

Notice

"Before you open" —

This is official business of the  
Court. —

FILED  
UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
MAR 10 2009  
KENNETH S. GARDNER, CLERK  
PS REP. - BG

Please forward to whom  
it may concern —

Case No 02-02474

Jointly Administered

Chapter 11

Hon. Susan Pierson Sondurby

In re:

Kmurt Corporation et al.,  
Debtors

Thank you! "Claimant"

Please Bartlette

United States Bankruptcy Court  
Northern District of Illinois  
Eastern Division

United States Bankruptcy Court  
Northern District of Illinois  
Eastern Division

IN re:

Kmart Corporation, et al., Debtors.

Case No 02-02474 Jointly Administered  
Chapter 11

Honorable Susan Pierson Sonderby

In regards to the above case number,  
of Kmart Corporation (Michigan) 02-02474  
("Kmart") is my Debtor.

I filed a proof of claim July 18, 2002.  
my Bar Date was July 31, 2002.

I was supported by my then Attorney  
Archie Jennings.

The Face amount shows \$45,000.00.

The "Stay" got lifted caused by  
Bankruptcy proceeding asked for by  
Kmart Corporation.

My then Attorney Archie Jennings  
called a "Stay" of his own allowing  
me (1 month) 30 days to find a successor  
attorney.

None of the several attorneys in  
the Territory was willing to assist  
me.

Having no other choice I proceeded Pro se,

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Concerning<sup>to</sup> my claims, <sup>answers</sup> ~~Answers~~ given to me I questioned them all. I hesitated even more when I learnt through the Court the Kmart Motion to dismiss was denied by Court Order, was the same Kmart Motion to dismiss my Federal claims for employment discrimination, violation of Americans with Disabilities Act, breach of contract, wrongful discharge and intentional infliction of emotional distress. How a bad thing became such a good thing by the Court.

I was given the right as a Claimant, ordered by the Bankruptcy Court to defend such further objection if any to the claims. My Claims in the View of the district Court was dismissed and a statement made, said I could no longer pursue my claims in this Court. I appealed to the 3<sup>rd</sup> Circuit. It affirmed I had filed a proof of claim, also

That the Kmart Reorganization Plan did not bar the continuation of this case. A certify and a true copy and issued in lieu of a formal mandate on 08-25-2008 was sent to me.

However, they were not allowed to deal with the rehearing requested, thus my appeal to the Supreme Court DC. Another open door

through this Court. Kmart through its attorney Charles E. Engeman sign the waver sent from

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from the Supreme Court through me.

My petition for rehearing is with the Bankruptcy Court. I know how to come without the loss of my several claims. There is a proper way in and a proper way out. I bring with me supporting documents from both courts, and a signed Waiver by the representing Attorney for Kmart Corporation, Atty. Charles E Engeman.

In my appeal, I humbly approach the court for I am a Claimant, and Kmart is my Debtor. my claims are asserted against Kmart Corporation, Case No. 02-02474.

I am one of the Chapter 11 cases covered by the special Confirmation Order and Plan and,

1. Pursuant to 11 U.S.C §§ 102 (1), (105 (a), and 502 (b) and Fed. R. Bankr. P. 3007, each claim listed on Exhibit A attached hereto is reclassified so that the claim is asserted against Kmart Corporation, Case No. 02-02474.

2. This Court has jurisdiction over Kmart and the Claimants whose claims are subject to the Objections with respect to any matters related to or arising from the implementation of this Order.

3. This Order is without prejudice to (1) the Debtor's right to object to any other claims in these Chapter 11 cases or further.

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object to Claims objected to herein, and  
(ii) the Claimant's right to defend such  
further objections, if any, to the Claims.

words are inadequate to express the things  
I have been through getting through to  
the Bankruptcy Court. My several phone calls  
did not produce answers to questions asked.  
and I was diverted from the court to  
someone and others stating lies to me.

From my end on St. Thomas, at  
the court level, I was faced with  
some more lies from Atty. Bennett than  
even in the presence of the court while  
helping myself through the system Pro se.

My then Attorney called a "stay" on me  
and could not understand why I was  
being barred away, even from the  
Bankruptcy Court. While it could have  
been a short cut to this court it was not.

The designed Path taken, I had very  
little choice having nothing much with  
which to pursue since my then  
Attorney left me nothing much as tools  
for the job I needed to do.

At all the levels of the several  
courts the clerks don't answer questions  
no interpreter of legal language was  
offered to me therefore I struggled, on.

\$

also in support of the different courts.

One treated me if you please allow me to say (tough love) harshly.

But in defence of the (Jointly Administred) Chapter 11 case I kept up my defence, reminding "to defend such further objections if any to the claims".

It took a master mind to even plot that objection moving me away from that court. when it postponed my trial date, and had me waiting for another. My witnesses were ready on my behalf to testify. I was also ready but not in my defence was I given a Court trial. The Jury trial demanded was also not executed. I got the Court's Judgement sent to me in the Mail. Without knowing or given a new trial date. My claims were dismiss by the use of the Kmart Motion to dismiss that was denied by Court Order, because on April 25, 2002 the day of entry for failure to state a claim upon which relief can be granted. Kmart (Came) without including any opposition or a letter to certify a lack of opposition as required by LCRi 12.1.

