United States Bankruptcy Court Northern District of Illinois	PROOF OF CLAIM	
In re (Name of Debtor)	Case Number	1
KMART CORPORATION	02 B 02474	
NOTE This form should not be used to make a claim for an administrative the case. A request of payment of an administrative expense may be file.		
Name of Creditor (The person or entity to whom the debtor owes money or property) Amy Lynn Winterfield Name and Addresses Where Notices Should be Sent Jeffrey S. Deutschman Attorney for creditor 77 W. Washington, Suite 1801 Chicago, IL 60602 Telephone No (312) 419-1600	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 box if you have never received any notices from the bankruptcy court in this case. Check box if the address differs from the address on the envelope sent to you by the court.	THIS SPACE IS FOR COURT USE ONLY
ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR Winterfield	Check here if this claim $\frac{\mathbb{Q}}{\mathbb{Q}}$ replaces a pre	viously filed claim, dated
1 BASIS FOR CLAIM* ☐ Goods sold ☐ Services performed ☐ Money loaned ☑ Personal injury/wrongful death ☐ Taxes* ☐ Other (Describe briefly)	Retiree benefits as defined in 11 USC § Wages, salaries, and compensations (Fill of Your social security number	out below)
2 DATE DEBT WAS INCURRED 10-18-99	3. IF COURT JUDGMENT, DATE OBTAINED	
 CLASSIFICATION OF CLAIM Under the Bankruptcy Code all claims are cl Unsecured Priority, (3) Secured It is possible for part of a claim to be CHECK THE APPROPRIATE BOX OR BOXES that best describe your claim 	in one category and part in another	secured nonpriority,
SECURED CLAIM \$	UNSECURED PRIORITY CLAIM \$	
Attach evidence of perfection of security interest Brief Description of Collateral	Specify the priority of the claim	
☐ Real Estate ☐ Motor Vehicle ☐ Other (Describe briefly)	 Wages, salaries, or commissions (up 90 days before filing of the bankrupto business, whichever is earlier)—11 U 	cy petition or cessation of the debtor's
Amount of arrearage and other charges included in secured claim above, if any \$	☐ Contributions to an employee benefit	
E UNSECURED NONPRIORITY CLAIM \$ 10,000.00	Up to \$900 of deposits toward purchaservices for personal, family, or hous	
A claim is unsecured if there is no collateral or lien on property of the debtor securing the claim or to the extent that the value of such property is less than the amount of the claim.	☐ Taxes or penalties of governmental u☐ Other—11 U.S.C. §§ 507(a)(2) (a)(5)—(- · · · · · · · · · · · · · · · · · · ·
5 TOTAL AMOUNT OF 10,000.00 \$ CLAIM AT TIME \$ (Unsecured) (Secure	ed) (Priority)	s. 10,000.00 (Total)
☐ Check this box if claim includes prepetition charges in addition to the p	principal amount of the claim. Attach itemized	statement of all additional charges
6 CREDITS AND SETOFFS The amount of all payments on this claim has been of making this proof of claim. In filing this claim, claimant has deducted	I all amounts that claimant owes to debtor	THIS SPACE IS FOR COURT USE ONLY
7 SUPPORTING DOCUMENTS Attach copies of supporting documents, such invoices itemized statements of running accounts, contracts, court judg the documents are not available, explain if the documents are voluming.	ments, or evidence of security interests. If ius, attach a summary.	TRUMEULL SERVICES
8 TIME STAMPED COPY To receive an acknowledgement of the filing of yo envelope and copy of this proof of claim Date Sign and print the name and title, if any, o	ur claim, enclose a stamped, self addressed	292114R 25 pm =
3-22-02 Sign and plint the traine and the, it any, of authorized to file this claim (attach copy of	fower of attorney, if any)	BANKAUPTCY

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS COUNTY DEPARTMENT, LAW DIVISION

AMY LYNN WINTERFIELD,)	
Plaintiff,))	01L 012009
V. ,) No:	CALENDAR A
•	110.	PREMISES LIABILITY
K MART CORPORATION, a)	
foreign corporation,)	
)	
Defendants.)	

