

FORM B10 (Official Form 10) (4/95)

USBC, Illinois Northern (4/1/98)

*FILE ORIGINAL FOR CHAPTERS 7 and 11, IN DUPLICATE FOR CHAPTER 13, FOR DATE-STAMPED COPY, SEE #9 BELOW

United States Bankruptcy Court		<input type="checkbox"/> CH 7 <input type="checkbox"/> CH 13 <input checked="" type="checkbox"/> CH 11
Northern District of Illinois, Eastern Division		PLEASE CHECK CHAPTER
Name of Debtor KMART CORPORATION, ET AL		Case Number 02 B 02474
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) Welch Consulting, Ltd.		File Claim Form With: United States Bankruptcy Court P. O. Box A3613 Chicago, Illinois 60690-3612 Creditor # _____ THIS SPACE IS FOR COURT USE ONLY
Name and Address Where Notices Should be Sent c/o Lara Anderson 111 University Dr. East, Ste. 205 College Station, TX 77840 Telephone No. (979) 846-0303		
Account or other number by which creditor identifies debtor: KMART #4131 -Lucas vs. Kmart Corp		<input type="checkbox"/> 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. <input type="checkbox"/> Check box if you have never received any notices from the bankruptcy court in this case. <input type="checkbox"/> Check box if the address differs from the address on the envelope sent to you by the court.
Check here if this claim <input type="checkbox"/> amends <input type="checkbox"/> replaces a previously filed claim dated: _____		
1. BASIS FOR CLAIM <input type="checkbox"/> Goods sold <input checked="" type="checkbox"/> Services performed <input type="checkbox"/> Wages, salaries, and compensation (Fill out below) <input type="checkbox"/> Money loaned <input type="checkbox"/> Personal injury/wrongful death Your social security number _____ <input type="checkbox"/> Taxes <input type="checkbox"/> Other _____ Unpaid compensation for services performed <input type="checkbox"/> Retiree benefits as defined in 11 U.S.C. § 1114 (a) from _____ (date) to _____ (date)		
2. DATE DEBT WAS INCURRED: 11/26/01-12/13/01 3. IF COURT JUDGMENT, DATE OBTAINED:		
4. Total Amount of Claim at Time Case Filed: \$44,557.28 If all or part of your claim is secured or entitled to priority, also complete item 5 or 6 below. <input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of the claim. Attach itemized statement of all interest or additional charges.		
5. Secured claim <input type="checkbox"/> Check this box if your claim is secured by collateral (including a right of setoff). Brief Description of Collateral: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other _____ Value of collateral: \$ _____ Amount of arrearage and other charges at time case filed included in secured claim above, if any: \$ _____		6. Unsecured Priority Claim <input type="checkbox"/> Check this box if you have an unsecured priority claim Amount entitled to priority \$ _____ Specify the priority of the claim: <input type="checkbox"/> Wages, salaries, or commissions (up to \$4,300), earned within 90 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier-11 U.S.C. § 507(a)(3) <input type="checkbox"/> Contributions to an employee benefit plan-11 U.S.C. § 507(a)(4) <input type="checkbox"/> Up to \$1,950* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507(a)(6) <input type="checkbox"/> Alimony, maintenance, or support owed to a spouse, former spouse, or child -11 U.S.C. § 507(a)(7) <input type="checkbox"/> Taxes or penalties owed to governmental units-11 U.S.C. § 507(a)(8) <input type="checkbox"/> Other—Specify applicable paragraph of 11 U.S.C. § 507(a) _____ <small>*Amounts are subject to adjustment on 4/1/98 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.</small>
7. CREDITS: The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim. 8. SUPPORTING DOCUMENTS: Attach copies of supporting documents, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security agreements, and evidence of perfection of lien. DO NOT SEND ORIGINAL DOCUMENTS. If the documents are not available, explain. If the documents are voluminous, attach a summary. ANY ATTACHMENT MUST BE 8-1/2" BY 11" 9. DATE-STAMPED COPY: To receive an acknowledgment of the filing of your claim, enclose a stamped, self-addressed envelope and an additional copy of this proof of claim.		THIS SPACE IS FOR COURT USE ONLY FILED 3/8/02 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS MAR 08 2002 666 KENNETH S. GARDNER, CLERK MAILROOM - KC
Date: 3-1-2002	Sign and print the name and title, if any, of the creditor or other person authorized to file this claim (attach copy of power of attorney, if any) <i>Finis Welch</i>	
<small>Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 162 and 3571.</small>		



