

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION		PROOF OF CLAIM Chapter 11
In Re Kmart Corporation, et al.		Your claim is scheduled as follows:
Case Numbers 02-02462 through 02-02499		Class UNSECURED NON PRIORITY
Name of Debtor (see attached for complete list of debtors)		Amount
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) ALEXANDER, TRACIE C/O FRANK K. PENIRIAN, JR. 1916 PENOBSCOT BLDG DETROIT, MI 48226		CONTINGENT, DISPUTED UNLIQUIDATED
11 3314561		10097824
If address differs from above, please complete the following: Creditor Name _____ Telephone # _____ Address _____ City/St./Zip _____		This Space is for Court Use Only
Account or other number by which creditor identifies debtor	Check here if <input type="checkbox"/> replaces <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 _____ to _____ (date) (date)	
2. Date debt was incurred: 7/9/2000	3. If court judgment, date obtained: Case pending (see attached)	
4. Total Amount of Claim at Time Case Filed: \$ _____ Exceeds \$25,000 (Jury to decide amount) 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, 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 \$4,650), 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 \$ 2,100 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)()	
7. Credits: The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim		This Space is for Court Use Only RECEIVED TRUMBULL SERVICES COMPANY APR 4 2002 4/9/02 BANKRUPTCY 2894 P.O.
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, enclose a stamped, self-addressed envelope and copy of this proof of claim.		
Date 4/4/02	Sign and print the name and title, if any, of the creditor or other person authorized to file this claim (attach copy of proof of authority, if any) Frank K. Penirian, Jr., Attorney for Tracie Alexander	
<i>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</i>		

STATE OF MICHIGAN
IN THE OAKLAND COUNTY CIRCUIT COURT

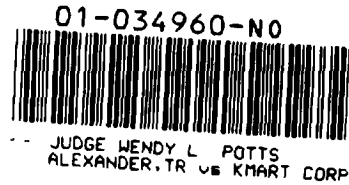
TRACIE C. ALEXANDER

PLAINTIFFS

VS

K-MART CORPORATION, a
Michigan Corporation,

DEFENDANTS



**There is no other civil action arising
out of the same transaction or occurrence
as alleged in this Complaint, nor has any
other action been filed and dismissed,
after having been assigned to a Judge.
(See MCR 1985)**

**FRANK K. PENIRIAN, JR. P18766
ATTORNEY FOR PLAINTIFF
1916 PENOBSCOT BLDG.
DETROIT, MI 48226
1-313-965-8650**

COMPLAINT

**NOW COMES PLAINTIFF, TRACIE C. ALEXANDER f/k/a TRACIE C.
WOODS, by her Attorney, FRANK K. PENIRIAN, JR. and complaining against
the Defendant, K-MART CORPORATION, a Mich. Corp., shows the Honorable
Court as follows:**

(1) That on or about 7/16/00, and at all times pertinent herein, Plaintiff was a resident of the City of Detroit, County of Wayne and State of Michigan.

(2) That on or about 7/16/00, Defendant was a corporation organized and existing under and by virtue of the laws of the State of Michigan and was established and doing business in the City of Oak Park, County of Oakland and State of Michigan.

(3) That on or about 7/16/00, at approximately 2:00 p.m. Plaintiff was a customer, patron and invitee at Defendant's retail store #3730, located at 26200 Greenfield in the City of Oak Park, County of Oakland and State of Michigan.

(4) That on the above date, time and place, Plaintiff, as an invitee and customer in Defendant's retail store #3730 in Oak Park, MI, was standing in an aisleway, inspecting the Defendant's merchandise on display when an agent, employee and servant of Defendant was pursuing a suspected shoplifter and ran into the Plaintiff, causing her to strike her shopping cart and a display of merchandise, resulting in Plaintiff sustaining serious and permanent injury.

(5) That the Defendant, K-MART CORPORATION, owed the following duties to Plaintiff, all of which it breached:

A. A duty not to pursue a suspected shoplifter in an aggressive and uncontrolled manner, so as to subject a customer, such as Plaintiff, to an unreasonable risk of harm.

B. A duty to avoid running into and striking a customer.

C. A duty not to pursue a shoplifter in a narrow aisleway, and in an aggressive and uncontrolled manner, so as to expose a customer to danger.

D. A duty to slow the pursuit of a shoplifter in a narrow aisleway, so as not to expose a customer to danger.

E. A duty to proceed around a customer in a narrow aisleway in order to avoid running into a customer and causing her harm.

F. A duty not to expose a customer and invitee to an unreasonable risk of harm.

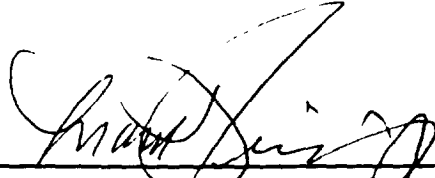
G. A duty to keep a proper lookout for customer in Defendant's store and keep the pursuit of a shoplifter under control at all times, to eliminate the danger of running into and striking a customer.

(6) That as a direct and proximate result of Defendant's negligence and its breach of all the aforementioned duties, Plaintiff suffered permanent serious impairment of bodily function and the following permanent injuries and damages:

- a. Injury to the muscles, nerves and ligaments in the low back, causing radiculopathy in her lower extremities.
- b. Nerve root compression and/or possible injury to low back disc.
- c. Injury to her right side, including ankle and neck.
- d. Pain and suffering, past and future.
- e. Loss of wages and wage-earning capacity, past and future.
- f. Possible loss for medical, doctor, hospital and drug bills, past and future.
- g. Loss of enjoyment of life and humiliation.

(7) That the amount in controversy exceeds Twenty-Five Thousand Dollars or is otherwise within the jurisdiction of this Court.

WHEREFORE, Plaintiff, TRACIE C. ALEXANDER, prays for Judgment
against the Defendant, in an amount to which she is found to be entitled, plus
interest, costs and attorney fees.



FRANK K. PENIRIAN, JR. P18766
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