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That same Kmart Motion to dismiss became the weapon used to dismiss my claims August 17, 2007.

No Order came from the Bankruptcy Court and indeed could not come for my claims are secured and guaranteed offers full satisfaction, settlement, release and discharge of and in exchange for such administrative claim.

2. Notwithstanding any provision of the Plan or its modification and effectuate of the Plan or its modification shall not release, reduce or discharge any surety obligation to satisfy any portion of any claim arising from a civil money judgement.

The Chapter 11 Cases are maintained by the Clerk of the Court and/or its duly appointed agent including without limitation all pleadings and other document filed or orders entered and all evidences and arguments made proffered or adduce at the hearing held before the Court during the pendency of Chapter 11 Cases.

For The above reasons the District Court is very much unable to dismiss my claims even though it used the Kmart Motion to dismiss

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as attempted Bartlett's several Claims.

In the cases of the 3<sup>rd</sup> Circuit and Supreme Court they refused to touch my claims for reasons stated also and as for the petition they stayed clear of it also.

The enforcement to all orders previously entered By the Bankruptcy Court gave no final decree closing the Chapter 11 cases.

The established special Confirmation Order gave an official Validity or binding effect under the law that was done on the behalf of the Chapter 11 cases, has helped me to persevere even through four (4) different Courts.

Neither the Reorganized Debtors or Trustee having giving the responsibilities appeared?

Even so the Chapter 11 Cases were still pending in the Bankruptcy Court.

upon viewing documents my name was found under litigation claims to be disallowed. mine having no merit along with others. There is plenty merit to the Chapter 11 cases. Protection is offered, to include the enforcement ~~not~~ given to our claims. We have found our way back in Bankruptcy Court



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After been tested by 3 different Courts, although the will of the Proponents were delayed, the Court patiently waited, we are all here to my knowledge as was found per the record.

One I found her name is Simone S Freeman, ever since, she began her search, she was unable to find her way, I carried her from then in my heart and referred to her as Docket # 32. I would like to introduce her to you. She had a claim also.

Through the District Court For the Eastern District of Pennsylvania she tried to help herself in May 30, 2007 in Freeman V Kmart Corp., No. 06-2412 (E.D. Pa. May 2007). A copy of the Memorandum and Order is attached as Exhibit "A" Dated June 6, 07 and respectfully submitted Dudley Clark & Chan and signed for —. Please allow her in the Court. Without her we are 10 and incomplete to make 11 individuals.

Now here we are trophies for the Court designee to individually his or her <sup>own</sup> trust.

We range from class 1-12 and where some have 1 Debtor, others some of them, another set all of (them) the Debtors. The Collaborative efforts of the Courts

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is better understood, the wisdom also of the courts! This is what I perceived to be a Comprehensive Plan!

A super Plan bringing us all back to Bankruptcy Court.

It is my plea in consideration of the many wrong acts done discrimination whatever our claims against Kmart 02-02474 that settlement agreed upon by the proponents, will soon be ours and closure comes.

On the behalf of the Chapter 11 Cases we say thanks and highly esteemed the efforts done on the behalf of who we are, The Chapter 11 cases.

Respectfully Submitted  
Ileese Barthelle  
Claimholder, Interestholder

# WAIVER

## Supreme Court of the United States

No. 08-7194

Hease Bartlette  
(Petitioner)

v.

Kmart Corporation, et al.  
(Respondents)

I DO NOT INTEND TO FILE A RESPONSE to the petition for a writ of certiorari unless one is requested by the Court.

Please check one of the following boxes:

- ☒ Please enter my appearance as Counsel of Record for all respondents.
- ☐ There are multiple respondents, and I do not represent all respondents. Please enter my appearance as Counsel of Record for the following respondent(s):

I certify that I am a member of the Bar of the Supreme Court of the United States (Please explain name change since bar admission):

Signature

Date:

(Type or print) Name Charles E. Engeman

☒ Mr.☐ Ms.☐ Mrs.☐ Miss

Firm Ogletree, Deakins, Nash, Smoak &amp; Stewart, LLC

Address The Tunick Building, Suite 201, 1336 Beltjen Road

City &amp; State St. Thomas, VI

Zip 00802

Phone (340) 714-1235

SEND A COPY OF THIS FORM TO PETITIONER'S COUNSEL OR TO PETITIONER IF PRO SE. PLEASE INDICATE BELOW THE NAME(S) OF THE RECIPIENT(S) OF A COPY OF THIS FORM. NO ADDITIONAL CERTIFICATE OF SERVICE IS REQUIRED.

Cc: Hease Bartlette

P. O. Box 7095

St. Thomas, VI 00801

Obtain status of case on the docket. By phone at 202-479-3034 or via the internet at <http://www.supremecourtus.gov>. Have the Supreme Court docket number available.

