

UNITED STATES BANKRUPTCY COURT <u>NORTHERN</u> DISTRICT OF <u>ILLINOIS</u>		
Name of Debtor in re Kmart Corporation, et al. *		Case Number 02-02462 thru 02-02499
Name of Creditor (The person or other entity to whom the debtor owes money or property): Hechler, Craig		Class: Unsecured Non Priority
Name and address where notices should be sent. MARVIN I. BARISH LAW OFFICES, P.C. The Curtis Center - Suite 801E 601 Walnut Street Phila., PA 19106 Telephone number 215-923-8900.		Amount: Contingent, disputed, unliquidated
Account or other number by which creditor identifies debtor:		10086479 <small>THIS SPACE IS FOR COURT USE ONLY</small>
Check here if this claim <input type="checkbox"/> replaces a previously filed claim, dated: _____ <input type="checkbox"/> amends		
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: <u>2/17/00</u>		3. If court judgment, date obtained:
4. Total Amount of Claim at Time Case Filed: \$ _____ 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)(____). <small>*Amounts are subject to adjustment on 4/1/04 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, enclose a stamped, self-addressed envelope and copy of this proof of claim.		THIS SPACE IS FOR COURT USE ONLY 4769 APR 15 2002 BANKRUPTCY 4-15-02 JB
Date 4/12/02	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) Craig Hechler - CRAIG Hechler	
<small>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.</small>		

* See enclosed list of debtors

MARVIN I. BARISH LAW OFFICES, P.C.
A PROFESSIONAL CORPORATION
COUNSELLORS AT LAW AND PROCTORS IN ADMIRALTY

PENNSYLVANIA
SUITE 801 EAST
THE CURTIS CENTER
SIXTH & WALNUT STREETS
PHILADELPHIA, PENNSYLVANIA 19106
(215) 923-8800
(800) 233 7101
FAX (215) 351 0593



NEW JERSEY
200 NORTH FIFTH STREET
SECOND FLOOR
CAMDEN NEW JERSEY 08102
(856) 338-0550

April 12, 2002

Trumbull Services
P.O. Box 426
Windsor, Connecticut 06095

Re: *Craig Hechler v. Kmart Corporation, et al*
United States Bankruptcy Court
Northern District of Illinois
Case Nos.: 02-02462 through 02-02499

Dear Sir or Madam:

Enclosed please find an original and two copies of a Proof of Claim form regarding the above referenced matter. Kindly file same with the United States Bankruptcy Court and return a time stamped copy to me in the enclosed self addressed stamped envelope.

Thank you for your attention to this matter.

Very truly yours,

MARVIN I. BARISH LAW OFFICES, P.C.

Rita M. Maratea
Paralegal

/RMM
Enclosures

LIST OF DEBTORS, CASE NUMBERS AND TAX IDENTIFICATION NUMBERS:

DEBTOR	CASE NUMBER	TAX ID NUMBER
KMART CORPORATION OF ILLINOIS, INC.	02-02462	37-0916029
KMART OF INDIANA	02-02463	38-3413374
KMART OF PENNSYLVANIA LP	02-02464	38-3469157
KMART OF NORTH CAROLINA LLC	02-02465	38-3469154
KMART OF TEXAS L.P.	02-02466	38-3469160
BLUELIGHT COM LLC	02-02467	77-0529022
BIG BEAVER OF FLORIDA DEVELOPMENT, LLC	02-02468	38-0729500
THE COOLIDGE GROUP, LLC N/K/A TC GROUP I LLC	02-02469	38-2332504
KMART MICHIGAN PROPERTY SERVICES, L.L.C	02-02470	38-3384536
KMART FINANCING I	02-02471	38-6667809
TROY CMBS PROPERTY, I. L. C	02-02472	38-3334610
BIG BEAVER DEVELOPMENT CORPORATION	02-02473	38-2834722
KMART CORPORATION	02-02474	38-0729500
BIG BEAVER OF GUAYNABO DEVELOPMENT CORPORATION	02-02475	38-3225644
BIG BEAVER OF CAUGUS DEVELOPMENT CORPORATION	02-02476	38-3053789
BLUELIGHT COM, INC	02-02477	77-0527034
KMART HOLDINGS, INC	02-02478	38-3293882
KMART OF AMSTERDAM, NY DISTRIBUTION CENTER INC	02-02479	38-3626487
KMART STORES OF INDIANA, INC.	02-02480	38-2831604
KMART OF MICHIGAN, INC	02-02481	38-3551696
KMART STORES OF TNCP, INC.	02-02482	38-2305127
KMART OVERSEAS CORPORATION	02-02483	31-0972999
JAF, INC	02-02484	38-2970528
VTA, INC	02-02485	51-0331035
BIG BEAVER OF CAGUAS DEVELOPMENT CORP II	02-02486	38-3175257
BIG BEAVER OF CAROLINA DEVELOPMENT CORPORATION	02-02487	38-3175256
K MART PHARMACIES, INC	02-02488	38-1978255
BUILDERS SQUARE, INC	02-02489	74-2259917
K MART INTERNATIONAL SERVICES, INC.	02-02490	38-2331210
SOURCING & TECHNICAL SERVICES INC	02-02491	22-3004708
KMART PHARMACIES OF MINNESOTA, INC	02-02492	38-3351987
STI MERCHANDISING, INC	02-02493	38-2760188
KMART CMBS FINANCING, INC	02-02494	38-3334553
KLC, INC	02-02495	75-2490839
PMB, INC	02-02496	75-1371063
ILJ, INC	02-02497	92-0132179
KBL HOLDING INC	02-02498	26-0031295
S F P R , INC	02-02499	N/A

