

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)

K-MART CORP.

Case Number:

02-02474

Your claim is scheduled as follows:

Class
UNSECURED NON PRIORITY

Amount

CONTINGENT, DISPUTED,
UNLIQUIDATED

10097787

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):

ABRAMS, EBONY
C/O DANIEL ZUCKER
DANIEL ZUCKER, ESQ.
1200 ATLANTIC BUILDING
260 SOUTH BROAD ST.
PHILADELPHIA, PA 19102-5001

11 2430952

- 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:

Telephone: # 215.732.5858

Address:

N/A

City/St/Zip:

Account or other number by which creditor identifies debtor:

N/A

Check here if replaces this claim 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 _____ to _____ (date) (date)

2. Date debt was incurred:

11.5.00 - ACCIDENT

3. If court judgment, date obtained:

N/A

4. Total Amount of Claim at Time Case Filed:

\$ 50,000.00 OR LESS.

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. CIVIL ACTION COMPLAINT ATTACHED

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 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):

4.8.02

DANIEL J. ZUCKER, ESQ., ATTY FOR EBONY ABRAMS

This Space is for Court Use Only

SM # 5003

RECEIVED
TRUMBULL SERVICES
COURT

2002 APR 12 PM 12:49
4-12-02

BANKRUPTCY

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.

Trial Division Civil Cover Sheet

OCTOBER 2001

003113

PLAINTIFF'S NAME
EBONY ABRAMS

DEFENDANT'S NAME
**K-MART CORP.
D/B/A K-MART STORE # 3964**

PLAINTIFF'S ADDRESS
**7410 BROXTON RD. 2ND FL.
PHILA. PA 19151**

DEFENDANT'S ADDRESS
**3000 ISLAND AVE.
PHILA. PA 19153**

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
1

TOTAL NO. OF DEFENDANTS
1

COMMENCEMENT OF ACTION
 Complaint Petition Action Notice of Appeal
 Writ of Summons Transfer From Other Jurisdictions

AMOUNT IN CONTROVERSY
 \$50,000.00 or less
 More than \$50,000.00

COURT PROGRAMS
 Arbitration Mass Tort Commerce Settlement
 Jury Savings Action Minor Court Appeal Minors
 Non-Jury Petition Statutory Appeals W/D/Survival
 Other: _____

CASE TYPE AND CODE (SEE INSTRUCTIONS)
2S - PREMISES LIABILITY - SLIP & FALL

STATUTORY BASIS FOR CAUSE OF ACTION (SEE INSTRUCTIONS)
N/A

RELATED PENDING CASES (LIST BY CASE CAPTION AND DOCKET NUMBER)
N/A

IS CASE SUBJECT TO COORDINATION ORDER?	
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'S/PETITIONER'S/APPELLANT'S ATTORNEY
DANIEL J. ZUCKER, ESQ.

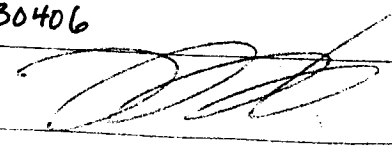
ADDRESS (SEE INSTRUCTIONS)
**260 S. BROAD ST.
STE. 1200
PHILA. PA 19102**

PHONE NUMBER
215. 732. 5858

FAX NUMBER
215. 735. 0563

SUPREME COURT IDENTIFICATION NO
30406

E-MAIL ADDRESS
DZUCKER148@AOL.COM

SIGNATURE


DATE
10.22.01

LAW OFFICES OF DANIEL J. ZUCKER,
BY: DANIEL J. ZUCKER, ESQUIRE
260 South Broad Street
1200 - Atlantic Building
Philadelphia, PA 19102
[215] 732-5858
Identification No: 30406

This is an arbitration case,
assessment of damages is
required.

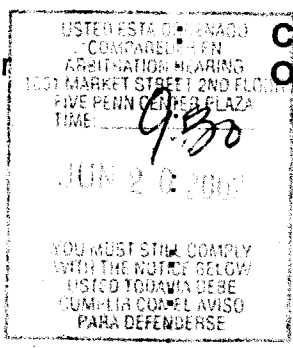
ATTEST

OCT 22 2001

Attorney for: Plaintiff

L. PAONE
PRO. PROTHY

EBONY ABRAMS
7410 Brockton Road - Second Floor
Philadelphia, PA 19151



COURT OF COMMON PLEAS
OF PHILADELPHIA COUNTY
OCTOBER 2001

003112

vs.