**Ogletree  
Deakins**

OGLETREE, DEAKINS, NASH,  
SMOAK & STEWART, LLC

The Tunick Building  
1336 Beltjen Road, Suite 201  
St. Thomas, USVI 00802  
Telephone: 340.714.1235  
Facsimile: 340.714.1245  
www.ogletreedeakins.com

November 20, 2008

**VIA U.S. MAIL**

Hease Bartlette  
P. O. Box 7095  
St. Thomas, VI 00801

Re: **Hease Barlette v. Kmart Corporation**  
**Case No. 07-7194**

Dear Ms. Bartlette:

Enclosed please find an executed copy of the Waiver from the Supreme Court of the United States regarding the above referenced.

Sincerely,



Leslie J. Ryan  
Legal Secretary

:ljr

Enclosure

*Ilse Barthatto*

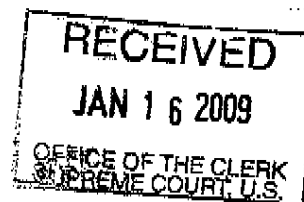
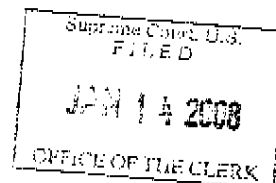
## Petition FOR Retharing

1-15-09

HAT

*Ilse Barthatto # 08-7194**P.O. Box 7095**St. Thomas, VI 00801**Telephone # (340) 776-0579**Dear Clerk of the Court:*

*Enclosed please  
find that I prepared according to  
Rule 44.2. Presented in good  
faith and not for delay. Thank you!*

*Sincerely,**Ilse Barthatto*

U.S. POSTAGE  
ST. THOMAS, VI  
00802  
JAN 14, 09  
AMOUNT

\$16.50  
00050314-04

No. \_\_\_\_\_

\_\_\_\_\_  
IN THE  
SUPREME COURT OF THE UNITED STATES  
\_\_\_\_\_

Hease A. Bartlette — PETITIONER  
(Your Name)

VS.

Kmart Corporation Et AL — RESPONDENT(S)

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

☒ Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

District Court St. Thomas, Virgin Islands  
United States Court of Appeals for the Third Circuit

☐ Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

Petitioner's affidavit or declaration in support of this motion is attached hereto.

Hease A. Bartlette  
(Signature)

*Please Bartlette*

No. \_\_\_\_\_

\_\_\_\_\_

IN THE  
SUPREME COURT OF THE UNITED STATES

\_\_\_\_\_

*Please A Bartlette* — PETITIONER  
(Your Name)

vs.

*Kmart Corporation Et Al* — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO  
*United States Court of Appeals*  
*For the Third Circuit*

\_\_\_\_\_  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

*Please A. Bartlette*  
(Your Name)

*P. O. Box 7095*  
(Address)

*St. Thomas, Virgin Islands 00801*  
(City, State, Zip Code)

*(340) 776-0579*  
(Phone Number)

**Supreme Court of the United States**  
**Office of the Clerk**  
**Washington, DC 20543-0001**

**William K. Suter**  
Clerk of the Court  
(202) 479-3011

February 23, 2009

Ms. Ilease A. Bartlette  
PO Box 7095  
St. Thomas, VI 00801

Re: Ilease Bartlette  
v. Kmart Corporation, et al.  
No. 08-7194

Dear Ms. Bartlette:

The Court today entered the following order in the above-entitled case:

The petition for rehearing is denied.

Sincerely,



William K. Suter, Clerk



**Supreme Court of the United States**  
**Office of the Clerk**  
**Washington, DC 20543-0001**

**William K. Suter**  
Clerk of the Court  
(202) 479-3011

January 12, 2009

Ms. Ilease A. Bartlette  
PO Box 7095  
St. Thomas, VI 00801

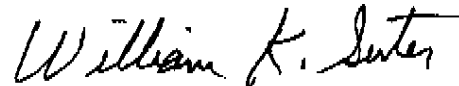
Re: Ilease Bartlette  
v. Kmart Corporation, et al.  
No. 08-7194

Dear Ms. Bartlette:

The Court today entered the following order in the above-entitled case:

The petition for a writ of certiorari is denied.

Sincerely,

A handwritten signature in black ink that reads "William K. Suter". The signature is written in a cursive, flowing style.

William K. Suter, Clerk

# DISABILITY RIGHTS

CENTER OF THE VIRGIN ISLANDS

Advancing Justice through Protection and Advocacy

November 16, 2007

CERTIFIED MAIL

Ileese Bartlette

P.O. Box 7095

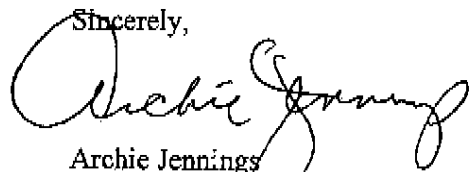
St. Thomas, VI 00801

Re: Kmart Corporation/Bankruptcy

Dear Ms. Bartlette:

Enclosed is check dated November 8, 2007, in the amount of Four Thousand Nine Hundred Sixty Dollars and thirty-five cents (\$4,960.35), with regard to your claim against Kmart Corporation.

