

Fill in this information to identify the case:

Debtor name: John Q. Hammons

United States Bankruptcy Court for the District of Kansas at Kansas City

Case number (If known): 16-21142-11

See Appendix A to bar date notice for list of debtors and case numbers.

ID: 2838  
BATTERIES PLUS #206  
4500 W WALNUT ST  
STE 7  
ROGERS, AR 72756-4198

RECEIVED  
OCT 17 2016  
BMC GROUP

If you have already filed a proof of claim with the  
Bankruptcy Court or BMC, you do not need to file again.  
**THIS SPACE IS FOR COURT USE ONLY**

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, except for administrative expenses under 11 U.S.C. § 503(b)(9).

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.

The original of this completed form (faxes not accepted), together with accompanying documentation, must be either (a) delivered to the Claims and Noticing Agent at the address set forth on the Bar Date Notice, or (b) filed using the online Document Filing System (CM/ECF) of the United States Bankruptcy Court for the District of Kansas, in either event so as to be received no later than 5:00 p.m. CST on the December 23, 2016.

### Part 1: Identify the Claim

1. Who is the current creditor?

Batteries Plus Bulbs LLC.

Name of the current creditor (the person or entity to paid for this claim)

Other name 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?

Where should notices to the creditor be sent?

Where should payments to the creditor be sent? (if different)

Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)

Batteries Plus Bulbs

Name

Name

4500 W. Walnut ST #7

Number Street

Number Street

Rogers AR. 72754

City State ZIP Code

City State ZIP Code

Contact phone 479-631-7587

Contact phone \_\_\_\_\_

Contact email bp206@batteriesplus.net

Contact email \_\_\_\_\_

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? \_\_\_\_\_

JOH Ctl ID  
00088

**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: 8400

7. How much is the claim? \$ 228.11 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.

Goods Sold

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 all that apply:

Amount entitled to priority

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

13. Is all or part of the claim entitled to administrative priority pursuant to 11 U.S.C. § 503(b)(9)?

☐ No

☒ Yes. Indicate the amount of your claim arising from the value of any goods received by the Debtor within 20 days before the date of commencement of the above case, in which the goods have been sold to the Debtor in the ordinary course of such Debtor's business. Attach documentation supporting such claim.

\$ 268.11

### 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 10/13/2016  
MM/DD/YYYY

Arthur Dale Brown  
Signature

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

Name Arthur Dale Brown  
First name Middle name Last name

Title STORE MANAGER

Company Batteries Plus Bulbs  
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address 4500 W. Walnut St. Suite 7  
Number Street

Rogers AR 72756  
City State ZIP Code

Contact phone 479-631-7587 Email bp206@batteriesplus.net



39363467002838

BATTERIES PLUS #206  
4500 W WALNUT ST  
STE 7  
ROGERS, AR 72756-4198

**Batteries + Bulbs.**

**Remit Payment To:**  
**Batteries + Bulbs #206**  
**4500 W. Walnut #7**  
**Rogers, AR 72756**

**Batteries Plus Bulbs # 206**  
**4500 W. Walnut Street**  
**Rogers, AR 72756**  
**Phone: 4796317587**  
**Fax: 4796317589**

**Invoice #:** 206-255142  
**Ticket date:** 6/10/16  
**Station:** 206-02

**Sold to:** EMBASSY SUITES NWA  
 ATTN: Accounts Payable  
 3303 Pinnacle Hills Pkwy  
 ROGERS, AR 72758

**Ship to:**

**Customer #:** 4792548400  
**Sales rep:** SALESREP  
**Phone #:** 4792548400

**Ship date:**  
**Location:** 206

**Ship-via code:**  
**Terms:** Net 30

**Cust PO #:** JQH856036  
**Tax exempt #:**

| Quantity | Item #   | Description<br>Long description | Price   | Selling unit | Extended |
|----------|----------|---------------------------------|---------|--------------|----------|
| 2        | SLA12-8F | 12V LEAD<br>DURA12-8F           | \$15.99 | EACH         | 31.98    |
| 192      | WKAAB    | WERKER AAALKALINE<br>WKAAB      | \$0.26  | EACH         | 49.92    |

