

UNITED STATES BANKRUPTCY COURT <u>PR</u> DISTRICT OF _____		PROOF OF CLAIM
Name of Debtor K-Mart Corp.	Case Number 02-02474 FDP-2001-0255	THIS SPACE IS FOR COURT USE ONLY
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). Janet Ferrer Serrano Samuel Jiménez Cardona, Yanelie Jiménez Ferrer	<input checked="" 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.	
Name and address where notices should be sent Carmen M. Maldonado Cabrera 351 Calle Tetuán, Second Floor San Juan, P.R. 00901 Telephone number 977-9797	Account or other number by which creditor identifies debtor Check here <input type="checkbox"/> replaces if this claim <input type="checkbox"/> amends a previously filed claim, dated _____	
1. Basis for Claim <input type="checkbox"/> Goods sold <input type="checkbox"/> Services performed <input type="checkbox"/> Money loaned <input checked="" type="checkbox"/> Personal injury / wrongful death <input type="checkbox"/> Taxes <input type="checkbox"/> Other _____ <input type="checkbox"/> Retiree benefits as defined in 11 U.S.C. § 1114(a) <input type="checkbox"/> Wages, salaries, and compensation (fill out below) Your SS#: _____ Unpaid compensation for services performed from _____ (date) to _____ (date)		
2. Date debt was incurred:		3. If court judgment, date obtained: January 31, 02
4. Total Amount of Claim at Time Case Filed: \$ <u>2,500.00</u> <input type="checkbox"/> If all or part of your claim is secured or entitle 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 State <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, if any: \$ _____	6. Unsecured Priority Claim. 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 \$4000)* 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 \$1,800* 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 adjustments 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. 9. Date-Stamped Copy: To receive an acknowledgment of the filing of your claim, enclosed a stamped, self-addressed envelope and copy of this proof of claim.		THIS SPACE IS FOR COURT USE ONLY
Date: 2-28-02	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) Carmen M. Maldonado Cabrera	
Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571		

RECEIVED
INVESTIGATIVE SERVICES

2002 MAR 25 PM 3:43

BANKRUPTCY

3/25/02 ML 771

NOTICE

The following documentation is backup to the Proof of Claim.

Suzanne McCallid
Trumbull Services, LLC

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VOLUNTARY PETITION

United States Bankruptcy Court Northern District of Illinois		VOLUNTARY PETITION																					
Name of Debtor (if individual, enter Last, First, Middle): KMART CORPORATION	Name of Joint Debtor (Spouse) (Last, First, Middle):																						
All Other Names used by Debtor in the last 6 years (include married, maiden, and trade names):	All Other Names used by Joint Debtor in the last 6 years (include married, maiden, and trade names):																						
Soc. Sec./Tax I.D. No. (if more than one, state all): 38-0729500	Soc. Sec./Tax I.D. No. (if more than one, state all):																						
Street Address of Debtor (No. & Street, City, State & Zip Code): 3100 West Big Beaver Road Troy, MI 48084	Street Address of Debtor (No. & Street, City, State & Zip Code):																						
County of Residence or of the Principal Place of Business: Oakland	County of Residence or of the Principal Place of Business:																						
Mailing Address of Debtor (if different from street address):	Mailing Address of Joint Debtor (if different from street address):																						
Location of Principal Assets of Business Debtor (if different from addresses listed above):																							
INFORMATION REGARDING DEBTOR (Check the Applicable Boxes)																							
Venue (Check any applicable box) <input type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. <input checked="" type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.																							
Type of Debtor (Check all boxes that apply) <input type="checkbox"/> Individual <input type="checkbox"/> Railroad <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Stockbroker <input type="checkbox"/> Partnership <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Other	Chapter or Section of Bankruptcy Code Under Which the Petition is Filed (Check one box) <input type="checkbox"/> Chapter 7 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 9 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Sec. 304-Case ancillary to foreign proceeding																						
Nature of Debts (Check one box) <input type="checkbox"/> Consumer/Non-Business <input checked="" type="checkbox"/> Business	Filing Fee (Check one box) <input checked="" type="checkbox"/> Full Filing Fee attached. <input type="checkbox"/> Filing Fee to be paid in installments (Applicable to individuals only) Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form No. 3.																						
Chapter 11 Small Business (Check all boxes that apply) <input type="checkbox"/> Debtor is a small business as defined in 11 U.S.C. § 101. <input type="checkbox"/> Debtor is and elects to be considered a small business under 11 U.S.C. § 1121(e). (optional)																							
Statistical/Administrative Information (Estimates only) <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors		THIS SPACE IS FOR COURT USE ONLY																					
<table border="1" style="width: 100%; border-collapse: collapse; font-size: small;"> <tr> <th colspan="7">Estimated Number of Creditors</th> </tr> <tr> <th>1-15</th> <th>16-49</th> <th>50-99</th> <th>100-199</th> <th>200-999</th> <th>1,000-over</th> <th></th> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td></td> </tr> </table>			Estimated Number of Creditors							1-15	16-49	50-99	100-199	200-999	1,000-over		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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U.S. Bankruptcy Court
 Northern District of Illinois
 RECEIVED: 01/22/02
 Time: 8:02 a.m.
 Debtor: KMART CORPORATION
 Case #: 02-02474
 Chapter 11 Rec# 324660
 Judge Susan Pierson Sonderby