Sincerely,



Archie Jennings  
Managing Attorney-DRCVI

Enclosure

Main Office, 63 Estate Carlton, Frederiksted • St. Croix, USVI 00840 • Tel: 340.772.1200 • Fax: 340.772.0609 • TTY/Voice: 340.772.4641

9003 Havensight Mall, Suite Number 313 • St. Thomas, USVI 00802 • Tel: 340.776.4303 • Fax: 340.774.7844

[www.drcvi.org](http://www.drcvi.org)

\*Disability Rights Center of the Virgin Islands is funded by the U.S. Department of Health and Human Services' Administration on Developmental Disabilities (ADD), and Center for Mental Health Services (CMHS); and the U.S. Department of Education, Office of Special Education and Rehabilitative Services, Rehabilitation Services Administration, and the National Institute on Disability and Rehabilitation Research (NIDRR). \* Equal Opportunity Program.

Member, National Disability Rights Network

*Thase Bartlette*

B2032A

Check Number: 99181587  
Check Date: 11/08/2007  
Check Amount: \$4,980.35  
Page: 1 of 1

ILEASE BARTLETTE  
C/O ARCHIE JENNINGS ESQ  
P.O. BOX 442  
ST. THOMAS, VI 00804

Kmart Management Corporation  
3100 W Big Beaver Rd  
Troy MI 48064-3163

Offline Check

1613 38521 530 11/01/2007 ONE

\$4,980.35

Total

\$4,980.35

Check Number: 99181587

Kmart Management Corporation

Offline Check

62-35

311

11/08/2007

Pay

ILEASE BARTLETTE

Amount: \$4,980.35

To

C/O ARCHIE JENNINGS ESQ

The

P.O. BOX 442

Order

ST. THOMAS, VI 00804

Of

VOID AFTER SIX MONTHS  
NOT NEGOTIABLE PRIOR TO  
DATE ISSUED

FOUR THOUSAND NINE HUNDRED SIXTY AND 35/100 DOLLARS

The Bank of New York (Online)

THIS DOCUMENT IS PRINTED IN BLUE INK AND CONTAINS SECURITY FEATURES ON BOTH SIDES. DO NOT ACCEPT UNLESS THESE SECURITY FEATURES ARE PRESENT.

⑈90161587⑈ ⑆031100351⑆ ⑈0300955614⑈

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"><li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li><li>■ Print your name and address on the reverse so that we can return the card to you.</li><li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li></ul>		<p>A. Signature X <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
1. Article Addressed to:  Kmart Management Corp. 3100 W Big Beaver Rd. Troy MI 48084-3163		B. Received by (Printed Name)	C. Date of Delivery 12-14-07
2. Article Number (Transfer from service label) EB 56608252560		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
		3. Service Type <input type="checkbox"/> Certified Mail <input checked="" type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input 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	

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

UNITED STATES POSTAL SERVICE



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

*Thase Barthol*  
*P. O. Box 7095*  
*St. Thomas, VI*  
*00801*



*Thase Barthette*  
In The District Court of the Virgin Islands

Division of St. Thomas and St. John

Civil No 2002-100

*Thase Barthette, Plaintiff* vs. *Kmart Corporation Defendant*

3-9-07

*Thase Barthette*

P.O. Box 9095

St. Thomas, VI 00801

Phone # 340-776-0579

Dear Clerk of the Court:

Enclosed please find two letters one addressed to me the other to atty. Bennett Chan with CC to Magistrate Judge Barnard sent for filing purpose (review). Thank you.

Sincerely,  
*Thase Barthette (pro se)*  
Plaintiff

VERIFIED A TRUE COPY THIS  
31<sup>st</sup> OF October 2007  
WILFRED V. BARNARD  
CLERK OF THE COURT  
BY *Ann Sonell*  
DEPUTY

**DUDLEY CLARK & CHAN, L.L.P.**

**ATTORNEYS AT LAW**

**OF COUNSEL:**

RICHARD R. KNOEPFEL  
DOUGLAS C. BEACH  
EDWARD B. REYNOLDS, JR  
CAROL ANN RICH  
WILLIAM L. BLUM  
LOUIS D. FLORI

ADRIANE J. DUDLEY  
BENNETT CHAN

EVERARD E. POTTER  
G. ALAN TEAGUE  
WILLIAM J. GLORE  
SHARMANE DAVIS-BRATHWAITE  
MICHELLE T. MEADE

February 27, 2007

**Via Certified Mail/Return Receipt Requested**

Hease Bartlette  
P.O. Box 7095  
St. Thomas, V.I. 00801

**Re: *Hease Bartlette v. Kmart Corp.***  
**Civil No. 2002-100**  
**Our File No. 796.0186**

Dear Ms. Bartlette:

At the status conference which we recently attended before Magistrate Judge Barnard of the District Court of the Virgin Islands, we discussed the issue of whether you or your former attorney had ever filed an administrative claim with the Bankruptcy Court. I can now confirm that you and your former attorney did not file such a claim, which is perhaps one reason why you never received any of the bankruptcy proceeds.

I have discussed this issue with bankruptcy counsel in Chicago, Illinois, and he has indicated that under the circumstances, you should be permitted to file a claim now, even though the time to do so has long since passed. Consequently, enclosed please find a Proof of Claim with the United States Bankruptcy Court, Northern District of Illinois. Please fill out this document and submit it pursuant to its instructions as soon as possible. For failure to do so will eliminate any possibility of your receiving any funds for your case.

