

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK (MANHATTAN)

PROOF OF CLAIM

In re:
Jennifer Convertibles, Inc.

Case Number:
10-13779

NOTE: See Reverse for List of Debtors/Case Numbers/ important details. This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A "request" for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.

Name of Creditor and Address: the person or other entity to whom the debtor owes money or property

 25239791000569
DWAIN P TRABEAU
14212 CHELWOOD AVE.
BATON ROUGE, LA 70816-2603

Creditor Telephone Number ()

Name and address where payment should be sent (if different from above):
Mary B. Trabeau, Independent Executor of the Succession of Dwain P. Trabeau
c/o Coxe & Coxe Attorneys
270 S. Sharp Road, Baton Rouge, LA 70815

Payment Telephone Number **(225) 924-7597**

Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.

Check this box if you are the debtor or trustee in this case.

RECEIVED
OCT 04 2010

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

BMC GROUP

Check this box to indicate that this claim amends a previously filed claim.

Claim Number (if known):
Filed on:

1. AMOUNT OF CLAIM AS OF DATE CASE FILED \$ **1,000.00**

If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4.
If all or part of your claim is entitled to priority, complete item 5.
If all or part of your claim qualifies as an administrative expense under 11 U.S.C. § 503(b)(9), complete item 6.
 Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.

2. BASIS FOR CLAIM:
Preferred stock Holder and former investor

(See instructions #2 and #3a on reverse side.)

3. LAST FOUR DIGITS OF ANY NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR: **6905**
3a. Debtor may have scheduled account as:

4. SECURED CLAIM (See instruction #4 on reverse side.)
Check the appropriate box if your claim is secured by a lien on property or a right of set off and provide the requested information
Nature of property or right of setoff:
Describe:
 Real Estate Motor Vehicle Other **Stock**
Value of Property: \$ _____ Annual Interest Rate: _____ % if any: \$ _____ Basis for Perfection: _____
Secured Claim Amount: \$ _____ **DO NOT** include the priority portion of your claim here.
Unsecured Claim Amount: \$ _____
Amount of arrearage and other charges as of time case filed included in secured claim, _____


5. PRIORITY CLAIM
 Amount of Claim Entitled to Priority under 11 U.S.C. §507(a).
If any portion of your claim falls in one of the following categories, check the box and state the amount.
Unsecured Priority Claim Amount: \$ _____ Include **ONLY** the priority portion of your unsecured claim here.
You MUST specify the priority of the claim:
 Domestic support obligations under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).
 Wages, salaries, or commissions (up to \$11,725*), earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. § 507(a)(4).
 Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(5).
 Up to \$2,600* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507(a)(7).
 Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(8).
 Other - Specify applicable paragraph of 11 U.S.C. § 507(a) (_____).
* Amounts are subject to adjustment on 4/1/13 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.

6. AMOUNT OF CLAIM THAT QUALIFIES AS AN ADMINISTRATIVE EXPENSE UNDER 11 U.S.C. § 503(b)(9): \$ _____
See instruction #6 on reverse side

7. CREDITS: The amount of all payments on this claim has been credited for the purpose of making this proof of claim.

8. SUPPORTING DOCUMENTS: Attach redacted copies of supporting documents, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, and security agreements. You may also attach a summary. Attach redacted copies of evidence of perfection of a security interest. (See instruction 8 and definition of "redacted" on reverse side.) If the documents are not available, please explain.
DATE-STAMPED COPY: To receive an acknowledgment of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim. **DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.**

The original of this completed proof of claim form must be sent by mail or hand delivered (FAXES NOT ACCEPTED) so that it is actually received on or before 5:00 pm, prevailing Eastern Time on October 25, 2010 for Non-Governmental Claimants OR on or before 5:00 pm, prevailing Eastern Time on January 18, 2011 for Governmental Units.
BY MAIL TO:
BMC Group, Inc
Attn: Jennifer Convertibles Claims Processing
PO Box 3020
Chanhassen, MN 55317-3020
BY HAND OR OVERNIGHT DELIVERY TO:
BMC Group, Inc
Attn: Jennifer Convertibles Claims Processing
18750 Lake Drive East
Chanhassen, MN 55317