**User:** CJ

**Total line items:** 2

**Sale subtotal:** 81.90

**Tax:** 7.78

**Total:** 89.68

**Tender:**

**Accounts Receivable**  
**Reference:** Mitch Thompson

**A/R Payment Due:** 89.68

**Customer Signature**  
**Received By:** Mitch Thompson

**Net tender:** 89.68

**GET THE BATTERY, LIGHT BULB  
 AND HELPFUL ADVICE YOU NEED.  
 ASK ABOUT OUR BATTERY REBUILD SERVICES  
 FOR CORDLESS TOOLS AND MORE  
 VISIT US AT BATTERIESPLUSBULBS.COM**

We want you to be completely satisfied with your Batteries Plus Bulbs purchase. In the event you wish to make use of our return or warranty policy, the following information reflects the policies of our product manufacturers and will help facilitate your return or warranty. Specific terms and conditions of warranty policy will vary by product type. Modifications of these policies, if applicable, will be posted in the store. For additional information please dial 1-800-677-8278 for the store nearest you.

**Return Policy:**

- Product returns require a proof of purchase or original receipt.
- Cash or credit refunds will be given with a proof of purchase receipt up to fourteen (14) days from the date of purchase and apply to merchandise we determine to be unused and in a saleable condition.
- A check for refunds of cash purchases of more than \$20.00 may be mailed to the customer's home address.
- Refunds for purchases made by check require a ten (10) day waiting period.
- Refunds for purchases made by credit card will be credited back to the credit card used to make the purchase.

**Warranty Policy:**

- Warranties require a proof of purchase or original receipt.
- Product warranty applies to the original purchaser. Warranties are non-transferable.
- It is Batteries Plus' policy to honor warranty claims within the warranty periods; however,
  - Warranty claims will not be accepted on products that are defective due to owner abuse or neglect
  - Warranty claims will not be accepted on products that are defective due to use in applications for which products are not intended
- A warranty claim may require product analysis by Batteries Plus Bulbs personnel prior to issuance of credit/replacement. This process may take up to twenty-four (24) hours.

Store Copy - Signature Required

# Batteries + Bulbs.

Batteries Plus Bulbs # 206  
4500 W. Walnut Street  
Rogers, AR 72756  
Phone: 4796317587  
Fax: 4796317589

Invoice #: 206-253917  
Ticket date: 4/25/16  
Station: 206-02

Sold to: EMBASSY SUITES NWA  
Mitch Thompson-Chief Engineer  
3303 Pinnacle Hills Pkwy  
ROGERS, AR 72758

Ship to:

Customer #: 4792548400  
Sales rep: SALESREP  
Phone #: 4792548400

Ship date:  
Location: 206

Ship-via code:  
Terms: Net 30

Cust PO #: JQH841972  
Tax exempt #:

| Quantity | Item#  | Description<br>Long description   | Price    | Selling unit | Extended |
|----------|--------|-----------------------------------|----------|--------------|----------|
| 1        | SLI8DA | 12V 8D FLOODED 12<br>908D, COM-8D | \$162.95 | EACH         | 162.95   |

User: AB

Total line items: 1

Sale subtotal: 162.95

Tax: 15.48

Total: 178.43

Tender:

Accounts Receivable

178.43

  
Customer Signature  
Received By: Mitch Thompson

GET THE BATTERY, LIGHT BULB  
AND HELPFUL ADVICE YOU NEED.  
ASK ABOUT OUR BATTERY REBUILD SERVICES  
FOR CORDLESS TOOLS AND MORE  
VISIT US AT BATTERIESPLUSBULBS.COM

We want you to be completely satisfied with your Batteries Plus Bulbs purchase. In the event you wish to make use of our return or warranty policy, the following information reflects the policies of our product manufacturers and will help facilitate your return or warranty. Specific terms and conditions of warranty policy will vary by product type. Modifications of these policies, if applicable, will be posted in the store. For additional information please dial 1-800-677-8278 for the store nearest you.

