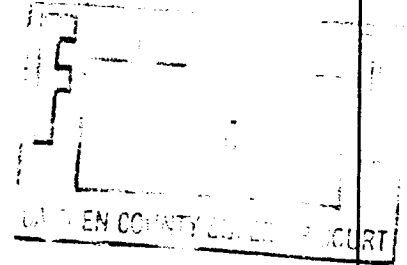


*FILE ORIGINAL FOR CHAPTERS 7 and 11, IN DUPLICATE FOR CHAPTER 13, FOR DATE-STAMPED COPY, SEE #9 BELOW

United States Bankruptcy Court Northern District of Illinois, Eastern Division		<input type="checkbox"/> CH 7 <input type="checkbox"/> CH 13 <input type="checkbox"/> CH 11 PLEASE CHECK CHAPTER
Name of Debtor Kmart Corporation		Case Number 02-02474
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		PROOF OF CLAIM
Name of Creditor (The person or other entity to whom the debtor owes money or property) Michael Steve	<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 checked="" 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.	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 Rakoski & Ross, P.C. 76 East Main Street Marlton, NJ 08053 Telephone No. 856/988-0500	Account or other number by which creditor identifies debtor:	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 type="checkbox"/> Services performed <input type="checkbox"/> Wages, salaries, and compensation (Fill out below) <input type="checkbox"/> Money loaned <input checked="" 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 _____ to _____ (date) (date)		
2. DATE DEBT WAS INCURRED: 10/30/01		3. IF COURT JUDGMENT, DATE OBTAINED:
4. Total Amount of Claim at Time Case Filed: \$ <u>unliquidated</u> If all or part of your claim is secured or entitled to priority, also complete Item 5 or 6 below. <input checked="" 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: <u>Attach copies of supporting documents</u> , 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 <div style="text-align: right;"> FILED UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS MAR 22 2002 3/22/02 KENNETH B. GARDNER, CLERK MAILROOM - LL </div>
Date: 3/18/02	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) <i>Michael Steve, Attorney at Law</i>	

RAKOSKI & ROSS, P.C.
BY: Michael Rakoski, Esq.
76 East Main Street
Marlton, New Jersey 08053
Phone: (856)988-0500
Attorney for Plaintiff



MICHAEL STEVE, and ROSEMARIE STEVE, his wife

Plaintiff,

vs.

KMART STORE #3244 BERLIN, NEW JERSEY, XYZ CORPORATION, a fictitious corporation, JOHN DOE 1-20, a fictitious individual, individually, jointly severally and/or in the alternative.

Defendant.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
CAMDEN COUNTY
Docket No.:

L 7149 01

Civil Action

COMPLAINT AND JURY DEMAND

The plaintiff, Michael Steve, residing at 353 Thurman Avenue in the Township of West Berlin, County of Camden and State of New Jersey, by way of Complaint states:

FIRST COUNT

1. On or about November 19, 1999, the plaintiff, Michael Steve was a business invitee on the property owned by Kmart Store #3244, located in Berlin, County of Camden and State of New Jersey.
2. At the aforesaid time and place, the plaintiff, Michael Steve was on the property of Kmart Store #3244 and was injured due to the negligence of the defendant, Kmart Store #3244.
3. At the aforesaid time and place, the defendant, Kmart Store #3244 by its agents, servants and/or employees, failed to maintain the premises in a safe manner, did not exercise proper care, caused a dangerous and hazardous condition to exist, allowed a nuisance

to exist, failed to provide proper safeguard and/or warnings on the property, failed to provide proper, safe and clear access for persons allowed and invited to use the property, failed to maintain in a safe manner and did maintain in such a careless, reckless and negligent manner, so as to cause the plaintiff, Michael Steve to be injured.

4. As a direct and proximate result of the carelessness, recklessness and negligence of the defendant, as aforesaid, its agents, servants and/or employees, the plaintiff, Michael Steve has sustained severe personal injuries, both temporary and permanent in nature, causing him grievous pain and suffering, which pain and suffering will continue to endure for an indefinite future period, and the plaintiff has been deprived of pursuing his normal everyday activities consistent with his station in life, it has been otherwise damaged.

WHEREFORE, plaintiff, Michael Steve demands judgment against the defendant, Kmart Store #3244, individually, jointly, severally and/or in the alternative, for monetary damages, reimbursement of medical expenses, plus interest and cost of suit.

SECOND COUNT

1. All of the allegations of the First Count are repeated herein and made a part hereof as if set forth at length.

2. At the aforesaid time and place, the defendant, XYZ Corporation, a fictitious corporation, by its agents, servants and/or employees, failed to maintain the premises in a safe manner, did not exercise proper care, caused a dangerous and hazardous condition to exist, allowed a nuisance to exist, failed to provide proper safeguard and/or warnings on the property, failed to provide proper, safe and clear access for persons allowed and invited to use the property, failed to maintain in a safe manner and did maintain in such a careless, reckless and negligent manner, so as to cause the plaintiff, Michael Steve to be injured.