If you have any questions, please contact me.

Very truly yours,

  
Bennett Chan

BC/sw

cc: Magistrate Judge Barnard  
District Court of the Virgin Islands  
Alexander Marketos, Esq.  
William J. Barrett, Esq.

F:\706.0186\Bartlette.ltr

9720 ESTATE THOMAS • HAVENSIGHT • ST. THOMAS, U. S. VIRGIN ISLANDS 00802

TELEPHONE: (340) 776-7474 • FAX: (340) 776-8044 • Web: <http://www.dudleylaw.com> • e-mail: [info@dudleylaw.com](mailto:info@dudleylaw.com)

Dear Atty. Chan:

I am in receipt of your 2-27-07 letter sent via Certified Mail / return receipt Requested. In it you confirmed that my former attorney and myself did not file a claim with the Bankruptcy Court the reason I never received any of the bankruptcy proceeds. You discussed this issue with bankruptcy counsel in Chicago Illinois, and you were told I am permitted to file a claim now. You then enclosed a proff of claim asking me to fill out the document pursuant to instructions as soon as possible or I will eliminate any possibility of receiving any funds for the case.

The news of this your letter is rather troubling to learn from you, that my former attorney Archie Jennings misled me into thinking he filed with the Bankruptcy Court on my behalf when he did not. The good news is proceeds could still be mine. However I would much prefer to collect it through the district Court St. Thomas VI.

The bankruptcy counsel in Chicago Illinois is it a Federal Court Counsel or a Kmart the Defendant Council indicating to file a claim now, and where is the amendment atty. Chan, allowing me to enter a closed Federal Court? I see trouble and I wait until you send me the Federal Bankruptcy Counsel in Chicago Illinois permission and the man's name indicating I can file now while all the windows and doors are closed. It appears that you and the counsel for Kmart Defendant would like to see me break and enter causing still even more trouble for me. I will see you Atty. Chan on the behalf of the Defendant in the District Court St. Thomas VI on the date given for further discussion if you like.

Sincerely,  
Thase Bartlett  
Plaintiff

enclosure



9-27-09

Please Bartholme

CV # 2002-100

P.O. Box 7095

St. Thomas VI 00801

Kmart c/o Trumbull

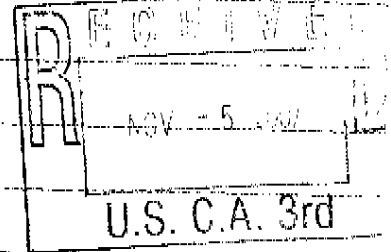
P.O. Box 426

Windsor CT 06095

Dear Sir/Madam:

The request for more information after I have already submitted a proof of claim that was timely filed, and for me to again fill another form and forward to you has led me to research the reason for it to appear that I did not file when in effect I had done so is wrong for me to be labeled I had not file. August 17, 07 The U.S. District Court's Judgement states that there is no evidence that I did file. CV# 2002-100 St. Thomas VI.

My timely proof of claim was filed July 18, 02 for the Bar Date was July 31, 02 seeing my case is prepetition. You would be better able to pull up what is more likely also my case number for the flow pertaining to the order is more natural in regards to numerical sequences of the presented case numbers 02-02462 through 02-02499. It shows it appears also, to be the number is 02-02474 that is omitted even though it appears to be in the order of numbers featured. It is then my opinion that out of the order to insert 02-02474 between a perfect set of figures to effect the results given that matches my name address and then the exact quote of \$45,000.00



The only place \$45,000.00 was ever quoted was on my timely proof of claim and as you see it is again seen on Line quoting my name address and exact figure quoted \$45,000.00 as the amount.

The intent of what appears to be a plot however under Exhibit - E gave reason for Disallowed entry. When in effect all the "Chapter 11 cases" are made secure in the Plan and Confirmation Order set up by Kmart.

As a result the \$45,000.00 then and at the time entered gave reason for disallowance and falls under no then which is a very serious problem we are all facing for it speaks not the truth also giving rise also to a claim number 45327 that does not also match the document.

You have a job to do on both numbers for under 02-02474 information is given with 02-B02474. The resultant search shows - Bartlette, Thase A. Claim Member 02-B02474 - did not match any documents.

Case No 02-B02474 (jointly Administered) Chapter 11 Hon. Susan Pierson Sonderby appears to be completely out of the system giving the appearance that I did not file to disallow what Kmart made secure for me. And under the Plan the "Chapter 11 Cases" are also given the same no. as Case no. for Kmart Corporation to be 02-02474 covering me. I am enclosing a copy of the proof of claim filed in 2002 and to fill another could delete the present one is my fear again you are allowed to witness the fact of my timely filing and hope that you would be also helped by the enclosures.

Sincerely,  
Plaintiff Thase Bartlette Pro se

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
**219 SOUTH DEARBORN STREET**  
**CHICAGO, ILLINOIS 60604**

Kenneth S. Gardner, Bankruptcy Clerk

IN RE: KMart

CASE NUMBER: 02-02474

CHAPTER: 11

REQUEST FOR ADDITIONAL INFORMATION

In order to properly process your claim, additional information is needed. See item(s) checked below:

☐

Debtor name and case number does not match our records.

