

Fill in this information to identify the case:

Debtor 1 Jagged Peak, Inc.  
 Debtor 2 \_\_\_\_\_  
 (Spouse, if filing)  
 United States Bankruptcy Court for the: District of Nevada  
 Case number 19-15959

RECEIVED  
 JAN 14 2020  
 BMC GROUP

Official Form 410

**Proof of Claim**

04/19

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?	United Parcel Service Inc. and its affiliates <small>Name of the current creditor (the person or entity to be paid for this claim)</small> Other names the creditor used with the debtor <u>UPS</u>	
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?  <small>Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)</small>	Where should notices to the creditor be sent?  Morrison & Foerster LLP, Attn: Erica Richards <small>Name</small> <u>250 W 55th St</u> <small>Number Street</small> <u>New York NY 10019</u> <small>City State ZIP Code</small> Contact phone <u>212-468-8000</u> Contact email <u>erichards@mof.com</u>	Where should payments to the creditor be sent? (if different) United Parcel Service, Inc., GBS Finance Operations, Attn: Chrisanne Cross <small>Name</small> <u>2055 Army Trail Road</u> <small>Number Street</small> <u>Addison IL 60101</u> <small>City State ZIP Code</small> Contact phone _____ Contact email <u>bankruptcy@ups.com</u>
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 _____ <small>MM / DD / YYYY</small>	
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? _____	

JAGGED PEAK Ct ID



00077

**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: \* \_\_\_\_\_  
 \* See Exhibit A to Appendix, attached

7. How much is the claim? \$ 142,030.87. 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.  
Services performed - see Appendix

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 \$3,025\* 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 \$13,650\*) 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 4/01/22 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.

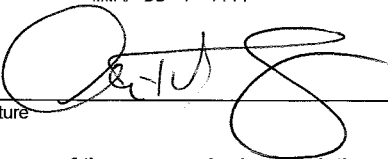
I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

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 1/10/2020  
MM / DD / YYYY

  
\_\_\_\_\_  
Signature

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

Name Antonio Young  
First name Middle name Last name

Title GBS Credit Manager

Company United Parcel Service  
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address 2055 Army Trail Road  
Number Street

Addison IL 60101  
City State ZIP Code

Contact phone \_\_\_\_\_ Email ayoung@ups.com

MORRISON | FOERSTER

250 WEST 55TH STREET  
NEW YORK  
NEW YORK 10019-9601

TELEPHONE: 212.468.8000  
FACSIMILE: 212.468.7900

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PALO ALTO, SACRAMENTO, SAN DIEGO,  
SAN FRANCISCO, SHANGHAI, SINGAPORE,  
TOKYO, WASHINGTON, D.C.

January 13, 2020

Writer's Direct Contact  
212.336.4036  
LGuido@mofo.com

***Via UPS Overnight Delivery***

BMC Group, Inc.  
Attn: Jagged Peak Claims Processing  
3732 West 120th Street  
Hawthorne, CA 90250

**Re: In re Jagged Peak, Inc. (Bankr. D. Nev. 19-15959) and In re TradeGlobal, LLC  
(Bankr. D. Nev. 19-15961)**

Dear Sir or Madam:

Enclosed are two (2) proofs of claim and supporting documentation (the "Proofs of Claim") on behalf of United Parcel Service, Inc. and its affiliates for filing in the above-captioned cases, as well as copies of the Proofs of Claim and a pre-paid, self-addressed return envelope. Please acknowledge receipt of the Proofs of Claim by time-stamping the copies and returning them in the enclosed envelope.

If you have any questions or require any additional information, I can be reached via the above contact information.

Sincerely,



Laura Guido  
Senior Paralegal

Enclosures

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEVADA

In re:	)	
	)	Chapter 11
Jagged Peak, Inc.	)	
	)	Case No. 19-15959 (MKN)
Debtor.	)	
	)	
	)	
	)	
	)	

**APPENDIX TO PROOF OF CLAIM OF UNITED PARCEL SERVICE, INC.  
AGAINST JAGGED PEAK, INC.**

**A. Introduction**

1. This appendix to the proof of claim of United Parcel Service Inc. and its affiliates (collectively “UPS”) against Debtor Jagged Peak, Inc. (the “Debtor”) is incorporated into the proof of claim in its entirety as if fully set forth therein.

2. Subject to the reservation of rights set forth herein, this proof of claim is being filed in accordance with that certain *Notice of Chapter 11 Bankruptcy Case* [Docket No. 2] (the “Bar Date Notice”), establishing January 15, 2020 as the last date on which proofs of claim must be filed in the Debtor’s chapter 11 case.