#### Return Policy:

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- Cash or credit refunds will be given with a proof of purchase receipt up to fourteen (14) days from the date of purchase and apply to merchandise we determine to be unused and in a saleable condition.
- A check for refunds of cash purchases of more than \$20.00 may be mailed to the customer's home address.
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- Warranties require a proof of purchase or original receipt.
- Product warranty applies to the original purchaser. Warranties are non-transferable.
- It is Batteries Plus' policy to honor warranty claims within the warranty periods; however,
  - Warranty claims will not be accepted on products that are defective due to owner abuse or neglect.
  - Warranty claims will not be accepted on products that are defective due to use in applications for which products are not intended.
- A warranty claim may require a product analysis by Batteries Plus Bulbs personnel and the issuance of credit/replacement. This process may take up to twenty-four (24) hours.

## Official Form 410

# Instructions for Proof of Claim

United States Bankruptcy Court

04/16

These instructions and definitions generally explain the law. In certain circumstances, such as bankruptcy cases that debtors do not file voluntarily, exceptions to these general rules may apply. You should consider obtaining the advice of an attorney, especially if you are unfamiliar with the bankruptcy process and privacy regulations.

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.

### How to fill out this form

■ Fill in all of the information about the claim as of the date the case was filed.

■ Fill in the caption at the top of the form.

■ If the claim has been acquired from someone else, then state the identity of the last party who owned the claim or was the holder of the claim and who transferred it to you before the initial claim was filed.

■ Attach any supporting documents to this form. Attach redacted copies of any documents that show that the debt exists, a lien secures the debt, or both. (See the definition of *redaction* on the next page.)

Also attach redacted copies of any documents that show perfection of any security interest or any assignments or transfers of the debt. In addition to the documents, a summary may be added. Federal Rule of Bankruptcy Procedure (called "Bankruptcy Rule") 3001(c) and (d).

■ Do not attach original documents because attachments may be destroyed after scanning.

■ If the claim is based on delivering health care goods or services, do not disclose confidential health care information. Leave out or redact confidential information both in the claim and in the attached documents.

■ A *Proof of Claim* form and any attached documents must show only the last 4 digits of any social security number, individual's tax identification number, or financial account number, and only the year of any person's date of birth. See Bankruptcy Rule 9037.

■ For a minor child, fill in only the child's initials and the full name and address of the child's parent or guardian. For example, write *A.B., a minor child (John Doe, parent, 123 Main St., City, State)*. See Bankruptcy Rule 9037.

### Confirmation that the claim has been filed

To receive confirmation that the claim has been filed, enclose a stamped self-addressed envelope and a copy of this form. You may view a list of filed claims in this case by visiting the Claims and Noticing Agent's website at: [www.bmcgroup.com/JOH](http://www.bmcgroup.com/JOH).

### Understand the terms used in this form

**Administrative expense:** Generally, an expense that arises after a bankruptcy case is filed in connection with operating, liquidating, or distributing the bankruptcy estate. 11 U.S.C. § 503.

**Claim:** A creditor's right to receive payment for a debt that the debtor owed on the date the debtor filed for bankruptcy. 11 U.S.C. § 101 (5). A claim may be secured or unsecured.

**Creditor:** A person, corporation, or other entity to whom a debtor owes a debt that was incurred on or before the date the debtor filed for bankruptcy. 11 U.S.C. § 101 (10).



**Debtor:** A person, corporation, or other entity who is in bankruptcy. Use the debtor's name and case number as shown in the bankruptcy notice you received. 11 U.S.C. § 101 (13).

**Evidence of perfection:** Evidence of perfection of a security interest may include documents showing that a security interest has been filed or recorded, such as a mortgage, lien, certificate of title, or financing statement.

**Information that is entitled to privacy:** A *Proof of Claim* form and any attached documents must show only the last 4 digits of any social security number, an individual's tax identification number, or a financial account number, only the initials of a minor's name, and only the year of any person's date of birth. If a claim is based on delivering health care goods or services, limit the disclosure of the goods or services to avoid embarrassment or disclosure of confidential health care information. You may later be required to give more information if the trustee or someone else in interest objects to the claim.

**Priority claim:** A claim within a category of unsecured claims that is entitled to priority under 11 U.S.C. § 507(a). These claims are paid from the available money or property in a bankruptcy case before other unsecured claims are paid. Common priority unsecured claims include alimony, child support, taxes, and certain unpaid wages. Claims entitled to administrative priority under 11 U.S.C. § 503(b)(9) should be asserted by filling in the appropriate information on this *Proof of Claim* form. All other administrative claims must be asserted by an appropriate "request" under 11 U.S.C. § 503(a) and should not be asserted on this *Proof of Claim* form.