THIS SPACE FOR COURT USE ONLY
Jennifer Convertibles

00157

DATE: **9/27/2010**
SIGNATURE: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any.
J. Coxe, Agent

Penalty for presenting fraudulent claim is a fine of up to \$500,000, or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 AND 3571



Jennifer Convertibles, Inc., 419 Crossways Park Drive, Woodbury, NY 11797 516-496-1900

November 7, 2003

Dear Shareholder:

Enclosed is a stock certificate representing shares of preferred stock of Jennifer Convertibles to which you became entitled upon settlement of the class action lawsuit in 1998. Although the stock certificate is dated as of September 1, 1999, delivery was delayed pending final instructions from counsel for members of the class.

Very truly yours,

A handwritten signature in black ink, appearing to read "Harley J. Greenfield".

Harley J. Greenfield

Chief Executive Officer

The following abbreviations, when used in the inscription on the face of this certificate, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM - as tenants in common
TEN ENT - as tenants by the entireties
JT TEN - as joint tenants with right of survivorship and not as tenants in common

UNIF GIFT MIN ACT - _____ Custodian _____
(Cust) (Minor)
under Uniform Gifts to Minors
Act _____
(State)

Additional abbreviations may also be used though not in the above list.

For value received, _____ hereby sell, assign and transfer unto

PLEASE INSERT SOCIAL SECURITY OR OTHER IDENTIFYING NUMBER OF ASSIGNEE

[Empty box for Social Security or other identifying number]

(PLEASE PRINT OR TYPEWRITE NAME AND ADDRESS, INCLUDING ZIP CODE, OF ASSIGNEE)

_____ shares
of the capital stock represented by the within Certificate, and do hereby
irrevocably constitute and appoint

_____ Attorney
to transfer the said stock on the books of the within named Corporation
with full power of substitution in the premises.

Dated _____

NOTICE: THE SIGNATURE TO THIS ASSIGNMENT MUST CORRESPOND WITH THE NAME AS WRITTEN UPON THE FACE OF THE CERTIFICATE IN EVERY PARTICULAR, WITHOUT ALTERATION OR ENLARGEMENT OR ANY CHANGE WHATSOEVER.

SIGNATURE(S) GUARANTEED:

THE SIGNATURE(S) SHOULD BE GUARANTEED BY AN ELIGIBLE GUARANTOR INSTITUTION (BANKS, STOCKBROKERS, SAVINGS AND LOAN ASSOCIATIONS AND CREDIT UNIONS WITH MEMBERSHIP IN AN APPROVED SIGNATURE GUARANTEE MEDALLION PROGRAM) PURSUANT TO S.E.C. RULE 174d-15.

KEEP THIS CERTIFICATE IN A SAFE PLACE. IF IT IS LOST, STOLEN, MUTILATED OR DESTROYED, THE CORPORATION WILL REQUIRE A BOND OF INDEMNITY AS A CONDITION TO THE ISSUANCE OF A REPLACEMENT CERTIFICATE.

LETTERS OF DATIVE INDEPENDENT TESTAMENTARY EXECUTORSHIP

IN THE MATTER OF THE

SUCCESSION OF

DWAIN PAUL TRABEAU

NUMBER P91004 SECTION 26

19TH JUDICIAL DISTRICT COURT

PARISH OF EAST BATON ROUGE

STATE OF LOUISIANA

This shall certify to all whom it may concern, that an application was made to the Honorable Nineteenth Judicial District Court for said parish by MARY BERTHELOT TRABEAU to be appointed and confirmed as Dative Independent Testamentary Executrix of the estate of DWAIN PAUL TRABEAU, deceased, and that they have fulfilled all of the requisites of the law.

Given under my hand and seal of our Nineteenth Judicial District Court, at Baton Rouge, Louisiana, on 02-MAR-2010.