1:02BK02474-BK001

ESTADO LIBRE ASOCIADO DE PUERTO RICO
 TRIBUNAL DE PRIMERA INSTANCIA
 SALA SUPERIOR DE CAROLINA

FERRER SERRANO, JANET

-----		CASO NUM	F DP2001-025
DEMANDANTE			SALON. 0401
VS			
K-MART CORP.		DAÑOS Y PERJUICIOS	
-----		-----	
DEMANDADO		CAUSAL O DELITO	
LIC MALDONADO CABRERA CARMEN			
FLEMING & ALVAREZ 2 PISO			
351 CALLE TETUAN			
SAN JUAN PR	00901		

N O T I F I C A C I O N

CERTIFICO QUE EN RELACION CON CASO DE EPIGRAFE ----- EL DIA
 31 DE ENERO DE 2002 EL TRIBUNAL DICTO LA RESOLUCION ----- QUE SE
 ACOMPAÑA A CONTINUACION:

FDO. MARIA DEL CARMEN MARTINEZ LUGO
 JUEZ

CERTIFICO ADEMAS QUE EN EL DIA DE HOY ENVIE POR CORREO COPIA DE ESTA
 NOTIFICACION A LAS SIGUIENTES PERSONAS A SUS DIRECCIONES INDICADAS, HABIENDO
 EN ESTA MISMA FECHA ARCHIVADO EN LOS AUTOS COPIA DE ESTA NOTIFICACION

SNYDER ZALDUONDO LAWRENCE J
 154 RAFAEL CORDERO OFIC 600 SAN JUAN PR
 00901

PROCURADORA DE RELACIONES DE FAMILIA
 PO BOX 4858 CAROLINA PR
 00985

CAROLINA , PUERTO RICO, A 15 DE FEBRERO DE 2002

CARMEN SONIA RIVERA CORTES -INTERINA

 SECRETARIO
 POR IDALI SANCHEZ

SECRETARIO AUXILIAR

RECIBIDO
 FEB 19 2002

ESTADO LIBRE ASOCIADO DE PUERTO RICO
TRIBUNAL DE PRIMERA INSTANCIA
SALA SUPERIOR DE CAROLINA

JANET FERRER SERRANO, CIVIL NUM FDP2001-0255
SAMUEL JIMÉNEZ CARDONA, por sí (401)
y en representación de su hija menor
YANELIE JIMÉNEZ FERRER