**Proof of claim:** A form that shows the amount of debt the debtor owed to a creditor on the date of the bankruptcy filing. The form must be filed in the district where the case is pending.

**Redaction of information:** Masking, editing out, or deleting certain information to protect privacy. Filers must redact or leave out information entitled to **privacy** on the *Proof of Claim* form and any attached documents.

**Secured claim under 11 U.S.C. § 506(a):** A claim backed by a lien on particular property of the debtor. A claim is secured to the extent that a creditor has the right to be paid from the property before other creditors are paid. The amount of a secured claim usually cannot be more than the value of the particular property on which the creditor has a lien. Any amount owed to a creditor that is more than the value of the property normally may be an unsecured claim. But exceptions exist; for example, see 11 U.S.C. § 1322(b) and the final sentence of 1325(a).

Examples of liens on property include a mortgage on real estate or a security interest in a car. A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In some states, a court judgment may be a lien.

**Setoff:** Occurs when a creditor pays itself with money belonging to the debtor that it is holding, or by canceling a debt it owes to the debtor.

**Uniform claim identifier:** An optional 24-character identifier that some creditors use to facilitate electronic payment.

**Unsecured claim:** A claim that does not meet the requirements of a secured claim. A claim may be unsecured in part to the extent that the amount of the claim is more than the value of the property on which a creditor has a lien.

### **Offers to purchase a claim**

Certain entities purchase claims for an amount that is less than the face value of the claims. These entities may contact creditors offering to purchase their claims. Some written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court, the bankruptcy trustee, or the debtor. A creditor has no obligation to sell its claim. However, if a creditor decides to sell its claim, any transfer of that claim is subject to Bankruptcy Rule 3001(e), any provisions of the Bankruptcy Code (11 U.S.C. § 101 et seq.) that apply, and any orders of the bankruptcy court that apply.

### **Please send completed Proof(s) of Claim to:**

#### **If by Regular Mail:**

BMC Group, Inc.  
Attn: John Q Hammons Claims Processing  
PO Box 90100  
Los Angeles, CA 90009

#### **If by Messenger or Overnight Delivery:**

BMC Group, Inc.  
Attn: John Q Hammons Claims Processing  
3732 W 120th Street  
Hawthorne, CA 90250

**Do not file these instructions with your form**



# 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):**

|                     |           |                         |                         |                          |
|---------------------|-----------|-------------------------|-------------------------|--------------------------|
| <i>Creditor:</i>    | (8508745) | <a href="#">History</a> | <b>Claim No: 129</b>    | <i>Status:</i>           |
| BATTERIES PLUS 206  |           |                         | <i>Original Filed</i>   | <i>Filed by: CR</i>      |
| 4500 W WALNUT ST #7 |           |                         | <i>Date: 10/20/2016</i> | <i>Entered by: Terri</i> |
| ROGERS AR 72756     |           |                         | <i>Original Entered</i> | <i>Marshall</i>          |
|                     |           |                         | <i>Date: 10/20/2016</i> | <i>Modified:</i>         |

  

|                          |  |  |  |  |
|--------------------------|--|--|--|--|
| Amount claimed: \$268.11 |  |  |  |  |
|                          |  |  |  |  |

**History:**

|                         |                       |            |  |
|-------------------------|-----------------------|------------|--|
| <a href="#">Details</a> | <a href="#">129-1</a> | 10/20/2016 | Claim #129 filed by BATTERIES PLUS 206, Amount claimed: \$268.11 (Marshall, Terri) |
|-------------------------|-----------------------|------------|--|

*Description:* (129-1) Goods sold

*Remarks:* (129-1) KSB Filed 10/17/16; ECF by Claims Agent 10/20/2016

## 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

|                              |          |
|------------------------------|----------|
| <b>Total Amount Claimed*</b> | \$268.11 |
| <b>Total Amount Allowed*</b> |          |

\*Includes general unsecured claims

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

|                       | Claimed | Allowed |
|-----------------------|---------|---------|
| <b>Secured</b>        |         |         |
| <b>Priority</b>       |         |         |
| <b>Administrative</b> |         |         |