

| UNITED STATES BANKRUPTCY COURT<br>DISTRICT OF DELAWARE  |  | PROOF OF CLAIM   |
|---|--|--|
| Name of Debtor:<br><b>K MART CORPORATION</b>  | Case Number:<br><b>02 B 02474</b>  | <b>FILED</b><br>UNITED STATES BANKRUPTCY COURT<br>NORTHERN DISTRICT OF ILLINOIS<br><b>APR 15 2002</b><br><b>KENNETH B. GARDNER</b><br><b>MAILROOM - MM</b><br>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)<br><br>Name and Address where notices should be sent: <b>ES4</b><br><b>JOSEPH RUSO</b><br><b>16 COURT STREET RM 2504</b><br><b>BROOKLYN, N.Y. 11241</b><br><br>Telephone # <b>718 875 1173</b>  | <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.<br><input checked="" type="checkbox"/> Check box if you have never received any notices from the bankruptcy court in this case.<br><input type="checkbox"/> Check box if the address differs from the address on the envelope sent to you by the court.   |  |
| Account or other number by which creditor identifies debtor:<br><b>FIL # 200101165-7800</b>   | Check here if <input type="checkbox"/> replaces this claim <input type="checkbox"/> amends a previously filed claim, dated _____.  |  |
| <b>1. Basis for Claim</b><br><input type="checkbox"/> Goods sold<br><input type="checkbox"/> Services performed<br><input type="checkbox"/> Money loaned<br><input checked="" type="checkbox"/> Personal injury/wrongful death<br><input type="checkbox"/> Taxes<br><input type="checkbox"/> Other  |  |  |
| <b>2. Date debt was incurred:</b> <b>1/6/01</b>   |  |  |
| <b>3. If court judgment, date obtained:</b>   |  |  |
| <b>4. Total Amount of Claim at Time Case Filed:</b> <b>\$ 3000 - SETTLED 12/01</b><br>If all or part of your claim is secured or entitled to priority, also complete Item 5 or 6 below.<br><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.   |  |  |
| <b>5. Secured Claim.</b><br><input type="checkbox"/> Check this box if your claim is secured by collateral (including a right of setoff).<br>Brief Description of Collateral:<br><input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle<br><input type="checkbox"/> Other _____<br><br>Value of Collateral \$ _____<br><br>Amount of arrearage and other charges at time case filed included in secured claim, if any \$ _____ | <b>6. Unsecured Priority Claim.</b><br><input checked="" type="checkbox"/> Check this box if you have an unsecured priority claim.<br>Amount entitled to priority \$ <b>3000</b><br>Specify the priority of the claim:<br><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)<br><input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(4)<br><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)<br><input type="checkbox"/> Alimony, maintenance, or support owed to a spouse, former spouse, or child - 11 U.S.C. § 507(a)(7).<br><input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(8).<br><input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. § 507(a)( )<br><br>*Amounts are subject to adjustment on 4/1/01 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment. |  |
| <b>7. Credits:</b> The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim.   |  |  |
| <b>8. Supporting Documents:</b> 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.  |  |  |
| <b>9. Date-Stamped Copy:</b> To receive an acknowledgment of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim.  |  |  |
| Date:<br><b>3/29/02</b>   | 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):<br><b>JOSEPH RUSO ESQ</b><br><b>6435</b>  | This Space is for Court Use Only<br><br><b>SM 4-15-02</b>  |
| 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.   |  |  |

Claim No.: 20010116578

Adjuster: Joe Lama

**PARENTS RELEASE, RECEIPT AND INDEMNITY AGREEMENT**

This Agreement made and entered into by and between Kmart Corporation, hereinafter referred to as the parties (party) of the first part, and Jessica Lopez, parent(s) and/or natural guardian(s), hereinafter referred to as parties (party) of the second part, and Dylan Parisi, a minor, child and/or ward of the foregoing parents and/or guardians, and hereinafter referred to as the party of the third part.

The party of the first part, has agreed to pay the sum of Three Thousand Dollars and no cents (\$3,000.00), in full satisfaction and discharge of all claims accrued or to accrue in respect of all injuries or injurious results direct or indirect, known or unknown, arising or to arise from an accident sustained by me on or about the 6<sup>th</sup> day of January, 2001 at or near Kmart store #4248 in New Springville, NY.

This is to testify that we (I), parties (party) of the second part as parents and/or natural guardians of the above named party of the third part, our (my) minor child, in consideration of the above payment, which is made to said minor at our (my) request, do hereby acknowledge satisfaction in full of our claims arising out of said injuries and do release and forever discharge said parties (party) of the first part, their (his/her) agent(s) and employees from any liability by any reason thereof.