**WELCH
CONSULTING**

Economics/Statistics

111 University Drive, East, Suite 205
College Station, Texas 77840
Telephone: 979-846-0303
Facsimile: 979-846-6421

Joseph G. Sullivan, Esq.
Senior Employment Attorney
Kmart Corporation
3100 W. Big Beaver Road
Troy, MI 48084

Invoice No. A7416
December 12, 2001

**Re: Kmart #4131
Lucas v. Kmart Corporation**

Labor and Expenses for the month of November 2001:

LABOR:

Economist			
M. Ward	(	1.00 hrs. @ \$350)	\$ 350.00
A. Aukstikalnis	(	45.00 hrs. @ \$250)	\$ 11,250.00
Programmer			
H. Pham	(	4.00 hrs. @ \$175)	\$ 700.00
Associate Economist			
D. Kovner	(	15.75 hrs. @ \$170)	\$ 2,677.50
Q. Vu	(	97.00 hrs. @ \$140)	\$ 13,580.00

LABOR SUB-TOTAL: **\$ 28,557.50**

EXPENSES:

Photocopies	\$	107.70
Telephone	\$	9.89
Data Entry	\$	1,940.00

EXPENSES SUB-TOTAL: **\$ 2,057.59**

TOTAL: **\$ 30,615.09**

**PLEASE NOTE CHANGE IN REMITTANCE ADDRESS
PAYMENT IS DUE UPON RECEIPT OF INVOICE
Fed ID#76-0627621**

Santa Monica
1640 Fifth Street, Santa Monica, California 90401
Telephone: 310-393-5530 Facsimile: 310-393-2503

Washington, D.C.
7984 Old Georgetown Rd., Suite 7C, Bethesda, Maryland 20814
Telephone: 301-215-9801 Facsimile: 301-215-9118

MONTHLY ACTIVITY LOG
Lucas v. Kmart Corporation - Kmart# 4131

Daily Hours--- M. Ward

- Nov. 26 0.50 hrs. Discussed building of global database with A. Aukstikalnis.
Nov. 30 0.50 hrs. Discussed pulling random sample of stores from select cities based upon store volume with A. Aukstikalnis.

Daily Hours--- A. Aukstikalnis

- Nov. 01 4.00 hrs. Reviewed coded surveys and comments. Began preparing data for transfer into Stata. Discussed layout of in house coded data and producing compatible variable names and formats with Q. Vu.
Nov. 02 0.50 hrs. Discussed layout of coded data and missing items with Q. Vu.
Nov. 05 2.00 hrs. Discussed status of reading mystery shopper data with H. Pham. Reviewed survey data files received from S. Mintz. Call to S. Mintz: reviewed and discussed contents of data files.
Nov. 06 4.00 hrs. Call to S. Mintz: discussed various versions of files. Reviewed and converted various version of 2001 master files to Stata. Reviewed Stata documentation on checking for duplicates. Began comparing files.
Nov. 07 6.25 hrs. Discussed status of lotus notes data conversion with H. Pham. Reviewed converted mystery shopper data received from H. Pham. Compared various versions of master 2001 survey data and made notes regarding updates. Identified most recent file. Call to S. Mintz regarding findings.
Nov. 09 2.00 hrs. Discussed reading, formatting and analysis of mystery shopper data with D. Kovner. Discussed checking of 2001 master file with Q. Vu. Discussed findings regarding contents of 2001 master files and next steps with Q. Vu.
Nov. 12 1.50 hrs. Discussed contents of latest ADA data and its completeness with Q. Vu. Call to R. Breum.
Nov. 13 1.50 hrs. Discussed layout of new ADA data with Q. Vu. Began matching variables in new file to old variable names.
Nov. 14 7.00 hrs. Reviewed and coded variables in 2000 master data. Reviewed latest piece of 2000 ADA survey data received from S. Mintz. Discussed comparing of file to other versions with Q. Vu. Discussed differences in data sets with Q. Vu. Left voice mail message for S. Mintz regarding findings.
Nov. 15 1.50 hrs. Reviewed data and worked on program to read new ADA data.
Nov. 16 3.00 hrs. Finished matching variables names to file. Reviewed mystery shopper surveys and left voice mail message for S. Mintz. Discussed cleaning ADA survey data with Q. Vu.
Nov. 19 1.00 hrs. Discussed data issues and status of data cleaning with Q. Vu.
Nov. 26 1.75 hrs. Discussed data issues and analyzing of data with Q. Vu. Reviewed data generating programs for mystery shopper data. Discussed building of global database with M. Ward.