COMPLAINT AT LAW

Now comes the Plaintiff, AMY LYNN WINTERFIELD, by and through her attorney, JEFFREY S. DEUTSCHMAN, and complaining of the Defendant, EMART CORPORATION, a foreign corporation, alleges and states as follows:

- 1. That on and prior to the 18th day of October, 1999, the Defendant MART CORPORATION, (Hereinafter referred to as "K MART") was a foreign corporation, duly authorized and was doing business in the City of Oak Lawn, County of Cook and State of Illinois.
- 2. That at all times referred to herein, the Plaintiff, AMY LYNN WINTERFIELD, was lawfully upon the premises as a business invitee at the store located at 11000 South Cicero Avenue, in the City of Oak Lawn, County of Cook and State of Illinois.
- 3. That on and prior to the 18th day of October, 1999, the Defendant, K MART, owned, operated, managed, maintained and controlled the business located at 11000 South Cicero Avenue, in the City of Oak Lawn, County of Cook and State of Illinois.

- 4. That on and prior to the 18th day of October, 1999, the Defendant, K MART, was engaged in the business of soliciting the patronage of the general public, including the Plaintiff herein, for the purpose of selling retail merchandise to said public.
- 5. That on said date, the Defendant, through its agents, servants and employees, owed the Plaintiff the duty to exercise ordinary care in the maintaining of said premises, including the floors in the aisles therein, in a reasonably safe condition for Plaintiff's use.
- 6. Notwithstanding said duty, the Defendant was then and there guilty of one or more or all of the following negligent and careless acts or omissions:
 - (a) Negligently failed to exercise reasonable care in the maintaining of said premises and to keep in it a reasonably safe condition for Plaintiff's use;
 - (b) Negligently maintained the floor in the aisles of said premises, resulting in an unsafe condition when they knew, or in the exercise of reasonable care should have known of a dangerous condition;
 - (c) Negligently failed to adequately inspect the floor for potentially hazardous conditions, when they knew, or should have known, of the propensity of foreign substances which are indigenous to its business which could cause said hazardous condition;
 - (d) Negligently failed to implement an adequate inspection procedure to identify potentially hazardous conditions;
 - (e) Negligently failed to warn Plaintiff of a dangerous condition;
 - (f) Negligently caused the floors in the aisles of said premises to be in an unsafe condition, and allowed the floor to remain in said condition when they knew, or in the exercise of reasonable care should have known, of said dangerous condition;
 - (g) Negligently failed to provide a sign and/or barricade type device to indicate that a dangerous condition existed;
 - (h) Were otherwise careless and negligent.

issue acts on amissions on the most of the Defendant through its assets someonts and

That as a direct and proximate result of the aforementioned careless and

negligent acts or omissions on the part of the Defendant, through its agents, servants and

employees, the Plaintiff, on October 19, 1999, while walking down the personal hygiene

aisle, slipped on shampoo that had been spilled on the said floor, causing the Plaintiff to

slip and hit the floor with great force and violence, sustaining severe and permanent

injuries, great pain, discomfort and physical impairment; she has been hindered and will

be hindered from following her usual occupation and she was compelled and will be

compelled to expend and become liable for large sums of money in bills for the care and

treatment of her injuries, all to the damage of the Plaintiff.

WHEREFORE, the Plaintiff, AMY LYNN WINTERFIELD, respectfully requests

that this Court enter judgment against the Defendant, K MART CORPORATION, a

foreign corporation, in an amount exceeding Thirty Thousand Dollars (\$30,000.00), plus

costs.

7.