As further consideration for payment of said sum we (I) hereby agree to protect the above parties (party) of the first part against any claim for damages, compensation or otherwise on the part of the third part or any other party, growing out of or resulting from injury (to said part of the third part in connection with the above mentioned accident; and to reimburse or make good to said parties (party) of the first part) any loss or damage or costs the said parties (party) of the first part may have to pay if any litigation arises from said injuries.

And we (I) hereby waive any and all rights of exemption, both as to real and personal property to which we (I) may be entitled under the laws of this or any other state as against such claims for reimbursement or indemnity by said parties (party) if the first part.

WITNESS my/our hands(s) and seal this 6 day of FEB, 2001.

In the presence of:

CAUTION! READ BEFORE SIGNING

Witness \_\_\_\_\_ Mother Jessica Lopez

State of N.Y. County of Queens

On this 6 day of FEB, 2001

Before me personally appeared Jessica Lopez  
to be known to be the person described herein, and who execute the foregoing instrument and he/she acknowledged that he/she voluntarily executed the same.

My term expires \_\_\_\_\_, 2001.

Notary Public

[Signature]  
2/14/01  
New York



Kmart Customer Incident Center  
Sedgwick Claims Management Services, Inc.  
P.O. Box 5058, Troy, MI 48061-0508  
Phone: (248) 461-7577  
Fax: (248) 461-6617

February 6, 2002

Joseph Russo, Attorney  
16 Court St  
Brooklyn, NY 11241

|            |                         |                          |
|------------|-------------------------|--------------------------|
| <b>RE:</b> | <b>Our Client:</b>      | <b>Kmart Corporation</b> |
|            | <b>Claimant:</b>        | <b>Dylon Parisi</b>      |
|            | <b>Date of Loss:</b>    | <b>1/6/01</b>            |
|            | <b>Our File Number:</b> | <b>20010116578</b>       |

Dear Mr. Attorney

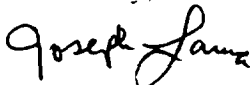
Sedgwick CMS is the claims administrator for the Kmart Corporation. We acknowledge your representation of Dylon Parisi in the above captioned matter.

Please be advised the Kmart Corporation and its thirty-seven subsidiaries filed a Voluntary Petition, pursuant to Chapter 11 of the Bankruptcy Code, in the United States Bankruptcy Court for the Northern district of Illinois. The matter has been assigned case number 02-B02474 and is pending before Judge Susan Pierson Sonderby. Pursuant to 11 U.S.C. § 362 (a), a stay of creditor actions against the debtor automatically goes into effect with the filing of the bankruptcy petition. The automatic stay provided by section 362 prohibits "the commencement or continuation, including the issuance or employment of process, of a judicial, administrative, or other action or proceeding against the debtor..." Attached please find a copy of the Voluntary Petition.

As a result of that filing, we are precluded from negotiating or settling any claims on behalf of Kmart arising from an occurrence that took place prior to January 22, 2002 until/unless we receive authority to do so. Such authorization may or may not be forthcoming. However, it would be in the best interest of all parties if we are in a position to proceed in the event authority is extended. We ask that you provide us with the information that will allow us to investigate this claim. At this time, provide your client's complete name, address, telephone number, and date of birth. Social Security number and your client's allegations.

Should you have any questions, or wish to discuss this matter in any way, please do not hesitate to contact the undersigned at your convenience.

Sincerely,

  
Joseph Lama  
Claims Examiner

## INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In particular types of cases or circumstances, such as bankruptcy cases that are not filed voluntarily by a debtor, there may be exceptions to these general rules.

### DEFINITIONS

#### Debtor

The person, corporation, or other entity that has filed a bankruptcy case is called the debtor.

#### Creditor

A creditor is any person, corporation, or other entity to whom the debtor owed a debt on the date that the bankruptcy case was filed.

#### Proof of Claim

A form telling the bankruptcy court how much the debtor owed a creditor at the time the bankruptcy case was filed (the amount of the creditor's claim). This form must be filed with the clerk of the bankruptcy court where the bankruptcy case was filed.

#### Secured Claim

A claim is a secured claim to the extent that the creditor has a lien on property of the debtor (collateral) that gives the creditor the right to be paid from that property before creditors who do not have liens on the property.

Examples of liens are a mortgage on real estate and a security interest in a car, truck, boat, television set, or other item of property. A lien may have been obtained through a court proceeding before the bankruptcy case began; in some states a court judgment is a lien. In addition, to the extent a creditor also owes money to the debtor (has a right of setoff), the creditor's claim may be a secured claim (See also Unsecured Claim).