■

LIST OF ATTACHED SUPPORTING DOCUMENTS

1. Copy of Kmart Customer Incident Information report dated February 17, 2000.
2. Letter dated April 5, 2000 from Marvin I. Barish Law Offices, P.C., notifying Kmart of representation of Craig Hechler for injuries sustained on February 17, 2000.
3. Letter dated April, 10, 2001 from K Mart acknowledging receipt of notification and requesting information.
4. Copy of the Complaint filed in the Court of Common Pleas of Philadelphia County Trial Division- February Term, 2002, Number 002357 on February 15, 2002.
5. Copy of the Proof of Service filed on March 4, 2002 in the Court of Common Pleas of Philadelphia County.



Kmart Customer Incident Information

9382 Big Kmart

8800 FRANKFORD AVENUE
PHILADELPHIA, PA 19136

Store Stamp

Dear Kmart Customer,

We want you to have a positive experience every time you visit our store. If you have experienced an accident or loss of any kind while visiting us, please provide the information requested below. This information will help us meet our goal of continuous improvement in the operation of our store. It will also help us in contacting you to make sure we are providing the service you expect.

Please take the white copy of this document for your records. If after leaving the store you wish to provide further information or have any questions about your incident, please call our Store Team Manager.

We are sorry you had an unpleasant experience while our guest. We look forward to serving you better in the future.

Sincerely,

Your Kmart Store Management

Store Phone Number: 332-5131

TO BE COMPLETED BY CUSTOMER:

Customer name: CRAIG HECHLER Customer's Street Address: 4211 TUDOR ST.

City: Phila State: PA Zip: 19136 Phone: (215) 332-9854

Customer's employer: HOLT CARGO SYSTEM Customer's sex: M

Customer's Date of Birth: 5-20-52 Customer's Social Security Number: 186 44 1349

If injury to a child: Child's name: _____ Child's age: _____ Parent's name: _____

Customer's Description of Incident:

Date of incident 2-17-00 Location of incident TOASTER ISLE INSIDE OF STORE

Time of incident 7:10 PM What happened? Reaching ~~up~~ FOR BOX "TOASTEK" Boxes Fell OFF Top Shelf hitting me IN THE BACK OF HEAD

Do you wish to be contacted? _____ Date reported 2/17/00 Signature of Customer [Signature]

White copy - for Customer



Kmart Customer Service Unit
Sedgwick Claims Management Services, Inc.
P.O. Box 5058, Troy, MI 48007-5058
Phone: (248) 637-4266 Fax: (248) 649-0884

April 10, 2000

RECEIVED APR 10 2000

Marvin I. Barish Law Offices, P.C.
Attn: Gregory Nester
6th Walnut St., Suite 801
Philadelphia, PA 19106

Re: Claimant: Craig Hechler
Loc/Incident: Store #9382 Philadelphia, PA
File No.: 002180094
Date of Loss: 2/17/00

Dear Mr. Nester:

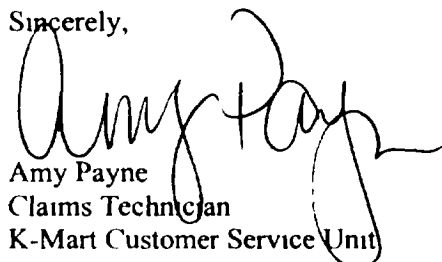
This letter will serve as acknowledgement of your representation of the aforementioned. Please be advised that we are the Third Party Administrator responsible for handling Kmart liability claims.

