

UNITED STATES BANKRUPTCY COURT Southern

DISTRICT OF New York

PROOF OF CLAIM

Name of Debtor: Jennifer Convertibles, Inc.

Case Number: 10-13779

NOTE: 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 (the person or other entity to whom the debtor owes money or property): McKinley Corona, LLC and CP6MC, LLC (West Valley-Mckinley Crossroads)

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

Name and address where notices should be sent: Thomas J. Leanse, Esq. c/o Katten Muchin Rosenman LLP 2029 Century Park East, 26th Floor Los Angeles, CA 90067 Telephone number: (310) 788-4400 (333808-9)

Court Claim Number: (If known)

Filed on:

Name and address where payment should be sent (if different from above):

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Check this 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.

Telephone number:

1. Amount of Claim as of Date Case Filed: \$ 69,664.85

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.

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.

5. 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.

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).

2. Basis for Claim: Real Property Lease (See instruction #2 on reverse side.)

3. Last four digits of any number by which creditor identifies debtor:

3a. Debtor may have scheduled account as: (See instruction #3a on reverse side.)

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 setoff and provide the requested information.

Nature of property or right of setoff: Real Estate Motor Vehicle Other

Describe:

Value of Property: \$ Annual Interest Rate %

Amount of arrearage and other charges as of time case filed included in secured claim,

if any: \$ Basis for perfection:

Amount of Secured Claim: \$ Amount Unsecured: \$

Other - Specify applicable paragraph of 11 U.S.C. §507 (a)(2).

Amount entitled to priority:

\$ 10,638.79**

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

7. Documents: Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements or running accounts, contracts, judgments, mortgages, and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See instruction 7 and definition of "redacted" on reverse side.)

DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.

If the documents are not available, please explain: **This amount is entitled to administrative expense priority pursuant to 11 U.S.C. Sections 503(b) and/or 365(d)(3)

Date: 10/20/2010

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.

Brian D. Huben, Esq.

FOR COURT USE ONLY

Jennifer Convertibles



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PROOF OF CLAIM ATTACHMENT

CASE NAME: Jennifer Convertibles, Inc. **LOCATION:** McKinley Crossroads

CASE NUMBER: 10-13779

A. General Information:

1. Landlord Name: McKinley Corona, LLC and CP6MC, LLC (West Valley)
2. Property Location: McKinley Crossroads
3. Tenant Name: Jennifer Convertibles, Inc.
4. Debtor's Store No: unknown Remaining term: 3.5 months
5. Petition Date: 7/18/2010
6. Lease Exp. Date: 10/31/2010
7. Lease Rej. Date: 7/31/2010

B. Claim Information:

	<u>Rent & Charges</u>	<u>Interest</u>	<u>Totals</u>
1. Unsecured Non-Priority Rejection Claim Amount:	\$34,151.08	n/a	\$34,151.08
<small>(Section 502(b)(6)(A))</small>			
2. Unsecured Non-Priority Pre-Petition Claim Amount:	\$24,512.66	\$362.32	\$24,874.98
<small>(Section 502(b)(6)(B))</small>			

Subtotal Unsecured Claims	\$58,663.74	\$362.32 ¹	\$59,026.06
3. Administrative Post-Petition Priority Claim Amount:	\$4,436.88	\$144.31	\$4,581.19
<small>(Section 503(b)(1)(A), 365(d)(3))</small>			
4. Attorney Fees ³	\$6,057.60	n/a	\$6,057.60
Subtotal Administrative Claims	\$10,494.48	\$144.31 ²	\$10,638.79

TOTAL CLAIM AMOUNT \$69,664.85⁴

¹ Interest calculated at 10.% through 07/17/10, based on a 360 day year.
² Interest calculated at 10.% through 10/25/10, (the Claims Bar Date) based on a 360 day year.
³ Attorneys Fees includes billed and unbilled charges through 10/11/10.
⁴ Claimant reserves the right to supplement or amend this claim from time to time and at any time hereafter.

PRE-PETITION CHARGES

CASE NAME: Jennifer Convertibles, Inc.