#### Unsecured Claim

If a claim is not a secured claim it is an unsecured claim. A claim may be partly secured and partly unsecured if the property on which a creditor has a lien is not worth enough to pay the creditor in full.

#### Unsecured Priority Claim

Certain types of unsecured claims are given priority, so they are to be paid in bankruptcy cases before most other unsecured claims (if there is sufficient money or property available to pay these claims). The most common types of priority claims are listed on the proof of claim form. Unsecured claims that are not specifically given priority status by the bankruptcy laws are classified as *Unsecured Nonpriority Claims*.

#### Court, Name of Debtor, and Case Number:

Fill in the name of the federal judicial district where the bankruptcy case was filed (for example, Central District of California), the name of the debtor in the bankruptcy case, and the bankruptcy case number. If you received a notice of the case from the court, all of this information is near the top of the notice.

#### Information about Creditor:

Complete the section giving the name, address, and telephone number of the creditor to whom the debtor owes money or property, and the debtor's account number, if any. If anyone else has already filed a proof of claim relating to this debt, if you never received notices from the bankruptcy court about this case, if your address differs from that to which the court sent notice, or if this proof of claim replaces or changes a proof of claim that was already filed, check the appropriate box on the form.

#### 1. Basis for Claim:

Check the type of debt for which the proof of claim is being filed. If the type of debt is not listed, check "Other" and briefly describe the type of debt. If you were an employee of the debtor, fill in your social security number and the dates of work for which you were not paid.

#### 2. Date Debt Incurred:

Fill in the date when the debt first was owed by the debtor.

#### 3. Court Judgments:

If you have a court judgment for this debt, state the date the court entered the judgment.

#### 4. Total Amount of Claim at Time Case Filed:

Fill in the total amount of the entire claim. If interest or other charges in addition to the principal amount of the claim are included, check the appropriate place on the form and attach an itemization of the interest and charges.

#### 5. Secured Claim:

Check the appropriate place if the claim is a secured claim. You must state the type and value of property that is collateral for the claim, attach copies of the documentation of your lien, and state the amount past due on the claim as of the date the bankruptcy case was filed. A claim may be partly secured and partly unsecured. (See DEFINITIONS, above).

#### 6. Unsecured Priority Claim:

Check the appropriate place if you have an unsecured priority claim, and state the amount entitled to priority (See DEFINITIONS, above). A claim may be partly priority and partly nonpriority if, for example, the claim is for more than the amount given priority by the law. Check the appropriate place to specify the type of priority claim.

#### 7. Credits:

By signing this proof of claim, you are stating under oath that in calculating the amount of your claim you have given the debtor credit for all payments received from the debtor.

#### 8. Supporting Documents:

You must attach to this proof of claim form copies of documents that show the debtor owes the debt claimed or, if the documents are too lengthy, a summary of those documents. If documents are not available, you must attach an explanation of why they are not available.

**Requests to be added to Master Service List and 2002 list:**

Parties who file notices of appearance and who desire to be added to the Master Service List and 2002 list should make written request to that effect to the Debtors. Request can be sent via email to: [kmart\\_info@skadden.com](mailto:kmart_info@skadden.com)

To view the Master Service List and 2002 list please go to: [www.trumbullbankruptcy.com](http://www.trumbullbankruptcy.com) then click on Kmart

**Landmark Document Services**, telephone #(312) 845-1000, fax # (312) 726-9027, has been designated as the copy service for this Bankruptcy case (See paragraph 16 and 17 of the order for particulars)

**BANKRUPTCY DOCUMENT REVIEW INFORMATION:**

*The Bankruptcy Clerk's Office strives to have all documents docketed, imaged and available to our customers within 24 hours of receipt. If you have checked the docket and the document you are looking for is not available please check back at a later time.*

*Kenneth S. Gardner, Clerk of the Bankruptcy Court*

**If you have an existing PACER ID** and wish to login for access to case documents, click on the Case Image Viewing button below.

**If you DO NOT have an existing PACER ID** and wish to login for access to case documents, please contact the PACER Service Center by clicking on the PACER Registration button below.