In response for request for disclosure of certain insurance information, please be advised that Kmart is self-insured for this matter. I will be handling the file regarding this alleged incident. Any further correspondence should be directed to my attention.

Upon receipt of this letter, please have your client complete and return the Statement of Injured/Medical Authorization Form enclosed. We need name and mailing address for the Ambulance Company, Hospital (E/R), Neurologist, Orthopedist, Chiropractor, MRI facility, Radiology lab, and any other facilities your client may have visited.

Thank you for your cooperation.

Sincerely,


Amy Payne
Claims Technician
K-Mart Customer Service Unit

FEBRUARY 2002

002357

Court of Common Pleas of Philadelphia County
Trial Division
Civil Cover Sheet

PLAINTIFF'S NAME Craig Hechler & Joanne Hechler	DEFENDANT'S NAME K-Mart Corporation
PLAINTIFF'S ADDRESS 4211 Tudor Street Philadelphia, PA 19136	DEFENDANT'S ADDRESS 3301 West Big Beaver Road Troy, MI 48084
PLAINTIFF'S NAME	DEFENDANT'S NAME
PLAINTIFF'S ADDRESS	DEFENDANT'S ADDRESS
PLAINTIFF'S NAME	DEFENDANT'S NAME
PLAINTIFF'S ADDRESS	DEFENDANT'S ADDRESS


TOTAL NUMBER OF PLAINTIFFS (One) 1	TOTAL NO OF DEFENDANTS (One) 1	COMMENCEMENT OF ACTION <input checked="" type="checkbox"/> Complaint <input type="checkbox"/> Writ of Summons <input type="checkbox"/> Petition Action <input type="checkbox"/> Transfer From Other Jurisdictions <input type="checkbox"/> Notice of Appeal
AMOUNT IN CONTROVERSY <input checked="" type="checkbox"/> \$50,000.00 or less <input type="checkbox"/> More than \$50,000.00	COURT PROGRAMS <input checked="" type="checkbox"/> Arbitration <input type="checkbox"/> Jury <input type="checkbox"/> Non-Jury <input type="checkbox"/> Other	<input type="checkbox"/> Mass Tort <input type="checkbox"/> Savings Action <input type="checkbox"/> Petition <input type="checkbox"/> Commerce <input type="checkbox"/> Minor Court Appeal <input type="checkbox"/> Statutory Appeals <input type="checkbox"/> Settlement <input type="checkbox"/> Minors <input type="checkbox"/> W/D/Survival

CASE TYPE AND CODE (SEE INSTRUCTIONS)
20 - Other Personal Injury

STATUTORY BASIS FOR CAUSE OF ACTION (SEE INSTRUCTIONS)

RELATED PENDING CASES (LIST BY CASE CAPTION AND DOCKET NUMBER) None	IS CASE SUBJECT TO COORDINATION ORDER? <table border="1"> <tr> <td>Yes</td> <td>No</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	Yes	No	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Yes	No								
<input type="checkbox"/>	<input type="checkbox"/>								
<input type="checkbox"/>	<input type="checkbox"/>								
<input type="checkbox"/>	<input type="checkbox"/>								

TO THE PROTHONOTARY:
Kindly enter my appearance on behalf of Plaintiff/Petitioner/Appellant:
Papers may be served at the address set forth below.

