FORM B10 (Official Form 10) 0105035

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

PROOF OF CLAIM
Chapter 11

In Re Kmart Corporation, et al.	**Case Numbers 02-02462 through 02-02499**
Name of Debtor. (see attached for complete list of debtors) Kmart Corporation	**Case Number:** 02-02474

Your claim is scheduled as follows
Class: NOT SCHEDULED
Amount: NOT SCHEDULED

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)

Received
08 2386189

REFRIGERATION SYSTEMS CO
ACCOUNTS PAYABLE
1770 GENESSEE AVENUE
COLUMBUS, OH 43211

☐ 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

If address differs from above, please complete the following:
Creditor Name
Address
City/St/Zip
Telephone #

10695629
This Space is for Court Use Only

Account or other number by which creditor identifies debtor

Check here if this claim ☐ replaces ☐ amends a previously filed claim, dated

1 Basis for Claim
☐ Goods sold
☒ Services performed
☐ Money loaned
☐ Personal injury/wrongful death
☐ Taxes
☐ Other

☐ Retiree benefits as defined in 11 U.S.C. §1114(a)
☐ Wages, salaries, and compensation (fill out below)
Your SS #
Unpaid compensation for services performed from (date) to (date)

2. Date debt was incurred: May 29, 2001 and later

3. If court judgment, date obtained: N/A

4. Total Amount of Claim at Time Case Filed: $ 20,219.67
If all or part of your claim is secured or entitled to priority, also complete Item 5 or 6 below
☐ 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.
☐ Check this box if your claim is secured by collateral (including a right of setoff)
Brief Description of Collateral
☐ Real Estate ☐ Motor Vehicle
☐ 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
☐ 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)
☐ Contributions to an employee benefit plan - 11 U.S.C. §507(a)(4)
☐ 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)
☐ Alimony, maintenance, or support owed to a spouse, former spouse, or child - 11 U.S.C. § 507(a)(7)
☐ Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(8)
☐ 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.

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.

This Space is for Court Use Only

Date	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)
	Refrigeration Systems Company by Kenneth R. Cookson, Attorney at Law A.B. 4-15-02 4188

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

614-263-6660

Ron Exline: RE: Glass door installation

As you can see here our Accounts Payable Department is lacking in expediency amongst other skills. Can you Please Fax Back Copies (Completed) of the Following Forms. I suspect payment may be made someday.

(I was very suprised to discover no payment was made To RSC. we received your invoice 10 months ago)

Kmart Ref Manager

248-463-7641

Contractor's Proposal to Kmart Corporation
Execute in Triplicate

JOOOOO1234
Store Address or Stamp

Super Kmart #4964
1249 North High Street
Hillsboro,OH 45133

Order No.

Authorization No. 0100401
Date 5/29/01

Project: Retrofit-Glass Dr Cases Super K

Proposal: For and in consideration of the sum to be paid us by Kmart Corporation on the contract basis hereinafter mentioned we will furnish all labor and material and do all work and agree to all conditions as called for in
Specifications dated N/A

Drawings No. N/A
as prepared by Kmart Corporation, this Proposal and the Bidding Instructions dated N/A
(the "Contract Documents"), all of which are hereby incorporated by reference and made part hereof
Contract Basis: (Indicate Lump Sum or Time and Material Terms) T & M not to exceed total

We will start work within 30 days from date of award, and will complete same as follows:

Itemization: (necessary to consideration of proposal)

Supply labor & material necessary for the removal of the existing open deck cases and installation	$ 18,892.00
Of Kmart supplied refrigerated cases.	
See attached scope of work document for greater detail	
Total	$ 18,892.00

Kmart Corporation
Maintenance Division/Operations

Regional Office

Accepted 3 20 01

By David Agar

National Manager/Refrigeration
Type Name and Title

This Proposal is Subject to and Governed by the Terms and Conditions on Reverse Side

Contractor Refrigeration Systems Company

By [signature] Date 6-4-01

Type Name and Title

Address 1770 Genesee Ave

City Columbus, State OH Zip 43211

Phone No. 614 263-0913

Tax Identification # 310877405

Vendor ID # 25-125274-8

Project # 0100401

SCOPE OF WORK: Provide labor & material to remove multi-deck frozen food cases and replace them with Kmart supplied glass door reach-ins.

1. Coordinate delivery and installation of retrofit program with Store Director and Grocery Manager.
2. Remove and reinstall fascia board.
3. Remove old and install new close off panels as needed.
4. Disconnect and reconnect electrical for the refrigeration cases.
5. Wire anti sweat heaters to existing anti-sweat panel.
6. Confirm new lines sizing and circuiting.
7. Insulate suction lines with ¾" insulation.
8. Insulate liquid line with ½" insulation
9. Glue and tape insulation joints
10. Brazing material shall contain no less than be 15% silver.
11. Nitrogen purge where possible, blow out circuit after brazing.
12. Cap unused refrigeration lines at header and below floor.
13. Make adjustments to the refrigeration rack according to the new loads.
14. Remove check valve between header if deemed necessary.
15. Evacuate system.
16. Install case floor drains.
17. Replace and add pipe supports as needed: saddles under pipe on supports
18. Recharge unit as necessary.
19. Reset defrost times, duration, and alarm points.
20. Clean up
21. Comply to all local codes and EPA requirements.
22. Provide 1 year warranty on parts and workmanship.
23. Dispose of old refrigeration cases.
24. Update piping schedules or drawings to reflect any piping or circuit changes
25. Update & retag any electrical circuits that may have changed on the cases in regards to this changout