**PACER Registration**

**Home**

**Case Image Viewing**

**KMART CORPORATION, ET AL.**  
**BANKRUPTCY CASE # 02 B 02474**

**Presiding Judge: Chief Judge Susan Pierson Sonderby**

|   |  |   |
|---|--|---|
| <b>Debtor's Attorney:</b><br><br>John Wm. Butler Jr.<br>Skadden Arps Slate Meagher & Flom<br>333 West Wacker Drive, Suite 2100<br>Chicago, Illinois 60606<br>(312) 407-0501   | <b>Proof of Claims</b> should be filed with Trumbull Services at:<br><br>Kmart Corp.<br>c/o Trumbull Services<br>P.O. Box 426<br>Windsor, Connecticut 06095<br><br>Deadline for filing proof of claims has not been set. | <b>For Vendor Information please call:</b><br><br>(877) 453-5693<br><br><b>For Associate and Employee</b><br>information please call<br>(877) 638-8856<br><br><b>For customer inquiries, please call:</b><br><br>(877) 475-6278 |
| <b>CASE PROCEDURE INFORMATION:</b><br><br><i>Please consult the Order Establishing Omnibus Hearing Dates and Certain Notice, Case Management and Administrative Procedures, (Procedures Order) which has been docketed on the KMART BANKRUPTCY CASE DOCKET as document #125</i> |  |   |
| <b>Procedural highlights include:</b>   |  |   |
| <b>Omnibus Hearing Dates:</b><br><br>The Court conducts monthly omnibus hearing dates set forth in paragraph 1 of the Procedures Order.   |  |   |
| <b>Next scheduled Omnibus Court Date: April 24, 2002 at 10:00 a.m in courtroom 1725</b>   |  |   |
| <b>Pro Hac Vice Applications:</b><br><br>Applications should be accompanied by a check or money order payable to:<br><b>Clerk, United States District Court, Northern District of Illinois</b>  |  |   |
| <b>Notice Procedures:</b><br><br>Every filing in the KMART bankruptcy case is subject to the Notice procedures set forth in paragraphs 3 through 9 and 12 through 15 of the Procedures Order.   |  |   |

# VOLUNTARY PETITION

United States Bankruptcy Court

Northern District of Illinois

**PETITION**

|   |   |
|---|---|
| Name of Debtor (if individual, enter Last, First, Middle):<br><b>KMART CORPORATION</b>                                  | Name of Joint Debtor (Spouse) (Last, First, Middle):  |
| All Other Names used by Debtor in the last 6 years<br>(include married, maiden, and trade names):                       | All Other Names used by Joint Debtor in the last 6 years<br>(include married, maiden, and trade names): |
| Soc. Sec./Tax I.D. No. (if more than one, state all):<br><b>38-0729500</b>  | Soc. Sec./Tax I.D. No. (if more than one, state all):   |
| Street Address of Debtor (No. & Street, City, State & Zip Code):<br><b>3100 West Big Beaver Road<br/>Troy, MI 48064</b> | Street Address of Debtor (No. & Street, City, State & Zip Code):  |
| County of Residence or of the<br>Principal Place of Business:<br><b>Oakland</b>   | County of Residence or of the<br>Principal Place of Business:   |
| Mailing Address of Debtor (if different from street address):   | Mailing Address of Joint Debtor (if different from street address):                                     |

Location of Principal Assets of Business Debtor  
(if different from addresses listed above):

**INFORMATION REGARDING DEBTOR (Check all Applicable Boxes)**

- Venue (Check any applicable box)
- ☐ Debtor has been domiciled or has had a residence, principal place of business or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.
  - ☒ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.

|  |  |
|--|--|
| <b>Type of Debtor (Check all boxes that apply)</b><br><input type="checkbox"/> Individual<br><input checked="" type="checkbox"/> Corporation<br><input type="checkbox"/> Partnership<br><input type="checkbox"/> Other   | <b>Chapter or Section of Bankruptcy Code Under Which the Petition is Filed (Check one box)</b><br><input type="checkbox"/> Chapter 7 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 13<br><input type="checkbox"/> Chapter 9 <input type="checkbox"/> Chapter 12<br><input type="checkbox"/> Sec. 304-Case ancillary to foreign proceeding          |
| <b>Nature of Debts (Check one box)</b><br><input type="checkbox"/> Consumer/Non-Business <input checked="" type="checkbox"/> Business  | <b>Filing Fee (Check one box)</b><br><input checked="" type="checkbox"/> Full Filing Fee attached.<br><input type="checkbox"/> Filing Fee to be paid in installments (Applicable to individuals only)<br>Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form No. 3. |
| <b>Chapter 11 Small Business (Check all boxes that apply)</b><br><input type="checkbox"/> Debtor is a small business as defined in 11 U.S.C. § 101.<br><input type="checkbox"/> Debtor is and elects to be considered a small business under 11 U.S.C. § 1121(e). (optional) |  |

**Statistical/Administrative Information (Estimates only)**

- ☒ Debtor estimates that funds will be available for distribution to unsecured creditors.
- ☐ Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.