DEMANDANTES SOBRE

VS

K-MART CORP., COMPAÑIA DAÑOS Y PERJUICIOS
ASEGURADORA X

DEMANDADOS

RESOLUCIÓN

El día 6 de diciembre 2001 se celebró la Conferencia con Antelación al Juicio y la Vista de Autorización Judicial con el fin de considerar la petición de la parte demandante Janet Ferrer Serrano y Samuel Jiménez Cardona, padres de la menor Yanelie Jiménez Ferrer

Compareció la Lcda Inés M Marrero Estrada, Procuradora Especial de Relaciones de Familia en representación del Ministerio Público Las partes informaron haber llegado a un acuerdo transaccional La Procuradora expresó que no tenía objeción a los acuerdos presentados

El Tribunal aprueba la autorización judicial conforme a la estipulación presentada

REGÍSTRESE Y NOTIFIQUESE

Dada en Carolina, Puerto Rico a 31 de enero de 2002

Maria del Carmen Martínez Lugo
Juez Superior

CARMEN SONIA RIVERA CORTES
SECRETARÍA REGIONAL, INTERINA

CRÍTICO:

Secretaría General

POR

Sec. Auxiliar

**FULL AND COMPLETE GENERAL RELEASE AND
CONFIDENTIALITY AGREEMENT**

KNOW ALL MEN BY THESE PRESENTS

JANET FERRER SERRANO AND SAMUEL JIMENEZ CARDONA, for themselves and on behalf of their daughter, **YANELIE JIMENEZ FERRER**, other wards, heirs assigns executors, successors and administrators ("Releasers"), for the valuable consideration of **TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00)**, does hereby release, acquit and forever discharge, Kmart Corporation and all their officers, directors, agents, employees, servants, subsidiaries, affiliated companies, parent companies, insurance companies, attorneys, successors and assigns, together with any and all other persons, firms, corporations, associations or partnerships, whether herein named or not ("Releasees"), who together with **Kmart Corporation**, may be jointly or severally liable to the Releasers, from any and all past, present and future claims, actions, causes of action, demand, rights, damages, costs, expenses, in any way related to an incident suffered by said minor, Yanelie Jimenez Ferrer, on May 23, 2000 at the Kmart of Los Colobos store operated by **Kmart Corporation**

As an essential condition and consideration for entering into this Release it is further agreed and understood by and between the parties hereto, including not only Releasers, but also their attorneys, agents, representatives, employees, servants and all partners and/or employees of Releasers, that they will not disclose, disseminate, or release any information whatsoever relative to this settlement to any third party. Any such disclosure, publication, dissemination or release of any information relative to this Agreement to any third party shall be deemed a material breach of this Full and Complete General Release and Confidentiality Agreement. The Releasees may enforce this confidentiality clause in equity before any judge of the Courts of Puerto Rico and the remedy for such material breach will be the return of all the consideration paid herein, all the expenses, costs and attorney's fees incurred by Releasees while defending **Kmart Corporation**, plus interests over those amounts at the yearly rate of 12 percent or the highest then allowed by law, plus all their attorney's fees to enforce this confidentiality provision.

It is further understood and agreed that this Release is entered into by Releasers and made with full reliance upon any statement or representation of any of the parties released hereunder or any of their representation.

The Releasers and their counsel further hereby stipulate and agree to indemnify and hold **Kmart Corporation** forever harmless from any and all claims which may be hereafter brought against any of the parties released by any other person or entity because of, or in any manner rising from, the damages allegedly sustained by Releasers as a result of the aforementioned incident including, without limitation, any action which may be brought by Releasers or any individual employees and their heirs.


medical benefits, death benefits or any other payment or benefit of any kind which may have been administered or paid to the Releasees or others on behalf of any of the Releasees under any insurance policy or government program. This indemnity will also include the reimbursement of all costs and attorneys' fees which may be incurred by Kmart Corporation or the parties released in defending against such third party claims.

The Releasees further declare and represent that no promises, inducements or agreements not herein expressed have been made to any of them, that Releasees are competent to execute this document, that their attorney has read and explained this release and confidentiality agreement to them and that they fully understand its contents and each of them executes it voluntarily, and that this written document contains the entire agreement between the parties.