NAME OF PLAINTIFF/PETITIONER'S/APPELLANT'S ATTORNEY Samuel J. Rosenthal, Esquire	ADDRESS (SEE INSTRUCTIONS) Marvin J. Barish Law Offices Suite 801E - The Curtis Center Sixth & Walnut Streets Philadelphia, PA 19106
PHONE NUMBER (215) 923-8900	FAX NUMBER (215) 351-0593
SUPREME COURT IDENTIFICATION NO 50081	E-MAIL ADDRESS
SIGNATURE 	DATE 2/15/02

MARVIN I. BARISH LAW OFFICES
 By: Marvin I. Barish, Esquire
 Atty. I.D. No. 02265
 By: Samuel J. Rosenthal, Esquire
 Atty. I.D. No. 50081
 Suite 801 - The Curtis Center
 Sixth and Walnut Streets
 Philadelphia, PA 19106
 (215) 923-8900

THIS IS AN ARBITRATION
 ASSESSMENT OF DAMAGES IS REQUIRED

THIS MATTER WILL BE HEARD BY A
 BOARD OF ARBITRATORS
 AT THE TIME, DATE AND PLACE
 SPECIFIED BELOW. IF ONE OR
 MORE OF THE PARTIES NOT PRESENT AT
 THE HEARING, THE BOARD OF ARBITRATORS
 AND THE COURT WILL PROCEED WITH THE
 COURT WILL NOT BE ABSENT PART
 OR PARTIES. THE PARTIES DO NOT HAVE
 A TRIAL DE NOVO OR APPEAL FROM
 A DECISION ENTERED BY A JUDGE

ATTEST

FEB 15 2002

J. RIVERA
 PRO. PROTHY

Attorney for Plaintiffs

CRAIG HECHLER and JOANNE HECHLER : COURT OF COMMON PLEAS

Plaintiffs : PHILADELPHIA COUNTY

v. : CIVIL ACTION - LAW

K-MART CORPORATION : FEBRUARY 2002 TERM, 2002

Defendant : NO. 002357

USTED DEBE ATENDER EN
 COMPARECER EN
 ARBITRACION HEARING
 1601 MARKET STREET 2ND FLOOR
 FIVE PENNSYLVANIA PLAZA
 TIME 9:30
 FEB 15 2002
 YOU MUST STILL COMPLY
 WITH THE RULES BELOW
 USTED DEBE OBLIGADO
 CUMPLIR CON LAS REGLAS
 DE ABAJO

COMPLAINT CIVIL ACTION
 20 - Personal Injury

NOTICE

AVISO

You have been sued in court. If you wish to defend against claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgement may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plaza al partir de la fecha de la demanda y la notificacion. Hace falta a sentar una comparencia escrita o en persona o con un abogado y estregar a la corte en forma escrita sus defensas o sus objeciones a las de mandas en contra de su persona. Sea a visado que si usted no se defiende, la corte tomara medidas y puede continuar la de manda en contra suya sin previo a viso o notificacion. Ademans, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta de demanda. usted puede perder dinero o sus propiedades o otros de rechos importantes para usted.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP

LLEVE EST A DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

Lawyer Reference Service
 1101 Market St.
 Phila, PA 19107
 Telephone. 215-238-6333

Servicio de Referencia Legal
 1101 Market St.
 Phila., PA 19107
 Telefono: 215-238-6333

MARVIN I. BARISH LAW OFFICES, P.C.

**By: Marvin I. Barish, Esquire
Attorney I.D. No. 02265
By: Samuel J. Rosenthal, Esquire
Attorney I.D. No. 50081
Suite 801, The Curtis Center
Sixth & Walnut Streets
Philadelphia, PA 19106
215-923-8900
Attorneys for Plaintiffs**

**This is an arbitration case.
Assessment of damages hearing
is required.**

**CRAIG HECHLER and JOANNE HECHLER,
4211 TUDOR STREET
PHILADELPHIA, PA 19136**

**COURT OF COMMON PLEAS
PHILADELPHIA COUNTY**

v.

**K-MART CORPORATION
3301 WEST BIG BEAVER RD.
TROY, MICHIGAN**

ATTEST

NO.

TERM,

FEBRUARY 2002

FEB 11 2002

002357

**J. PIVERA
PRO. PHOTHY**

COMPLAINT

Now come the plaintiffs, Craig and Joanne Hechler, husband and wife, by and through their attorneys and respectfully complain of the defendant as follows:

1. Plaintiff, Craig Hechler, is an adult individual residing at 4211 Tudor Street, Philadelphia, PA 19136.
2. Plaintiff, Joanne Hechler, is the wife of plaintiff, Craig Hechler, and resides at 4211 Tudor Street, Philadelphia, PA 19136.
3. Defendant, K-Mart Corporation ("K-Mart"), is a corporate entity with its principal place of business at 3001 West Big Beaver Road in Troy, Michigan, and doing business in the Commonwealth of Pennsylvania.
4. At all times relevant hereto, defendant owned, operated, maintained and/or controlled a K-Mart, Big K and/or Big K-Mart store located at 8800 Frankford Ave., Philadelphia, PA 19136, and designated as Store No. 9382.