K-MART CORPORATION
d/b/a K-MART STORE #3964
3000 Island Avenue
Philadelphia, PA 19153

NOTICE TO DEFEND

THIS MATTER WILL BE HEARD BY A BOARD OF ARBITRATORS
ON THE DATE AND AT THE PLACE SPECIFIED HEREIN. IF ONE OR
MORE PARTIES FAIL TO APPEAR AT THE HEARING, THE MATTER
MAY BE DECIDED BY THE BOARD OF ARBITRATORS ON THE DATE BEFORE A
HEARING. THERE IS NO RIGHT TO A TRIAL DE NOVO ON APPEAL
FROM A DECISION ENTERED BY A JUDGE.

NOTICE

AVISO

You have been sued in court. If you wish to defend against the 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 judgment 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 plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos 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.

Lleva esta 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.

Philadelphia Bar Association
Lawyer Referral
and Information Service
One Reading Center
Philadelphia, Pennsylvania 19107
(215) 238-6333
TTY (215) 451-6197

Asociacion de Licenciados
de Filadelfia
Servicio de Referencia e
Informacion Legal
One Reading Center
Filadelfia, Pennsylvania 19107
(215) 238-6333
TTY (215) 451-6197

**LAW OFFICES OF DANIEL J. ZUCKER,
BY: DANIEL J. ZUCKER, ESQUIRE**
260 South Broad Street
1200 - Atlantic Building
Philadelphia, PA 19102
[215] 732-5858
Identification No: 30406

**This is an arbitration case,
assessment of damages is
required.**

Attorney for: Plaintiff

EBONY ABRAMS
7410 Brockton Road - Second Floor
Philadelphia, PA 19151

**COURT OF COMMON PLEAS
OF PHILADELPHIA COUNTY**

vs.

K-MART CORPORATION
d/b/a K-MART STORE #3964
3000 Island Avenue
Philadelphia, PA 19153

COMPLAINT

1. Plaintiff Ebony Abrams is an individual who resides at the above-captioned address in the City and County of Philadelphia, Pennsylvania.
2. Defendant K-Mart Corporation, d/b/a K-Mart Store #3964 is a company, corporation and/or fictitious name, organized, existing and doing business in the Commonwealth of Pennsylvania at the above-captioned address in the City and County of Philadelphia, Pennsylvania.
3. At all relevant times hereto, Plaintiff was a business invitee of Defendant and was lawfully on the premises of the Defendant at the above-stated address.

4. At all times relevant hereto, Defendant was acting by and through its agents, servants, workmen and/or employees, who were, at all times relevant hereto, acting within the scope and course of their employment or agency relationship with Defendant.
5. Defendant owned and/or leased and/or operated certain real estate, appliances, structures and equipment known as Kmart at the above-stated address in the Commonwealth of Pennsylvania, City and County of Philadelphia.
6. On or about November 5, 2000, Plaintiff, a business invitee of Defendant, was duly on the premises, shopping in the aisle of Defendant when boxes from Defendant's shelving fell on top of Plaintiff due to the improper and negligently stocked and maintained shelves in the premises of Defendant.
7. Plaintiff immediately felt severe pain after the incident and sustained serious and permanent injuries including, but not limited to, injuries to her neck, shoulders, back, arms, hands, wrists, head, spine, bones, nerves, tendons, muscles and psyche, all of which has necessitated medical attention and therapy and has been and will continue to be to Plaintiff's great loss and detriment.
8. On the date stated, The above-mentioned accident resulting in injury to the Plaintiff was a direct and proximate result of the negligence of Defendant and/or its agents,

servants, workmen and/or employees, which negligence consisted of, but is not limited to the following:

- a. Failing to warn Plaintiff and those similarly situated of the dangerous condition of the premises and shelves;
 - b. Failing to keep the stated premises free and clean from obstructions, debris, and/or hazardous material and/or hazardous condition;
 - c. Failing to keep the stated premises in an otherwise neat and clean condition and working order;
 - d. Failing to inspect the condition of the stated property and property and securely stack and maintain the shelves;
 - e. Failing to properly maintain, control, clean and supervise the stated premises;
 - f. Failing to adequately design or construct the area in question;
 - g. Failing to discover the dangerous and unsafe condition of the stated property;
 - h. Failing to comply with the applicable local and state building codes and regulations and health and safety codes and guidelines;
 - i. Failing to warn the business invitees in general, and the Plaintiff in particular, of the dangerous condition of the stated property;
 - j. Failing to properly supervise the maintenance, repair, design, cleaning, stocking of products, supervision and/or inspection of the said property;
 - k. Putting the Plaintiff and others similarly situated in harms way; and
 - l. Being otherwise negligent, grossly negligent, reckless, careless, wanton and/or willful under the circumstances.
9. As a direct and proximate result of the Defendant's negligence, Plaintiff sustained the injuries as aforesaid and has suffered and will continue to suffer and experience

severe pain, suffering, mental anguish, emotional distress, physical pain and embarrassment, all of which has been and will continue to be to Plaintiff's great loss and detriment.

10. As a direct and proximate result of the Defendant's negligence, Plaintiff has been obliged to receive and undergo various medical treatments and therapy in an effort to treat and cure the stated injuries and has expended and will continue to expend various sums of money for the required medical treatment, all of which has been and will continue to be to Plaintiff's great loss and detriment.
11. As a direct and proximate result of the Defendant's negligence, Plaintiff was and has been unable to perform all of Plaintiff's usual daily activities, hobbies, employment and has suffered the loss of, and will continue to suffer the loss of the love and affection of family and friends and has sustained lost wages and lost earning capacity, all of which has been and will continue to be to Plaintiff's great loss and detriment.

WHEREFORE, Plaintiff demands judgment in her favor and against the Defendant in an amount not in excess of Fifty Thousand [\$50,000.00] Dollars, together with interest, costs, damages for delay, attorney's fees and such other relief as the Court deems necessary and just under the circumstances.

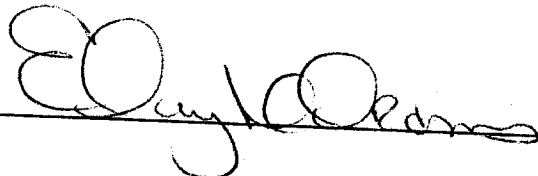
LAW OFFICES OF DANIEL J. ZUCKER

BY:


DANIEL J. ZUCKER, ESQUIRE
Attorney for Plaintiff

VERIFICATION

The undersigned hereby states that he/she is the Plaintiff in the above-captioned matter. The undersigned verifies that the facts set forth in the foregoing are true and correct to the best of his/her knowledge, information and belief, and that this statement is made subject to the penalties of 18 Pa. C.S.A. Section 4904 relating to unsworn falsification to authorities.



DATED: 10.27.01

LAW OFFICES
DANIEL J. ZUCKER
ATTORNEY AT LAW
1200 ATLANTIC BUILDING
260 SOUTH BROAD STREET
PHILADELPHIA, PENNSYLVANIA 19102-5001
(215) 732-5858
FAX (215) 735-0563
E-MAIL dzucker148@aol.com

DANIEL J. ZUCKER, ESQUIRE
CHRISTINE M. HERRING, PARALEGAL

MONTGOMERY COUNTY OFFICE
701 YALE ROAD
BALA CYNWYD, PA 19004
(215) 732-0190

April 8, 2002

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

RE: Abrams v. Kmart Corp.
PCCP October Term, 2001; No: 003112
Kmart Bankruptcy Case No: 02-02474 (Chapter 11)
Proof of Claim

Dear Sir or Madam:

Pursuant to the direction received by the United States Bankruptcy Court, enclosed find executed Proof of Claim submitted on behalf of our client, Ebony Abrams relating to the above-captioned claim she has pending against Kmart in the Court of Common Pleas of Philadelphia County.

Attached find copy of the Civil Action Complaint filed in that case. Thank you for your attention.

Very truly yours,


Daniel J. Zucker, Esquire

DJZ/cmh
Enclosures