☐

There are several debtors listed, please provide the correct case number.

☒

Please fill out the attached proof of claim form.

☒

Other: Send the claim to: KMart c/o Trumbull PO Box 426

Remarks:

Windsor CT 06095 or call Trumbull at 877-876-2705

PLEASE CORRECT AS NOTED AND RETURN THE PROOF OF CLAIM FORM TO:

UNITED STATES BANKRUPTCY COURT  
P.O. BOX A3613  
CHICAGO, ILLINOIS 60690-3612

☐

BANKRUPTCY NOT FILED IN THIS DISTRICT.

Date of issuance: September 14, 2007 BY: R Marola

Deputy Clerk

Team

B

U.S. Bankruptcy Court (Official Form 10) (04/07)

UNITED STATES BANKRUPTCY COURT <u>NORTHERN</u> DISTRICT OF <u>ILLINOIS</u>		<b>PROOF OF CLAIM</b> File Claims Form With: United States Bankruptcy Court P.O. Box A3613 Chicago, IL 60690-3612
Name of Debtor: _____	Case Number: _____	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): _____	<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.	
Name and address where notices should be sent: _____	<input type="checkbox"/> Check box if you have never received any notices from the bankruptcy court in this case.  <input type="checkbox"/> Check box if the address differs from the address on the envelope sent to you by the court.	
Telephone number: _____	Check here <input type="checkbox"/> replaces if this claim <input type="checkbox"/> amends a previously filed claim, dated: _____	
Last four digits of account or other number by which creditor identifies debtor: _____	1. <b>Basis for Claim</b> <input type="checkbox"/> Goods sold <input type="checkbox"/> Personal injury/wrongful death <input type="checkbox"/> Wages, salaries, and compensation (fill out below) <input type="checkbox"/> Services performed <input type="checkbox"/> Taxes <input type="checkbox"/> Retiree benefits as defined in 11 U.S.C. § 1114(a) Last four digits of your SS #: _____ <input type="checkbox"/> Money loaned <input type="checkbox"/> Other: _____ From _____ (date) to _____ (date) Unpaid compensation for services performed	
2. Date debt was incurred: _____	3. If court judgment, date obtained: _____	
4. <b>Classification of Claim.</b> Check the appropriate box or boxes that best describe your claim and state the amount of the claim at the time the case was filed. See reverse side for important explanations.		
<b>Unsecured Nonpriority Claim</b> \$ _____  <input type="checkbox"/> Check this box if: a) there is no collateral or lien securing your claim, or b) your claim exceeds the value of the property securing it, or c) none or only part of your claim is entitled to priority.	<b>Secured Claim</b> <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"/> Other: _____ <input type="checkbox"/> Motor Vehicle  Value of Collateral: \$ _____  Amount of arrearage and other charges at time case filed included in secured claim, if any: \$ _____	
<b>Unsecured Priority Claim</b>  <input type="checkbox"/> Check this box if you have an unsecured claim, all or part of which is entitled to priority.  Amount entitled to priority \$ _____  Specify the priority of the claim: <input type="checkbox"/> Domestic support obligations under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B). <input type="checkbox"/> Wages, salaries, or commissions (up to \$10,950),* earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. § 507(a)(4). <input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(5).	<input type="checkbox"/> Up to \$2,425* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 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)(____).  *Amounts are subject to adjustment on 4/1/10 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.	
5. <b>Total Amount of Claim at Time Case Filed:</b> \$ _____ (unsecured) (secured) (priority) (total) <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.		
6. <b>Credits:</b> The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim.		THIS SPACE IS FOR COURT USE ONLY
7. <b>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.		
8. <b>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: _____	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): _____	

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.

**UNITED STATES BANKRUPTCY COURT**  
**NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

**PROOF OF CLAIM**

Chapter 11

In Re Kmart Corporation, et al.

Case Number: 02-02462 through  
02-02499

Name of Debtor: (see attached for complete list of debtors)

Case Number:

Kmart Corporation

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 and 11 U.S.C. § 507.

Name of Creditor (The person or other entity to whom the debtor owes money or property):

- ☐ 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.

BARTLETTE, ILEASE A  
 PO BOX 7095  
 ST. THOMAS, VI 00801

09 2709285

If address differs from above, please complete the following:

Creditor Name: Ilease A. Bartlette

Telephone: # (340) 776-1577

Address: c/o Archie Jennings, Esq.

P.O. Box 442  
City/State/Zip: St. Thomas, VI 00804

11005135

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(b)
- ☒ Wages, salaries, and compensation (fill out below)
- Your SS #: 580-14-9292
- Unpaid compensation for services performed from \_\_\_\_\_ to \_\_\_\_\_ (date) (date)

**2. Date debt was incurred:**

N/A

**3. If court judgment, date obtained:****4. Total Amount of Claim at Time Case Filed:**

\$ 45,000.00 Back pay and Front pay

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 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):

7-18-02

Ilease A. Bartlette

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.