Contractor's Sworn Statement

Tom Exline (person taking oath), being first duly sworn, says that he is Service Manager (Title), of Fire Protection Systems Co (Firm Name) which is contractor for K-mart Corp on building situated on premises known and described as 1249 N Main St Hillsboro Ohio (Street and Number) (City) (State or Province) and that to procure payment for said contractor for work completed, that he has fully and correctly set forth below the following:

(1) the name of each of his sub-contractors, whether paid or unpaid, **and**, if unpaid, the amount owing each for labor and material furnished to date hereof. Where no further balance owing, state "None"

(2) the name of each of his material suppliers, whether paid or unpaid, **and**, if unpaid, the amount owing each for material furnished to date hereof. Where no further balance owing, state "None"

(3) the name of each of his job employees **unpaid**, and the amount owing each for labor and service rendered to date hereof.

Name	Trade	Amount Owing To Date Hereof
Progress Supply	parts supplier	0

Note: If lines provided are insufficient for all names, then use back of this form

Total Amount Owing

NOTARIAL SEAL STATE OF OHIO

DIANE L. HUTH
Notary Public, State of Ohio
My Commission Expires 06-06-05

(Sign) Tom Exline (Person taking oath)

Sworn to before me and subscribed in my presence at Columbus (City), Ohio (State or Province)

this 9th day of April, ~~19~~ 2002

(Seal) My Commission Expires 6/6/05

Diane L. Huth (Notary Public)

Prime Contractor Refrigeration Systems Co
Address 1220 Genessee Ave
City, State & Zip Col. Ohio 43211
Phone Number 614-263 0913

Application Number
Period to

		Amount
1.	Original Contract	$ 18,892 00
2	Total Supplements	$
3	Final Revised Contract (Line 1 plus Line 2)	$ 18,892 00
4	Total Previous Payments	$ 0
5	Net Due (Line # minus Line 4)	$ 18,892.00

Prime Contractor Conditional Final Waiver of Lien

To: Kmart Corporation, having an interest in the premises # 4964 (Store Number) located at 1249 N. Hwy 35 (Address) Hillsboro Ohio 45133 (City, State and Zip) Upon which the undersigned has performed work and/or supplied labor, equipment and/or materials.

In Consideration of the Sum of 18,892.00 (From Line 3) ($)

The undersigned does hereby **Waive, Release and Forever Discharge** any and all liens, claims, or rights of lien on or against the premises described above for and on account of work performed and labor, equipment and/or materials supplied at or in connection with construction or improvement at the premises described above.

Anything herein contained to the contrary notwithstanding, it is understood that the effect and enforceability of this Final Waiver ofLien shall be conditioned only upon receipt by the undersigned of the final payment in the amount of $ 18,892.00 (From Line 5) and this final Waiver is given by the undersigned and is accepted by Kmart Corporation subject to such understanding.

By _____ (Authorized Signature) Name: Richard Fromer (Type or Print Name)

Title: Controller Date: 4-8-02

Subscribed to before me and subscribed in my presence. Witness the hand and seal given this 8th day of April in the year 2002 (State/Province) of Ohio

Diane L. Huth
Notary Public

NOTARIAL SEAL STATE OF OHIO

DIANE L. HUTH
Notary Public, State of Ohio
My Commission Expires 06-05-05

Invoice

Refrigeration Systems

Date: 8/31/2001
Invoice No 90386

Dept. L-1220
Columbus, OH 43260-1220

Bill to: SUPER K CENTER
1249 N HIGH ST
HILLSBORO, OH 45133

Service at: SUPER K CENTER
1249 N HIGH ST
HILLSBORO, OH 45133

Customer ID: SUPEHILL

Description: Work Order 90477 Miscellaneous

Reference: Work Order 90477

Terms: Net 30

PO Number:

Item	Description	Quantity	Unit Price	Amount
Labor				
	Misc Per Attached Detail	11 50	$48 60	$558 90
			Labor Subtotal	**$558.90**
Parts				
	RC5 R-22	300.00	$1 98	$594 00
	RSC7 Misc Parts	2.00	$53.54	$107 08
	RSC7 Misc Parts	1 00	$12.69	$12 69
			Parts Subtotal	**$713.77**
Miscellaneous				
	Mileage	1 00	$55.00	$55 00
			Miscellaneous Subtotal	**$55.00**

Subtotal:	$1,327 67
Sales Tax:	$0 00
Payments:	$0 00
Total Due:	**$1,327.67**

DINSMORE & SHOHL LLP
Attorneys at Law

COLUMBUS
175 South Third Street
Columbus, Ohio 43215
Phone (614) 628-6880 • Fax (614) 628-6890
www.dinslaw.com

Kenneth R Cookson
614-628-6909
kcookson@dinslaw com

April 9, 2002

Kmart Corporation, et al.
c/o Trumbull Services, LLC
P.O. Box 426
Windsor, CT 06095

Re: Bankruptcy Proof of Claim on Behalf of Refrigeration Systems Company

Dear Sir/Madam:

Enclosed please find an original and two (2) copies of a Proof of Claim submitted on behalf of Refrigeration Systems Company in the Bankruptcy of Kmart Corporation. Please return a time-stamped copy to the undersigned in the enclosed, self-addressed stamped envelope.

Thank you for your attention to this matter.

Sincerely,

Kenneth R. Cookson

KRC/pb
Enclosures
cc: Rick Farmer (w/enclosure)
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