax system and taxpayers have a statutory obligation to determine their tax liabilities and accurately report those liabilities to the state. NMSA 1978, 7-1-13; *Tiffany Construction Co. v. Bureau of Revenue*, 90 N.M. 16, 17, 558 P.2d 1155, 1156 (Ct App.1976)

Amended NM returns are required to be filed if IRS returns are amended, or if the IRS makes an adjustment to a previously filed return.

CREDITS: The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim. Creditor reserves all setoff rights under New Mexico law, including those arising from audits, credits, refunds or payments due for goods and services provided to the State of New Mexico.

If any portion of the secured claim is unsecured, NMTRD claims this portion as priority and/or general unsecured, as appropriate.

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):

<i>Creditor:</i> (8559584) NM TAXATION & REVENUE DEPARTMENT PO BOX 8575 ALBUQUERQUE, NM 87198-8575	Claim No: 75 <i>Original Filed</i> <i>Date:</i> 09/13/2016 <i>Original Entered</i> <i>Date:</i> 09/13/2016	<i>Status:</i> <i>Filed by:</i> CR <i>Entered by:</i> Terri Marshall <i>Modified:</i>
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Amount claimed: \$134.78				
Priority claimed: \$130.78				

History:

<u>Details</u>	<u>75-1</u>	09/13/2016 Claim #75 filed by NM TAXATION & REVENUE DEPARTMENT, Amount claimed: \$134.78 (Marshall, Terri)
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Description: (75-1) State Taxes (21143; Hammons, Inc)

Remarks: (75-1) KSB Filed 8/29/16; 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*	\$134.78
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	\$130.78	
Administrative		