Please Bartlett  
P.O. Box 7095  
St. Thomas VI 00801

US Bankruptcy Court of the  
Northern District of Illinois  
Everett McKinley Dearbarn  
United States Courthouse  
219 South Dearbarn Street  
Chicago, IL 60604

September 10, 07

US Bankruptcy Court of the  
Northern District of Illinois  
Everett McKinley Dirksen  
United States Courthouse  
219 South Dearborn Street  
Chicago, Ill. 60604

Please Bartlette

P.O. Box 7095

St. Thomas, VI 0080

To whom it may concern

Dear Sir/Madam:

I have worked for Big Kmart Tutu Pa Mall Store 3829 for 5½ years had held The Associate N. #196 prior to my Termination on May 14, 2001.

On my behalf a suit was filed with the Distr Court on St. Thomas for wrongful discharge and EEOC Cases by my Then Attorney Archie Jennings. He is and was responsible also on my behalf to file a Claim with The Bankruptcy Court in Chicago Illinois.

Atty. Jennings as recent as Friday Sept. 7, 07 again affirmed that he had file The Charge that I had signed and dated July 18 2002 after Kmart had gone into Bankruptcy for The Bar Date was 7-31.

I am aware of my dating and signing it and leaving my Then Attorney with the responsibility to Mail it. Atty. Jennings sent me a receipt clearance informing me he had done so.

The Money to settle The Claims then I had not seen nor did I receive any payment. My letter is a request to you asking if the \$45,000.00 Claimed and was destin to Atty. Jennings

(2) for payment covering the claim quoted therein if it was sent to Atty. Jennings, and if it did, please send me evidence informing me of action done on my behalf or whatever to that effect. I am seeking knowledge and I believe the starting point would be with you. To put it another way I am asking is there evidence that on my behalf a claim was entered to the Bankruptcy Court on my behalf. I am a "Chapter 11 Case" with a Case Number 02-02474 SS 580-14-9292.

What other information is mine and is available to me please send it as quickly as possible. This is and can be considered an emergency so I am in a process of seeking information concerning my Court file. Please return correspondence to me at the address given and not to Atty. Jennings.

Sincerely,  
Plaintiff Thase Barthette Prose  
P.O. Box 7095  
St. Thomas, VI 00801



# Exhibit - E

## Litigation Claims to be Disallowed

In re: Knart, Inc.,  
Case Nos. 02-02462 through 02-02499

Name and Address of Claimant	Claim Number	Claim Amount			Reason For Disallowance
		Secured	Administrative	Priority	
ADAMS, JOSEPH A. 4227 BROWNSVILLE RD. TREYPOSE, PA 19053	5902	\$0.00	\$0.00	\$0.00	\$1,000,000.00 No Merit
ADAMS, RICK 547 E. WASHINGTON AVE P.O. BOX 274 NEWTOWN, PA 18940	5903	\$0.00	\$0.00	\$0.00	\$1,000,000.00 No Merit
AKAMI TECHNOLOGIES, INC. 500 TECHNOLOGY SQUARE CAMBRIDGE, MA 02139	29216	\$0.00	\$0.00	\$0.00	\$398,338.06 No Merit
ALEXANDER, JULIE 123 GRAFIOT BLVD MARYSVILLE, MI 48040	36262	\$0.00	\$0.00	\$0.00	\$100,000.00 No Record of Prior Claim with Legal
ARBOR, DORIS ANN 8706 BERTWOOD HOUSTON, TX 77016	10136	\$0.00	\$0.00	\$0.00	\$160,000.00 No Probable Cause Finding (No Merit) 06/21/02
AROCHO RAMIREZ, ETHEL WALDO 623 PONCE DE LEON AVE SUITES 601 & 602-A SAN JUAN, PR 00917	20907	\$0.00	\$0.00	\$0.00	\$1,601,194.67 No Merit
BARTIMIOUS BERRY 155 SOUTH MIAMI AVENUE, SUITE 600 MIAMI, FL 33130	26167	\$0.00	\$0.00	\$0.00	\$0.00 No Merit
BARTLETTE, ILEASE A P.O. BOX 7095 ST. THOMAS, VT 05601	45327	\$0.00	\$0.00	\$0.00	\$45,000.00 No Merit
BEALE, MR. WALTER V. 1205 WHISPERING OAKS DR KELLER, TX 76248	770	\$0.00	\$0.00	\$0.00	\$100,000.00 No Merit
BERGMANN, JEFFREY N. 8521 SIX FORKS RD. STE. 305 RALEIGH, NC 27613	43067	\$0.00	\$0.00	\$0.00	\$0.00 No Merit

Web Images Video News Maps Gmail more w

Sign in

Google

Bartlette, Ilease A. CLAIM NUMBER 02-b02474

Search

Advanced Search  
Preferences

New! View and manage your web history

Web

Did you mean: **Bartlett**, Ilease A. CLAIM NUMBER 02-b02474

No standard web pages containing all your search terms were found.

Your search - **Bartlette, Ilease A. CLAIM NUMBER 02-b02474** - did not match any documents.

Suggestions:

- Make sure all words are spelled correctly.
- Try different keywords.
- Try more general keywords.
- Try fewer keywords.

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

In re:

KMART CORPORATION, et al.,

Debtors.

