

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re:) Chapter 11
)
) Case No. 02 B 02474
KMART CORPORATION,)
) Honorable Susan Pierson Sonderby
Debtor.)
)
) Hearing Date: March 17, 2009
) Hearing Time: 11:00 a.m. (CT)
) Objection Deadline: March 10, 2009

**KMART CORPORATION'S NOTICE OF
INTENT TO PRESENT MINUTE ORDER WITHDRAWING MOTION**

To: Dana Daniel
c/o Jeffrey Strange
Jeffrey Strange and Associates
717 Ridge Road
Wilmette, IL 60091

PLEASE TAKE NOTICE that on March 17, 2009 at 11:00 a.m. (CT), Kmart Corporation will present a minute order withdrawing as moot the Motion to Vacate Order Disallowing Claim of Dana Daniel (Docket No. 19959) (the "Withdrawal Order"). A copy of the Withdrawal Order is attached hereto.

If you have an objection to the entry of the Withdrawal Order, you must either contact William J. Barrett at 312-629-5170, or file a written objection with the Clerk of the Bankruptcy Court, on or before March 10, 2009. If no objection is raised, Kmart will present the Withdrawal Order for entry.

In the event that you do object, a hearing will take place before the Honorable Susan Pierson Sonderby, Courtroom 642, United States Courthouse, 219 S. Dearborn, Chicago, Illinois, 60604 on March 17, 2009 at 11:00 a.m. (CT) at which time and place you may appear.

If you would like to request to appear telephonically at the hearing, please contact Judge Sonderby's courtroom deputy at 312-435-5647 as well as Mark Mackowiak of the undersigned law firm at 312-629-5187.

By: /s/ William J. Barrett

William J. Barrett (ARDC No. 6206424)
BARACK FERRAZZANO KIRSCHBAUM
& NAGELBERG LLP
200 West Madison Street, Suite 3900
Chicago, IL 60606
Phone: (312) 629-5170
Facsimile: (312) 984-3150
william.barrett@bfkn.com

Counsel for Kmart Corporation

CERTIFICATE OF SERVICE

I, William J. Barrett, an attorney, hereby certify that a true and correct copy of the foregoing **KMART CORPORATION'S NOTICE OF INTENT TO PRESENT MINUTE ORDER WITHDRAWING MOTION** was served via first class U.S. Mail, postage prepaid, to the parties listed below, on the 17th day of February, 2009.

Dana Daniel
c/o Jeffrey Strange
Jeffrey Strange and Associates
717 Ridge Road
Wilmette, IL 60091

Kathryn Gleason, Esq.
United States Trustee
219 S. Dearborn St., Room 873
Chicago, IL 60604

/s/ William J. Barrett
William J. Barrett

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Honorable Susan Pierson Sonderby Hearing Date March 17, 2009 at 11:00 a.m.

Bankruptcy Case No. 02-02474 Adversary No.

Title of Case Kmart Corporation

Brief Statement of Motion Motion to Vacate Order Disallowing Claim of Dana Daniel (Docket No. 19959)

Names and Addresses of moving counsel William J. Barrett, Esq. Jeffrey Strange, Esq.
Barack Ferrazzano, et al. Jeffrey Strange and Associates
200 W. Madison St. Ste 3900 717 Ridge Road
Chicago, Illinois 60606 Wilmette, IL 60091

Representing Kmart Corporation Dana Daniel

ORDER

Upon consideration of the Motion to Vacate Order Disallowing Claim of Dana Daniel (Docket No. 19959)

(the "Motion"), and it is represented that this matter has been resolved, it is hereby ORDERED that the Motion is withdrawn with prejudice as moot.