THIS SPACE IS FOR COURT USE ONLY

| Estimated Number of Creditors |                          |                          |                          |                             |                              |                               |
|-------------------------------|--------------------------|--------------------------|--------------------------|-----------------------------|------------------------------|-------------------------------|
| 1-15                          | 16-49                    | 50-99                    | 100-199                  | 200-999                     | 1,000-over                   |                               |
| <input type="checkbox"/>      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>    | <input type="checkbox"/>     |                               |
| Estimated Assets              |                          |                          |                          |                             |                              |                               |
| \$0 to \$50,000               | \$50,001 to \$100,000    | \$100,001 to \$500,000   | \$500,001 to \$1 million | \$1,000,001 to \$10 million | \$10,000,001 to \$50 million | \$50,000,001 to \$100 million |
| <input type="checkbox"/>      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>    | <input type="checkbox"/>     | <input type="checkbox"/>      |
| Estimated Debts               |                          |                          |                          |                             |                              |                               |
| \$0 to \$50,000               | \$50,001 to \$100,000    | \$100,001 to \$500,000   | \$500,001 to \$1 million | \$1,000,001 to \$10 million | \$10,000,001 to \$50 million | \$50,000,001 to \$100 million |
| <input type="checkbox"/>      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>    | <input type="checkbox"/>     | <input type="checkbox"/>      |

U.S. Bankruptcy Court  
 Northern District of Illinois  
**RECEIVED: 01/22/02**  
 Time: 8:02 a.m.  
 Debtor: **KMART CORPORATION**  
 Case #: **02-02474**  
 Chapter 11 Rec# **324600**  
 Judge **Susan Pierson Sonderby**



**VOLUNTARY PETITION.**

(This page must be completed and filed in every case)

Name of Debtor(s):

K MART CORPORATION

Form B1, Page 2

Prior Bankruptcy Case Filed Within Last Year (If more than one, attach additional sheet)

Location

Filed: None

Case Number:

Date Filed:

**Pending Bankruptcy Case Filed by Any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet.)**

Name of Debtor:

See Annex A

Case Number:

Date Filed:

District:

Relationship:

Judge:

**Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.

(If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7) I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Signature of Debtor

X  
Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

**Signature of Attorney**

Signature of Attorney for Debtor(s)

John Wm. Butler, Jr.

Printed Name of Attorney for Debtor(s)

Skadden, Arns, Slate, Meagher &amp; Flom (Illinois)

Firm Name

133 W. Wacker Drive, Chicago, IL 60606

Address

(312) 407-0700

Telephone Number

January 22, 2002

Date

**EXHIBIT A**

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11)

Exhibit A is attached and made a part of this petition.

**EXHIBIT B**

(To be completed if debtor is an individual whose debts are primarily consumer debts) I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter.

X

Signature of Attorney for Debtor(s)

Date

**Signature of Debtor (Corporation/Partnership)**

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Signature of Authorized Individual

Charles C. Conway

Name of Authorized Individual

Chief Executive Officer

Title of Authorized Individual

January 22, 2002

Date

**Signature of Non-Attorney Petition Preparer**

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Printed Name of Bankruptcy Petition Preparer

Social Security Number

Address

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

Signature of Bankruptcy Petition Preparer

Date

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. § 110; 18 U.S.C. § 156.



**JOSEPH RUSSO**

ATTORNEY AT LAW  
16 COURT STREET  
BROOKLYN, N Y 11241  
TEL (718) 875-1173  
FAX (718) 875-5440

JOSEPH RUSSO  
MARTIN WEISS,  
SPECIAL COUNSEL

April 2, 2002

The U.S. Bankruptcy Court  
Northern District of Illinois

Att: Honorable Justice Susan Pierson Sonderby

Re: Bankruptcy of K-Mart Corporation  
File #02B02474


Dear Honorable Justice Sonderby:

Enclosed please find a proof of claim form, in regards to a settled case for my client who was injured on K-Mart premises on January 6, 2001. I am also enclosing a copy of the voluntary petition, a copy of the letter from the claims office, who had settled this case with me as well as a copy of a release which I had sent on to the claims office approximately mid February 2002.

Kindly direct all future correspondence to my office.

Thanking you, I remain

Very truly yours,

JOSEPH RUSSO

JR: Bz  
Encl.

CC: John Butler, Jr.  
Skadden,Arps,Slate,Meagher & Flom  
333 West Wacker Drive  
Suite 2100  
Chicago, Illinois 60606

CC: K-Mart Corporation  
c/o Trumbull Services  
P.O. Box 426  
Windsor, CT 06095