Lastly, the terms of the agreement shall be governed by the laws of Puerto Rico and both parties waive trial thereunder.

Signed in San Juan, Puerto Rico this 15th day of January of 2002

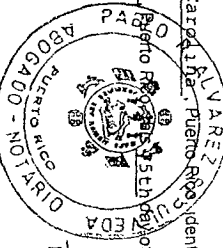

JANET FERRER SERRANO


SAMUEL JIMENEZ CARDONA

Affidavit No. 1111

Sworn and subscribed before me by Janet Ferrer Serrano and Samuel Jimenez Cardona, of legal age, and residents of Carolina, Puerto Rico, identified with JFS - 1435867 and SJC - 1413020.

In San Juan, Puerto Rico, this 15th day of January of 2002



NOTARY PUBLIC

The above Full and Complete General Release and Confidentiality Agreement has been fully explained and translated to the Releasee and I so certify.

In San Juan, Puerto Rico, this 15th day of January of 2002


CARMEN M. MALDONADO CABRERA

ESTADO LIBRE ASOCIADO DE PUERTO RICO
TRIBUNAL DE PRIMERA INSTANCIA
SALA SUPERIOR DE CAROLINA

JANET FERRER SERRANO, SAMUEL CIVIL NUM FDP 2001-0255 (401)(d)
JIMENEZ CARDONA, por si y en
representación de su hija menor
YANELLE JIMENEZ FERRER

Demandantes

v.

K-MART CORP., COMPAÑIA SOBRE
ASEGURADORA X DAÑOS Y PERJUICIOS

Demandados

AVISO Y ESTIPULACION DE DESISTIMIENTO A TENOR
CON LA REGLA 39.1(a)2 DE LAS DE PROCEDIMIENTO CIVIL

AL HONORABLE TRIBUNAL

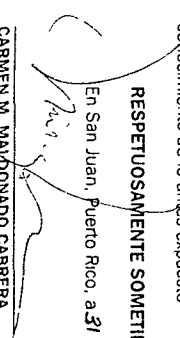
COMPARECEN las partes del epígrafe por conducto de sus representaciones legales que suscriben y muy respetuosamente exponen y notifican lo siguiente

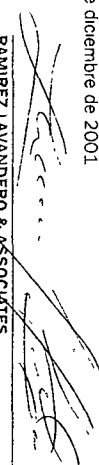
A tenor con la Regla 39.1(a)2 de las de Procedimiento Civil la parte demandante desiste voluntariamente y con perjuicio de la Demanda del epígrafe en consideración al pago de la suma de **DOS MIL QUINIENTOS DOLARES (\$2,500.00)** y la ejecución de un relevo y acuerdo de confidencialidad. A tenor con la referida Regla, ambas partes suscriben a través de sus abogados el presente documento, renunciando además con este acto a cualquier moción o alegación posterior que pudiera concebiblemente presentarse en este caso con posterioridad a este aviso de desistimiento.

POR TODO LO CUAL, se solicita muy respetuosamente de este Honorable Tribunal que tome conocimiento de lo antes expuesto

RESPECTUOSAMENTE SOMETIDO

En San Juan, Puerto Rico, a 31 de diciembre de 2001


CARMEN M. MALDONADO CABRERA
Numero de Colegación 12282
en representación de demandante
Yanelle Jimenez Ferrer (minor)
351 Calle Tetuan, 2do piso
San Juan, PR 00901
Tel (787) 977-9797
Fax (787) 977-9799


RAMIREZ LAVANDERO & ASSOCIATES
LAWRENCE J. SNYDER ZALDUENDO
Numero de Colegación 14092
en representación de la demandada
Kmart Corporation
154 Rafael Cordero Edif. Gonzalez Padin
Piso 6, Suite 600
Viejo San Juan, PR 00901
Tel (787) 725-1015
Fax (787) 723-2443