**B. Factual Basis for Claims**

3. On September 16, 2019 (the “Petition Date”), the Debtor filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code with the United States Bankruptcy Court for the District of Nevada (the “Court”). The Debtor’s chapter 11 case is being jointly administered with the chapter 11 cases of TradeGlobal, LLC, Case No. 19-15960,

and TradeGlobal North America Holding, Inc., Case No. 19-15961, which were commenced on the same day.

4. Prior to the Petition Date, UPS provided various shipping and related services (the “**Services**”) to the Debtor.

5. As of the Petition Date, the Debtors were indebted and liable to UPS on account of outstanding invoices for the Services before the Petition Date in the total amount of \$142,030.87 (the “**Claim**”), comprised of the following:

<b>Services</b>	<b>Amount</b>
Small Package Shipping	\$140,884.72
Freight Shipping	\$1,146.15
<b>Total:</b>	<b>\$142,030.87</b>

Due to their voluminous nature, copies of the underlying invoices and/or additional detail regarding those invoices are not attached but will be provided upon request.

6. UPS reserves all rights to adjust and amend this proof of claim, including, without limitation, as a result of future events, the discovery and analysis of additional information, the correction of any errors, the resolution of disputes, and the assertion of any rights of setoff or recoupment. This proof of claim is intended to include all claims of UPS against the Debtor arising under or relating to the Services, and UPS reserves the right to amend this proof of claim accordingly or to set forth its claims herein with more particularity as it obtains more information.

**C. Reservation of Rights**

7. No judgment has been rendered on UPS’ Claim herein.

8. In addition to the amounts set forth above, UPS may have claims against the Debtor for, among other things, certain costs and expenses incurred by UPS both prior to and since the Petition Date, including all professional fees and disbursements. Moreover, UPS reserves the right to claim pre-petition and post-petition interest with respect to all of the amounts set forth above to the maximum extent permitted by law. The total amount of such fees, charges, costs, expenses, interest, and/or attorneys' fees cannot, at this time, be calculated or estimated with certainty. However, UPS does not waive its rights to any and all such interest, fees, charges, costs, expenses, and/or attorneys' fees by not stating a specific amount therefore at this time.

9. Moreover, UPS expressly reserves any and all defenses, counterclaims or objections, including without limitation, the right of setoff, recoupment or similar right, remedy or defense against any claims or counterclaims asserted by the Debtor in relation to the Claim, or any other claim arising in connection with the Services or otherwise described above.

10. The filing of this proof of claim is not an election of remedies and is without prejudice to UPS' rights to assert claims against third-parties, whether arising out of or relating to the facts and circumstances underlying UPS' claims herein, or otherwise. UPS hereby expressly preserves any and all rights, claims, causes of action, defenses, counterclaims or objections, or any similar rights, remedies or defenses against all persons or entities, whether in this Court or elsewhere, whether currently existing or arising in the future, against whom it determines to have claims.

11. The execution and filing of this proof of claim is not: (a) a waiver or release of UPS' rights against any other entity or person that may be liable for all or any part of the Claim; (b) an election of remedies that waives or otherwise affects any other remedy; or (c) a waiver of

any of UPS' rights to have its claims herein and any defenses, counterclaims or objections thereto determined before a jury, by arbitration, or before any other judicial or administrative body having jurisdiction, and to the extent necessary to preserve such rights, make demand therefor.



# District of Nevada Claims Register

## 19-15959-mkn JAGGED PEAK, INC., A NEVADA CORPORATION

**Judge:** MIKE K. NAKAGAWA      **Chapter:** 11  
**Office:** Las Vegas                      **Last Date to file claims:** 01/15/2020  
**Trustee:**                                      **Last Date to file (Govt):** 03/16/2020

<i>Creditor:</i> (11051999) UNITED PARCEL SERVICE INC AND ITS AFFILIATES C/O MORRISON & FOERSTER LLP ATTN: ERICA RICHARDS 250 W 55TH ST NEW YORK, NY 10019	<b>Claim No: 60</b> <i>Original Filed</i> <i>Date:</i> 01/14/2020 <i>Original Entered</i> <i>Date:</i> 01/14/2020	<i>Status:</i> <i>Filed by:</i> CR <i>Entered by:</i> BMC GROUP, INC. (1) <i>Modified:</i>
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Amount claimed: \$142030.87

*History:*

[Details](#)    [60-1](#) 01/14/2020 Claim #60 filed by UNITED PARCEL SERVICE INC AND ITS AFFILIATES,  
Amount claimed: \$142030.87 (BMC GROUP, INC. (1))

*Description:* (60-1) Services performed

*Remarks:* (60-1) ClaimsAgent Recvd: 01/14/2020

## Claims Register Summary

**Case Name:** JAGGED PEAK, INC., A NEVADA CORPORATION  
**Case Number:** 19-15959-mkn  
**Chapter:** 11  
**Date Filed:** 09/16/2019  
**Total Number Of Claims:** 1

<b>Total Amount Claimed*</b>	\$142030.87
<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>		