Daily Hours— A. Aukstikalnis

- Nov. 27 2.00 hrs. Worked with Q. Vu formatting and analyzing 2000 survey data. Reviewed mystery shopper data.
- Nov. 28 1.00 hrs. Worked with Q. Vu on analysis of surveys.
- Nov. 29 1.50 hrs. Worked with Q. Vu on analysis of 2000 surveys. Call to S. Mintz regarding mystery shopper data.
- Nov. 30 4.50 hrs. Discussed analysis of 2000 ADA surveys with Q. Vu. Discussed pulling random sample of stores from select cities based upon store volume with M. Ward. Began reviewing in-house data. Reviewed previous sample selection programs. Discussed in-house data with Q. Vu.

Daily Hours— H. Pham

- Nov. 07 4.00 hrs. Worked on Lotus Notes data conversion.

Daily Hours— D. Kovner

- Nov. 09 5.25 hrs. Unzipped files and printed field names and descriptions. Compared data with sample questionnaires and worked with HT Pham to correspond questions with field names. Made notes of file composition and records size and missing or unexplained data fields. Exported into text files and created Stata datasets. Wrote program to format variables and compare six datasets.
- Nov. 12 4.25 hrs. Continued comparing the three pairs of datasets for duplicates and data irregularities. Cleaned data sufficient to merge datasets and typed up notes on data composition of six datasets.
- Nov. 15 0.25 hrs. Discussed content of data on Lotus notes files and State file locations with A. Aukstikalnis.
- Nov. 16 2.00 hrs. Cleaned data and formatted variables on store surveys.
- Nov. 19 3.50 hrs. Cleaned data and formatted variables on store surveys.
- Nov. 21 0.50 hrs. Checked notes and Mystery Shopper datasets for completeness and attempted to reach S. Mintz to discuss data.

Daily Hours— Q. Vu

- Nov. 01 2.50 hrs. Compared variable names from R. Breum coding to spreadsheet coding of 2000 ADA Surveys. Rename variables in spreadsheets using R. Breum convention.
- Nov. 02 5.50 hrs. Finished renaming variables from Kmart ADA spreadsheet. Saved spreadsheet into a comma delimited format. Transferred spreadsheet into Stata data. Checked for discrepancies.
- Nov. 05 3.50 hrs. Modified program to extract checkout data from 2000 ADA data coded in spreadsheet. Compared extracted data to old checked data from regional sample.

Daily Hours--- Q. Vu

- Nov. 09 6.50 hrs. Compared variables coded in ADA 2000 surveys and hard copy. Generated list of stores not coded. Compared stores not on spreadsheet to stores missing on CD. Checked hard copy against spreadsheet.
- Nov. 12 5.00 hrs. Compared ADA 1997 surveys with master data. Generated list of survey available on CD. Merged stores available on CD to stores in master data. Identified stores without data in master data but available on CD.
- Nov. 13 0.25 hrs. Printed ADA 2000 survey of stores for A. Aukstikalnis. Printed variables list from R. Breum's spreadsheet.
- Nov. 14 3.25 hrs. Compared spreadsheet ADA spreadsheet received November 14 to ADA master data. Identified discrepancies and blank data in both spreadsheets.
- Nov. 15 7.50 hrs. Wrote program to compare ADA survey from stores coded in master spreadsheet to ADA survey from CD. Compared spreadsheet with ADA 2000 survey to master spreadsheet. Created and coded surveys from CD left blank in master spreadsheet.
- Nov. 16 7.50 hrs. Appended spreadsheet with surveys left blank in master data to original master data. Checked for discrepancies. Modified program to generate aisle and parking data from master data. Fixed measurement data, converted all measurement into inches.
- Nov. 19 7.50 hrs. Wrote fix file to convert all measurements in inches for men rest room data. Renamed and labeled variables. Checked for discrepancies using ADA surveys on CD and master spreadsheet.
- Nov. 20 6.50 hrs. Verified men rest room data. Modified program to generate women rest room data. Wrote fix file to convert all measurement to inches.
- Nov. 21 5.00 hrs. Continued converting measurement in women's rest room data to inches. Checked women's rest room data. Fixed parking space data using response from survey in CD.
- Nov. 26 7.50 hrs. Talked to J. Guinta regarding program used to analyze ADA Compliance of stores in regional sample. Reviewed programs. Fixed aisle, checkout, fitting and parking data with odd responses to ADA survey.
- Nov. 27 7.50 hrs. Modified program to analyze ADA compliance of fitting room in Kmart stores. Verified and fixed data using surveys on CD when responses are missing. Created charts to summarize findings.
- Nov. 28 7.50 hrs. Modified program to create compliance variables of men restroom and parking requirement based on responses n ADA 2000 survey. Verified discrepancies and fixed discrepancies.
- Nov. 29 7.00 hrs. Wrote program to create compliance variables for women restroom, checkout and aisles based on ADA 2000 survey. Checked responses on surveys if coded responses were left blank.
- Nov. 30 7.00 hrs. Merged store number to data set with latitudes and longitudes. Fixed addresses and zip codes to match address on ADA 2000 surveys. Created data set with locations of stores. Used men rest room data to create map of non compliant stores. Made summary tables with compliance percentage of stores based on ADA 200 survey.