LOCATION: McKinley Crossroads

CASE NUMBER: 10-13779

DATE OF	CHARGE	DESCRIPTION OF CHARGE	AMOUNT DUE	INTEREST ¹	AMOUNT DUE	TOTAL
5/1/2010	Rent Charges	Rent Charges	\$7,528.75	\$165.35	\$7,694.10	
5/1/2010	CAM	CAM	\$985.80	\$21.65	\$1,007.45	
5/1/2010	Building Painting	Building Painting	\$24.57	\$0.54	\$25.11	
5/1/2010	Parking Lot	Parking Lot	\$27.29	\$0.60	\$27.89	
5/1/2010	Irrigation	Irrigation	\$26.74	\$0.59	\$27.33	
5/1/2010	Insurance Property	Insurance Property	\$41.22	\$0.91	\$42.13	
5/1/2010	Insurance Liability	Insurance Liability	\$40.74	\$0.89	\$41.63	
5/1/2010	Tax	Tax	\$625.47	\$13.74	\$639.21	
6/1/2010	Rent Charges	Rent Charges	\$8,052.61	\$107.45	\$8,160.06	
6/1/2010	CAM	CAM	\$985.80	\$13.15	\$998.95	
6/1/2010	Building Painting	Building Painting	\$24.57	\$0.33	\$24.90	
6/1/2010	Parking Lot	Parking Lot	\$27.29	\$0.36	\$27.65	
6/1/2010	Irrigation	Irrigation	\$26.74	\$0.36	\$27.10	
			<u>\$18,417.59</u>	<u>\$325.92</u>		
					PRE-PETITION CHARGES:	<u>\$18,743.51</u>

¹ Interest calculated at 10.0% through 07/17/10, the day before the petition date.

REJECTION DAMAGES

CASE NAME: Jennifer Convertibles, Inc.

LOCATION: McKinley Crossroads

CASE NUMBER: 10-13779

TOTAL RENT REMAINING FOR LEASE TERM

(BASIS: 360 DAYS PER YEAR)

TOTALS - ALL RENT STEPS

TOTAL RENT - ALL STEPS = \$34,151.08

TOTALS - RENT STEP 1 Daily rent: \$322.18
 Start date: 07/18/10 Period rent: \$34,151.08
 End date: 10/31/10 No. of days: 106

RENT CAPS (choose > one)

15% of remaining term: \$5,122.66
 1 yr rent & add'l rent: \$117,595.70

TOTALS - RENT STEP 2 Daily rent: \$57.43 remaining rent if term is less than one year: \$34,151.08
 Start date: 11/01/10 Period rent: \$0.00
 End date: 01/00/00 No. of days: 0

ACTUAL RESERVED RENT

Total rent & add'l rent: \$34,151.08
 Total credits & payments: \$0.00
 Actual reserved rent: \$34,151.08

Rejection Claim Amount \$34,151.08

TOTALS - RENT STEP 4 Daily rent: \$57.43
 Start date: 01/01/00 Period rent: \$0.00
 End date: 01/00/00 No. of days: 0

TOTALS - RENT STEP 5 Daily rent: \$57.43
 Start date: 01/01/00 Period rent: \$0.00
 End date: 01/00/00 No. of days: 0

Katten

KattenMuchinRosenman LLP

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333808-9

October 21, 2010

VIA FEDEX

Jennifer Convertibles, Inc. et al
C/O BMC Group, Inc.
18750 Lake Drive East
Chanhassen, MN 55317

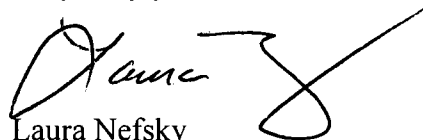
Re: In re: Jennifer Convertibles, Inc. et al
Case No. 10-13779

Dear Sir/Madam:

Enclosed for filing is one (1) original Proof of Claims regarding the above entitled matter. Also enclosed is one (1) extra copy of the Claim which needs to be conformed and returned to us in the enclosed, postage prepaid envelope.

Thank you for your assistance in this matter, and should you have any questions, please call me at the above listed number.

Very truly yours,



Laura Nefsky
Paralegal

Enclosures: (1) West Valley

cc: Brian D. Huben (w/o encls.)