3. As a direct and proximate result of the carelessness, recklessness and negligence of the defendant, XYZ Corporation, a fictitious corporation, as aforesaid, its agents, servants

and/or employees, the plaintiff, Michael Steve has sustained severe personal injuries, both temporary and permanent in nature, causing him grievous pain and suffering, which pain and suffering will continue to endure for an indefinite future period, and the plaintiff has been deprived of pursuing his normal everyday activities consistent with his station in life, it has been otherwise damaged.

WHEREFORE, plaintiff, Michael Steve demands judgment against XYZ Corporation, a fictitious corporation, for monetary damages, reimbursement of medical expenses, plus interest and cost of suit.

THIRD COUNT

1. All of the allegations of the First and Second Counts are repeated herein and made a part hereof as if set forth at length.

2. As a direct and proximate result of carelessness, recklessness and negligence of the defendant, John Doe 1-20, a fictitious name, by its agents, servants and/or employees, failed to maintain the premises in a safe manner, did not exercise proper care, caused a dangerous and hazardous condition to exist, allowed a nuisance to exist, failed to provide proper safeguard and/or warnings on the property, failed to provide proper, safe and clear access for persons allowed and invited to use the property, failed to maintain in a safe manner and did maintain in such a careless, reckless and negligent manner, so as to cause the plaintiff, Michael Steve to be injured.

3. As a direct and proximate result of the carelessness, recklessness and negligence of the defendant, John Doe 1-20, a fictitious name, as aforesaid, its agents, servants and/or employees, the plaintiff, Michael Steve has sustained severe personal injuries, both temporary and permanent in nature, causing him grievous pain and suffering, which pain and suffering will continue to endure for an indefinite future period, and the plaintiff has been deprived of pursuing his normal everyday activities consistent with his station in life, it has been otherwise

damaged.

WHEREFORE, plaintiff, Michael Steve demands judgment against the defendant, John Doe 1-20, a fictitious name, for monetary damages, reimbursement of medical expenses, plus interest and cost of suit.

FOURTH COUNT

1. All of the allegations of the First, Second and Third Counts are repeated herein and made a part hereof as if set forth at length.

2. At all times herein aforementioned the plaintiff, Rosemarie Steve is the spouse of the plaintiff, Michael Steve and as such is entitled to his services, society, companionship and care.

3. As a direct and proximate result of the carelessness, recklessness and negligence of the defendants, Kmart Store #3244, XYZ Corporation, a fictitious corporation and John Doe 1-20, a fictitious name, the plaintiff, Rosemarie Steve has been deprived of the services, society, companionship and care of her husband, it has been otherwise damaged.

WHEREFORE, plaintiff, Rosemarie Steve demands judgment against the defendants, Kmart Store #3244, XYZ Corporation, a fictitious corporation and John Doe 1-20, a fictitious name, for monetary damages, reimbursement of medical expenses, plus interest and cost of suit.

FIFTH COUNT

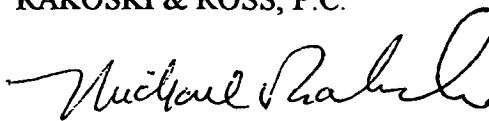
1. All of the allegations of the First, Second, Third and Fourth Counts are repeated herein and made a part hereof as if set forth at length.

WHEREFORE, plaintiffs, Michael Steve and Rosemarie Steve demands judgment against defendants, Kmart Store #3244, XYZ Corporation, a fictitious corporation and John Doe 1-20, a fictitious name, individually, jointly, severally and/or in the alternative, for monetary damages, reimbursement of medical expenses, plus interest and cost of suit.

JURY TRIAL DEMAND

TRIAL BY JURY IS DEMANDED AS TO ALL ISSUES IN ALL COUNTS OF
THIS COMPLAINT.

RAKOSKI & ROSS, P.C.


BY: 
MICHAEL RAKOSKI

DATED: 10/30/01

DESIGNATION OF TRIAL COUNSEL

Please take notice that pursuant to R.4:25-4, Michael Rakoski, Esquire, is hereby
designated as trial counsel.

RAKOSKI & ROSS, P.C.

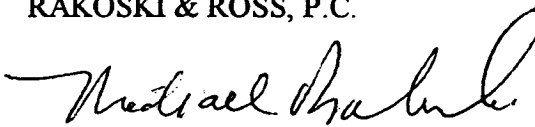
BY: 
MICHAEL RAKOSKI

DATED: 10/30/01

CERTIFICATION

I, MICHAEL RAKOSKI, of full age, hereby certify that, Pursuant to Rule 4:5-1,
to the best of my knowledge, information and belief at this time, this matter in controversy is
not the subject matter of any other action now pending in any court or of a pending arbitration
proceeding.

RAKOSKI & ROSS, P.C.

BY: 
MICHAEL RAKOSKI

DATED: 10/30/01