COUNT I

(Craig Hechler v. K-Mart Corporation)

5. On or about February 17, 2000, plaintiff, Craig Hechler, was walking at or on defendant's premises searching for a toaster to purchase.

6. At all times material hereto, plaintiff was a business invitee of defendant and was lawfully on its premises in that capacity.

7. On the above date, plaintiff was injured when in attempting to reach a boxed toaster which was placed high on a shelf, boxes of toasters stacked unreasonably high and in an unsafe and unstable manner, fell from the shelf striking him on the head, neck and shoulder.

8. As a result of the aforementioned, plaintiff was caused to suffer personal injuries more fully described below.

9. Plaintiff's injuries were caused both directly and proximately by the negligence, gross negligence, carelessness, recklessness and/or unlawful conduct of the defendant, by and through its agents, servants and/or employees and/or its ostensible agents, servants and/or employees, in the following respects which include but are not limited to:

(a) failing to use ordinary care by failing to maintain the subject premises in a reasonably safe condition;

(b) failing to warn plaintiff of the dangerous and/or hazardous condition of the premises which was made unsafe due to the stacking of objects on the shelves;

(c) failing to warn plaintiff of the dangerous and/or hazardous condition of the premises which was made unsafe due to the presence of a dangerous product stacking condition;

(d) failing to remedy and/or correct the defective, dangerous and/or hazardous condition of the subject premises, as described above, when the defendant knew or should have known that said condition existed;

(e) failing to use ordinary care to service and/or maintain the subject premises in a reasonably safe condition and in a condition free from the presence of the danger of objects falling from shelves;

(f) failing to use ordinary care to service and/or maintain the subject premises in a reasonably safe condition and in a condition free from the presence of a dangerous condition on its shelves and in its aisles;

(g) failing to use ordinary care to properly inspect the subject premises to ensure that same was in a reasonably safe condition;

(h) failing to comply with governmental and/or other applicable safety regulations and/or guidelines concerning the maintenance, operation and/or use of the subject premises;

(i) failing to discover, in the exercise of reasonable care, the defective, dangerous and/or hazardous conditions of the subject premises, as more fully described above;

10. As a direct and proximate result of the negligence, carelessness, recklessness and/or unlawful conduct of the defendant, as more fully set forth above, plaintiff was caused to suffer severe and permanent injuries, severe shock to his nerves and nervous system, aggravation, acceleration and/or activation of any and all pre-existing ailments and/or conditions and, more particularly, but not in limitation of, any other personal injuries he may have sustained, plaintiff suffered a herniated disc at C3-4, disc protrusions at C4-5, C5-6, and C6-7, closed head trauma, and acute traumatic cervical strain and sprain, trapezius strain and sprain by reason of which he has suffered great physical pain and mental distress which he yet suffers and will continue to suffer into the future.

11. As a direct and proximate result of the negligence, carelessness, recklessness and/or unlawful conduct of the defendant, as more fully set forth above, plaintiff was obliged to expend significant sums of money for medical treatment and will be required to expend considerable amounts of money into the future for medical care in order to effect a cure and/or a diminution of his injuries.

12. As a direct and proximate result of the negligence, carelessness, recklessness and/or unlawful conduct of the defendant, as more fully set forth above, plaintiff has suffered in the past and will continue to suffer into the future significant pain, mental anguish, humiliation and disfigurement and the limitation and restrict of his usual activities, pursuits and pleasures.

13. As a direct and proximate result of the negligence, carelessness, recklessness and/or unlawful conduct of the defendant, as more fully set forth above, plaintiff has suffered in the past and will continue to suffer into the future a loss of earnings and earning capacity as well as additional financial expenses and/or losses.

14. The injuries sustained by plaintiff were caused solely and proximately by the negligence of the defendant, its agents, servants and/or employees and/or its ostensible agents, servants and/or employees and were in no way caused by any act or omission on the part of the

plaintiff.