Joshlyn Purin
Joshlyn Purin/Deputy Clerk for
Doug Welborn, Clerk of Court

CERTIFIED
TRUE COPY

APR 17 2010
BY *Richard Kausinger*
DEPUTY CLERK

STATE OF LOUISIANA
PARISH OF EAST BATON ROUGE

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That I, Mary Berthelot Trabeau a competent, major resident of the Parish of East Baton Rouge, State of Louisiana, as Executrix/Executor of the ESTATE OF DWAIN PAUL TRABEAU, DO HEREBY MAKE, NAME AND APPOINT:

James R. Coxe, III Attorney at Law, Bar Roll # 04534, of the COXE AND COXE LAW FIRM, 270 S. Sharp Road, Baton Rouge, LA 70813,

As my true and lawful agent and attorney-in-fact, for me, and in my place and stead to:

Contact all banking, savings and loan associations, credit unions and investment companies, PARTICULARLY, the following association:

Name:
Address:

Which association has possession of property belonging to the decedent, Dwain Paul Trabeau, in his/her name or jointly with any other person, and to have copied and reproduced and to receive any documents or records required to determine on the DATE OF DEATH OF DECEDENT, February 5, 2010, the amount on hand and the description of the assets which listing is required in the succession proceedings of decedent, which said agent, James R. Coxe, III, is preparing as attorney for the estate and on behalf of the Executrix/Executor of same.

FURTHER, to collect on behalf of the Executrix/Executor the assets belonging to the estate for payment of succession debts and distribution to legatees.

FURTHER, if community property exists, to contact all creditors of the community formerly existing between decedent and his spouse, and to have same copied and reproduced and to receive any documents or records required to determine the date of death balances upon accounts of the community or the individual account of decedent or his spouse as an indebtedness of the estate.

I, FURTHER, give and grant unto my said agent and attorney-in-fact full power and authority to sign all papers, deeds and documents; to issue all receipts and to do all acts necessary and proper to accomplish any and all of the duties hereinabove specified, with the same validity as I might myself do were I personally present and acting for myself, and I hereby ratify and confirm whatever my said agent may do by virtue of this power.

THUS DONE AND SIGNED on this 26 DAY OF FEBRUARY, 2010, in the presence of the undersigned, competent witnesses who have hereunto signed their names with appearer and me, Notary, after due reading of the whole.

WITNESSES:

Jodie F. Coxe
Jodie F. Coxe
Claire M. Brown
Claire M. Brown

Mary B. Trabeau
MARY BERTHELOT TRABEAU
Social Security # --- -- 4267

Gerald M. Mullett, Jr.
GERALD M. MULLETT, JR.

NOTARY PUBLIC, BAR ROLL # 32596, NP ID # 89411
My Commission is for Life

COXE AND COXE

Established 1953

270 S. Sharp Road
Baton Rouge, Louisiana 70815
Telephone (225) 924-7597
Facsimile (225) 929-9819

Attorneys
James R. Coxe, III
G.M. Millet, Jr.
James R. Coxe, Jr. (1912-2010)
Legal Assistants
Judie F. Coxe
Claire M. Brown

September 28, 2010

Certified Letter – Return Receipt Requested
Certified Receipt No. 7008 2810 0000 7692 7465

BMC Group, Inc.
Attn: Jennifer Convertibles Claims Processing
18750 Lake Drive East
Chanhassen, MN 55317

RE: Jennifer Convertibles, Inc.
Chapter 11 – Case No. 10-13779
U.S. Bankruptcy Court
The Southern District of New York
Our Client: Succession of Dwain Paul Trabeau
OFN: 221008

To Whom It May Concern:

On behalf of my client, the Succession of Dwain Paul Trabeau, through Mary B. Trabeau, the Dative Independent Testamentary Executrix, enclosed please find a Proof of Claim, along with supporting documents.

I respectfully request that you file the Proof of Claim, along with the supporting documents, with the U.S. Bankruptcy Court, The Southern District of New York. Also, after you have filed the Proof of Claim with the U.S. Bankruptcy Court, please mail me confirmation of the filing.

Also, for your information, my email address is claire@coxeandcoxe.com.

Thanking you in advance for your attention and assistance, we remain

Very Truly Yours,


James R. Coxe, III

JRC:cmb
Enclosures