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Facsimile: 979-846-6421

December 12, 2001

Joseph G. Sullivan, Esq.
Senior Employment Attorney
Kmart Corporation
3100 W. Big Beaver Road
Troy, MI 48084

**Re: Kmart #4131
Lucas v. Kmart Corporation**

Dear Joe:

Enclosed please find our invoice and activity log for work performed during the month of November 2001.

Sincerely,

Michael P. Ward
MPW:bar

Enclosures

Santa Monica
1640 Fifth Street, Santa Monica, California 90401
Telephone: 310-393-5530 Facsimile: 310-393-2503

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3100 W. Big Beaver Road
Troy, MI 48084

Invoice No. A7454
January 11, 2002

**Re: Kmart #4131
Lucas v. Kmart Corporation**

Labor and Expenses for the month of December 2001:

LABOR:

Economist			
M. Ward	(	0.75 hrs. @ \$350)	\$ 262.50
A. Aukstikalnis	(	21.25 hrs. @ \$250)	\$ 5,312.50
Programmer			
H. Pham	(	3.00 hrs. @ \$175)	\$ 525.00
Associate Economist			
D. Kovner	(	4.00 hrs. @ \$170)	\$ 680.00
J. Guinta	(	11.00 hrs. @ \$140)	\$ 1,540.00
Q. Vu	(	40.00 hrs. @ \$140)	\$ 5,600.00

LABOR SUB-TOTAL: \$ 13,920.00

EXPENSES:

Telephone	\$	15.19
Photocopies	\$	7.00

EXPENSES SUB-TOTAL: \$ 22.19

TOTAL: \$ 13,942.19

PAYMENT IS DUE UPON RECEIPT OF INVOICE
Fed ID#76-0627621

POSTED
1/15/02
DB

Please remit to:
Diane Bresko - A/R Clerk
At our College Station Office
(979) 846-0303

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1640 Fifth Street, Santa Monica, California 90401
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MONTHLY ACTIVITY LOG
Lucas v. Kmart Corporation - Kmart# 4131

Daily Hours--- M. Ward

- Dec. 05 0.50 hrs. Discussions with A. Aukstikalnis regarding drawing random sample.
Dec. 12 0.25 hrs. Discussed sample request from W. Connolly with Au. Aukstikalnis.

Daily Hours--- A. Aukstikalnis

- Dec. 03 4.00 hrs. Worked on survey analyses with Q. Vu. Reviewed regional sample analysis. Documented sample selection for W. Connolly.
Dec. 04 7.50 hrs. Cleaned and prepared data need to pull random sample of stores. Call from J. DeCastro regarding checking statistics in plaintiff's brief. Reviewed pages from brief. Worked with research staff analyzing survey and mystery shopper data. Calls to J. De Castro. Forwarded preliminary statistics to J. DeCastro.
Dec. 05 4.00 hrs. Worked on sample design with M. Ward. Wrote program to pull random sample of stores. Forwarded sample to W. Connolly. Reviewed survey analyses with J. Guinta. Discussed measurement issues with Q. Vu. Reviewed tables.
Dec. 06 2.00 hrs. Worked with research staff on analysis of surveys.
Dec. 10 1.00 hrs. Reviewed exhibits and forwarded to W. Connolly.
Dec. 12 2.25 hrs. Forwarded survey summary materials to S. Mintz. Discussed sample request from W. Connolly with M. Ward. Create table containing 15 store sample. Forwarded to Tiffany at Terra Nova at W. Connolly's request. Voice mail message from S. Mintz.
Dec. 13 0.50 hrs. Resent survey summary materials to S. Mintz. Left voice mail message for S. Mintz.

Daily Hours--- H. Pham

- Dec. 04 3.00 hrs. Data conversion and verification for A. Aukstikalnis

Daily Hours--- D. Kovner

- Dec. 04 4.00 hrs. Worked with H.T. Pham to check all data files for missing narrative responses to open ended questions on Mystery Shopper survey. Read excerpt from plaintiff's summary of mystery shopper survey results and checked dates, response rates, and results against CSI datasets. Tabulated results of all survey questions regarding store clutter and typed up summary pages. Reviewed results with A. Aukstikalnis and faxed to attorney.



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January 11, 2002

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