Bv:

Attorney for Plaintiff

Jeffrey S. Deutschman 77 W. Washington Street Suite 1801 Chicago, Illinois 60602 312/419-1600

312/71/-1000

Attorney No: 27115

MODODÓ163546 WINTERFIELD, AMY L

ACCT: N00000163546 WINTERFIELD, AMY L 2835 W 102ND ST

EVERGREEN PARK, IL 60805 (708) 425-1711/(312) 280-2921

GUAR: 348-78-8292 WINTERFIELD, AMY L 2835 W 102ND ST

EVERGREEN PARK, IL 60805

(708)425-1711 (H)

90.00 10/20/99

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OPCS DISCHARGE: AR CHG: 90.00 SP
FB 10/21/99 LST STMT: BALANCE: 90.00

TOTAL

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90.00

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MEDICAL RECORDS

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(773) 238-4941

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AMY L WINTERFIELD

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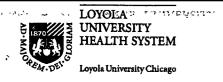
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PROGRESS NOTES

PATIENT NAME

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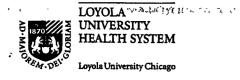


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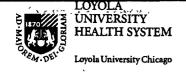
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WINTERFIELD, AMY

1392659

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LOYOLA UNIVERSITY MEDICAL CENTER 2160 S. FIRST AVE MAYWOOD, IL 60153 LABORATORY REPORT

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WINTERFIELD, AMY
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LOYOLA UNIVERSITY MEDICAL CENTER 2160 S. FIRST AVE MAYNOOD, IL 60153 LAGORATORY REPORT

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ATTENDING PHYS: KLEPEK, JANNETTE

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LOYOLA UNIVERSITY MEDICAL CENTER (QAIRLR)

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WINTERFIELD, AMY F MR#: 1392659 AC#: 139265910303

SX: RAD HHPC ADM: 04/24/00 DOB: 01/01/77

ATTENDING MD:

ADMITTING MD: KLEPEK, JANNETTE

OP-1X

DX: XRAY

FINAL REPORT

REQ#: I115-0280

EXAM: KNEE 4 VIEWS 1.01

INDICATIONS: TRAUMA

ORDERING MD: KLEPEK, JANNETTE

(REQ 01944081) RADIOLOGIST: POSNIAK, H MD

HALC KNEE, 4 VIEWS, RIGHT

CPT: 735647

DATE: 4/24/00

HISTORY: PAIN

FINDINGS:

THERE IS VERY EARLY DEGENERATIVE SPURRING IN THE MEDIAL COMPARTMENT OF THE KNEE JOINT. NO OTHER ABNORMALITIES ARE SEEN.

** REPORT ELECTRONICALLY SIGNED **

HAROLD POSNIAK, M.D.

D: 04/25/00 T: 04/25/00

LAST PAGE

WINTERFIELD, AMY

139265900115

RADIOLOGY/DIAGNOSTIC

MEDAN-5653 04/25/00 11:17

LOYÓLA ÜNTVERSITY MÉDICAL CENTER HOSP 1 (QAIRLR)

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WINTERFIELD, AMY F MR#: 1392659 AC#: 139265910303

SX: RAD *HHPC* ADM: 04/24/00 DOB: 01/01/77

ATTENDING MD:

ADMITTING MD: KLEPEK, JANNETTE OP-1X

FINAL REPORT

DX: XRAY

_____ REQ#: I115-0280

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INDICATIONS: TRAUMA

ORDERING MD: KLEPEK, JANNETTE

RADIOLOGIST: POSNIAK, H MD (REQ 01944081)

HHPC KNEE, 4 VIEWS, RIGHT

CPT: 735647

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** REPORT ELECTRONICALLY SIGNED **

HAROLD POSNIAK, M.D.

D: 04/25/00 T: 04/25/00

LAST PAGE

RADIOLOGY/DIAGNOSTIC

my onto vizig

LAW OFFICES OF JEFFREY S. DEUTSCHMAN

77 WEST WASHINGTON STREET

SUITE 1801

CHICAGO, ILLINOIS 60602

(312) 419-1600 FAX (312) 641-6920

March 22, 2002

Kmart Corp.
c/o Trumbull Services
P.O. Box 426
Windsor, Connecticut 06095

Re: Amy Lynn Winterfield v. Kmart Corp.

Dear Sir or Madam:

Please find enclosed herein the original and two proof of claims along with the supporting documentation. Please file stamp one of the copies and return it back to my office in the self addressed stamped envelope also enclosed.

Please contact my office if you have any questions. Thank you for your cooperation.

Very truly yours,

Jeff Deutschman

JD/se

enclosures