WHEREFORE, plaintiff, Craig Hechler, demands judgment in his favor and against defendant, K-Mart Corporation, in an amount not in excess of Fifty Thousand (\$50,000.00) Dollars.

COUNT II

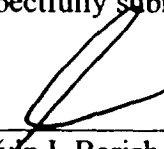
15. Plaintiff, Joanne Hechler, incorporates the above paragraphs, 1 through 14, as if same were set forth herein verbatim.

16. Plaintiff, Joanne Hechler, is the wife of the plaintiff, Craig Hechler.

17. By reason of the negligence of the defendant, and the above indicated injuries to the plaintiff, Craig Hechler, the plaintiff, Joanne Hechler, has suffered great mental anguish by being forced to witness the pain and suffering endured by her husband and, by reason of the physical and mental condition of her husband, plaintiff, Craig Hechler, has been and continues to be denied the care, protection, consideration, companionship, aid, and society of her husband, and the pleasure and assistance of her husband in their normal pursuits.

WHEREFORE, plaintiff, Joanne Hechler, demands judgment against the defendant in an amount not in excess of Fifty Thousand (\$50,000.00) dollars together with costs, interest and attorney fees incurred in prosecuting this matter.

Respectfully submitted,



Marvin I. Barish, Esquire
Samuel J. Rosenthal, Esquire

Attorneys for Plaintiff

Dated: 2/15/02

VERIFICATION

We, Craig Hechler and Joanne Hechler, are the plaintiffs herein and say that we are familiar with the facts surrounding this matter, that the statements made in the foregoing Complaint are true and correct to the best of our knowledge, information and belief, and that we understand the statements made therein are subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.



CRAIG HECHLER



JOANNE HECHLER

Date: 2/13/02

MARVIN I. BARISH LAW OFFICES
By: Marvin I. Barish, Esquire
Atty. I.D. No. 02265
By: Samuel J. Rosenthal, Esquire
Atty. I.D. No. 50081
Suite 801 - The Curtis Center
Sixth and Walnut Streets
Philadelphia, PA 19106
(215) 923-8900

02/27/02 1:27 PM
PHILADELPHIA COUNTY

Attorney for Plaintiffs

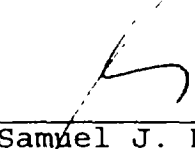
CRAIG HECHLER and JOANNE HECHLER : COURT OF COMMON PLEAS
: :
Plaintiffs : PHILADELPHIA COUNTY
: :
v. : CIVIL ACTION - LAW
: :
K-MART CORPORATION : FEBRUARY TERM, 2002
: :
Defendant : NO. 2357
:

PROOF OF SERVICE

Service of the Notice to Defend and Complaint was made on February 26, 2002, by certified mail, return receipt requested, upon the defendant, K-Mart Corporation.

Proof of service of the Notice to Defend and Complaint on said defendant is hereby made by filing a copy of the certified mail receipt attached hereto.

MARVIN I. BARISH LAW OFFICES, P.C.

BY: 
Samuel J. Rosenthal, Esquire

Dated: 3/4/02

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		A. Received by (Please Print Clearly)	B. Date of Delivery
1. Article Addressed to:		C. Signature	<input type="checkbox"/> Agent
<p><i>K-Mark Corporation</i> <i>- 3301 West Big Beaver Rd.</i> <i>Troy, MI 48084</i></p>		<i>[Signature]</i>	<input type="checkbox"/> Addressee
2. Article Number (Copy from service label)		D. Is delivery address different from item 1?	
<p><i>7001 0360 0003 8778 7355</i></p>		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
PS Form 3811, July 1999		Domestic Return Receipt	
		102505-00-1-0092	
		3. Service Type	
		<input checked="" type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail
		<input type="checkbox"/> Registered	<input checked="" type="checkbox"/> Return Receipt for Merchandise
		<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.
		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only. No Insurance Coverage Provided)

OFFICIAL USE

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

7001 0360 0003 8778 7355

Sent To: *K-Mark Corp.*

Street, Apt No., or PO Box No.: *3301 West Big Beaver Rd.*

City, State, ZIP+: *Troy, MI 48084*

PS Form 3800, January 2001 See Reverse for Instructions