

**Fill in this information to identify the case:**

Debtor 1 John W. Hammons Fall 2006, LLC

Debtor 2 \_\_\_\_\_  
(Spouse, if filing)

United States Bankruptcy Court for the: District of Kansas

Case number 16-21142

RECEIVED  
OCT 31 2016  
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>Public Service Company of New Mexico - PNM</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>PNM</u> Name <u>414 Silver Ave SW MS 0525</u> Number Street <u>Albuquerque NM 87102</u> City State ZIP Code  Contact phone _____ Contact email _____	Where should payments to the creditor be sent? (if different)  Name _____ Number Street _____ City State ZIP Code _____  Contact phone _____ Contact email _____  Uniform claim identifier for electronic payments in chapter 13 (if you use one): _____
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 Ctl ID  
00149

**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: 2 7 5 1

7. How much is the claim? \$ 56,843.89 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.  
Utility Service Provided

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 one:

☐ 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.

Amount entitled to priority

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\* 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 10/25/2016

MM / DD / YYYY



Signature

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

Name Sabrina Davis-McMeans  
First name Middle name Last name

Title Credit Representative

Company Public Service Company of New Mexico - PNM  
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address 414 Silver Ave SW MS 0525  
Number Street

Albuquerque NM 87102  
City State ZIP Code

Contact phone 505-246-5823 Email \_\_\_\_\_





WINEGARDNER & HAMMONS  
EMBASSY SUITES ALBUQUERQUE  
HAMMONDS OF NM LLC  
4243 HUNT RD  
CINCINNATI OH 45242-6645

P: 245 - 100010

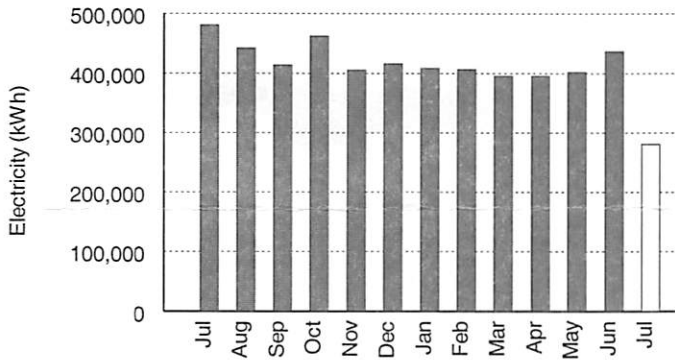
DUE DATE	AMOUNT DUE
07/28/2016	\$56,843.89
ACCOUNT NUMBER	
115622751 - 1235093 - 1	

Service Address: WINEGARDNER & HAMMONS  
1000 WOODWARD PL NE  
ALBUQUERQUE, NM

Bill Issued: 07/06/2016

Page: 1 of 2

#### YOUR ELECTRICITY USAGE



Your average electricity cost per day was \$601.91

Your average usage per day was 7,030.35 kWh

■ Previous 12 months □ This month

#### HOW TO REACH US

Online: PNM.com

Phone: 1-888-DIAL-PNM (1-888-342-5766)

Para Español oprima 8

Monday - Friday 7:30 AM - 6:00 PM

#### YOUR TOTAL CHARGES

Amount Of Your Last Bill	\$38,119.50
Payments Received	\$32,767.25
Balance Before Current Bill	\$70,886.75
Your Current Electricity Charges	\$24,076.64
Adjustments	-\$38,119.50
<b>Total Amount Due</b>	<b>\$56,843.89</b>

## FINAL BILL

See page 2 for important information.

Please return this portion with payment

Service Address: WINEGARDNER & HAMMONS  
1000 WOODWARD PL NE  
ALBUQUERQUE, NM

PNM  
PO Box 27900  
Albuquerque, NM 87125-7900

DUE DATE	AMOUNT DUE
07/28/2016	\$56,843.89
ACCOUNT NUMBER	
115622751 - 1235093 - 1	

Your donation to the PNM Good Neighbor Fund  
provides assistance to those in need.  
PNM shareholders match your donation: \$ \_\_\_\_\_

**TOTAL ENCLOSED \$** \_\_\_\_\_



# YOUR CURRENT ELECTRICITY CHARGES

Meter Read	Meter Read Date	Days Billed	Meter Present	0778068 Previous	Meter Constant	Total kWh	Rate
Actual	06/26/2016	20	9745	- 9400	X 300.000	= 103509.000	4B
Meter Read	Meter Read Date	Days Billed	Meter Present	0778068 Previous	Meter Constant	Total kWh	Rate
Actual	06/26/2016	20	26453	- 25534	X 300.000	= 275700.000	4B

Total kWh: Read x Constant x 1.02 Volt  
Adj = 386793.180 kWh  
Non-Res, Lrg Pwr TOU Dist Equip Lse-EN1A

Percent of kWh Used On-Peak	37.54%		
On-Peak Use and Charge	105,570.000 kWh @ \$ 0.0704373	\$7,436.07	
Off-Peak Use and Charge	175,644.000 kWh @ \$ 0.0365815	\$6,425.32	
On-Peak Fuel Cost Adjustment	105,570.000 kWh @ -\$ 0.0067205	-\$709.48	
Off-Peak Fuel Cost Adjustment	175,644.000 kWh @ -\$ 0.0067205	-\$1,180.42	
On-Peak Renewable Energy Rider	105,570.000 kWh @ \$ 0.0048409	\$511.05	
Off-Peak Renewable Energy Rider	175,644.000 kWh @ \$ 0.0048409	\$850.28	
Reduces fossil fuel costs and generation			
Service Charge (includes 1st 500 kW of billed demand)		\$5,823.33	
<b>Demand Reading</b>	<b>2.260</b>		
Actual Demand (Read x Constant x Volt Adj.)	691.560		
Billable Demand	691.560		
Billed demand and charge above 500 kW	191.560 @ \$17.4700000	\$2,231.03	
<b>Rkva Reading</b>	<b>0.990</b>		
Actual Rkva (Read x Constant x Volt Adj.)	302.940		
Allowed Rkva (48% of Billable Demand)	331.948		
Billed Rkva and Charge	0.000 @ \$ 0.2700000	\$0.00	
Cost-Effective Energy Saving Prog.	2.967%	\$634.56	
City/County Franchise Fee	2.000%	\$440.43	
Gross Receipts Tax			
State	5.1250%	\$1,151.19	
County	1.0000%	\$224.62	
City	1.0625%	\$238.66	
<b>Current Electricity Charges</b>		<b>\$24,076.64</b>	

## DUE DATE

07/28/2016

## AMOUNT DUE

\$56,843.89

## ACCOUNT NUMBER

115622751 - 1235093 - 1

Service Address: WINEGARDNER & HAMMONS  
1000 WOODWARD PL NE  
ALBUQUERQUE, NM


Page: 2 of 2

## MESSAGE CENTER

### FINAL BILL


This closing statement covers your charges and usage up to the date your service(s) were disconnected. We appreciate your prompt remittance of the closing balance. Any balance remaining after the due date is considered delinquent. An overdue balance could affect your credit rating and could result in your account being referred to a collection agency. For ways to pay your bill, see the back of the payment stub below.


## WAYS TO PAY YOUR BILL


 **Free Paperless Bill:** Save paper & reduce clutter. Sign up at PNM.com/paperless. Then you can choose how you would like to pay.

 **Free Online Click-to-Pay:** Pay from your checking, savings or money market account. Sign up at PNM.com/pay.

 **Free Automatic Payment:** Recurring payments from your checking or savings account with a paper bill or an email bill, your choice. Sign up for Automatic Payment at PNM.com/pay.

 **Online Banking:** pay your PNM bill online at your bank's website. Visit your bank website for more information.

 **Pay in person:** Visit dozens of participating Western Union offices. See PNM.com/wu for current locations. \$1.00 fee applies.

 **Pay by Credit, Debit Card or Electronic Check:** Make one-time payments with Visa, MasterCard & Discover online. A \$2.95 processing fee applies. PNM does not receive any portion of this fee. More info at PNM.com/pay.

Visit PNM.com/paybill for more information on these and other bill options available to you.

When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer (EFT) from your account or to process the payment as a check. When we make an EFT, funds may be withdrawn from your account the same day we receive your payment, and your check will not be returned to you from your financial institution.

# 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> (8597743) Public Service Company of New Mexico-PNM 414 Silver Avenue SW MS 0525 Albuquerque, NM 87102	<b>Claim No: 190</b> <i>Original Filed</i> Date: 11/01/2016 <i>Original Entered</i> Date: 11/01/2016	<i>Status:</i> <i>Filed by:</i> CR <i>Entered by:</i> Terri Marshall <i>Modified:</i>
Amount claimed: \$56843.89		

**History:**

<a href="#"><u>Details</u></a>	<a href="#"><u>190-1</u></a>	11/01/2016	Claim #190 filed by Public Service Company of New Mexico-PNM, Amount claimed: \$56843.89 (Marshall, Terri )
--------------------------------	------------------------------	------------	---

*Description:* (190-1) Services Performed

*Remarks:*

## 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>	\$56843.89
<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>		