) Case No. 02-B02474  
) (Jointly Administered)  
) Chapter 11  
) Hon. Susan Pierson Sonderby  
)  
)  
)

**PROPOSED ORDER UNDER 11 U.S.C. §§ 102(1), 105(A), AND 502(B) AND  
FED. R. BANKR. P. 3007 RECLASSIFYING CERTAIN CLAIMS  
SET FORTH IN THE FOURTH OMNIBUS OBJECTION  
(Reclassify Claims Against Kmart Corporation)**

\_\_\_\_ Upon the objection (the "Objection") under 11 U.S.C. §§ 102(1), 105(a), and 502(b) and Fed. R. Bankr. P. 3007 dated March 7, 2003, wherein Kmart Corporation and certain of its domestic subsidiaries and affiliates, former debtors and debtors-in-possession in the above-captioned cases (collectively, "Kmart") sought to reclassify certain claims, as set forth in Exhibit A attached to the Objection, as against Kmart Corporation; it appearing to the Court that (i) it has jurisdiction over the matters raised in the Objection pursuant to 28 U.S.C. §§ 157 and 1334; (ii) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); (iii) the relief requested in the Objection is in the best interests of Kmart, their estates and their creditors; (iv) proper and adequate notice of the Objection and the hearing thereon has been given and that no other or further notice is necessary; and (v) upon the record herein after due deliberation thereon, that the relief should be granted as set forth below,

1. Pursuant to 11 U.S.C. §§ 102(1), 105(a), and 502(b) and Fed. R. Bankr. P. 3007, each Claim listed on Exhibit A attached hereto is reclassified so that the claim is asserted against Kmart Corporation, Case No. 02-02474.

2. This Court shall retain jurisdiction over Kmart and the Claimants whose Claims are subject to the Objection with respect to any matters related to or arising from the implementation of this Order.

3. This Order is without prejudice to (i) the Debtors' right to object to any other claims in these chapter 11 cases or further object to Claims objected to herein, and (ii) the Claimants' right to defend such further objections, if any, to the Claims.

Dated: Chicago, Illinois  
July \_\_\_\_, 2003

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Honorable Susan Pierson Sonderby  
UNITED STATES BANKRUPTCY JUDGE

3 of 3

These are the records of enclosures

- 1 A letter to US Bankruptcy Ct. Northern District Illinois to include an envelope copied to said address and address to whom it may concern.
- 2 United States Bankruptcy Ct. request for Additional Information and a proof of claim form inserted even though a proof of claim had already been filed.
- 3 Proof of claim copy of my already filed 7-18-02 entry
- 4 Exhibit E Case numbers 02-02462 through 02-02499 on On Line account featuring document a Match
- 5 Claim # 02-602474 or 02-B02474 did not match any documents
- 6 Case No. 02-B02474 (Jointly Administered) Chapter 11, Hon. Susan Pierson Sondusky A document in the United States Bankruptcy Court for the Northern District of Illinois Eastern Division, In re K Mart Corporation, et al., Debtors

Note Whether my Then Attorney had problems with my claim in regards to Number I don't know This portion was given to me after I signed and dated leaving him with the responsibility to mail it. He Then Mailed me receipt that he had done his job.

- 1 Documents inclosed package of Supreme Ct. No. 08-7194
- 2 Signed Waine 11-20-2008 Charles E. Engeman "Kmart"
- 3 letter Ogletree Deakins November 20, 2008
- 4 Motion for leave to Proceed in Forma Pauperis
- 5 Certificate
- 6 Petition Date Feb 23, 2009
- 7 Petition Date January 12, 2009
- 8 letter to Clerk of the Court 3-9-07
- 9 letter Date 27, 2007
- 10 letter address to atty cham my answer inscription Enclosure
- 11 offline check "never used" from Kmart
- 12 Return receipt transaction return of said check for \$4,960.35
- 13 letter from Archie jennings Disability Rights
- 14 letter Date (9-27-09<sup>2007</sup> error) address to Kmart 40 Trumbull
- 15 enclosure Page recently used
- 16 copy of envelope
- 17 letter Sept. 10, 07
- 18 Request Sept. 14, 2007
- 19 Blank form Proof of claim
- 20 Proof of claim signed 7-18-02
- 21 Exhibit E litigation claims to be disallowed
- 22 Google Search
- 23 Order
- 24 Department of Justice Page 1 of 2

[Federal Register: April 24, 2003 (Volume 68, Number 79)]  
[Notices]  
[Page 20172-20173]  
From the Federal Register Online via GPO Access [wais.access.gpo.gov]  
[DOCID:fr24ap03-84]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Settlement Agreement Under the Comprehensive  
Environmental Response, Compensation and Liability Act and Chapter 11  
of the United States Bankruptcy Code

Notice is hereby given that on April 11, 2003, a proposed Settlement Agreement ("Agreement") in In re Kmart Corp., et al., Case No. 02-02474, was lodged with the United States Bankruptcy Court for the Northern District of Illinois, Eastern Division. The Agreement is between Kmart Corporation and its affiliated debtors and debtors-in-possession (collectively, the "Debtors") and the United States, on behalf of the United States Environmental Protection Agency ("EPA"), the United States Department of the Interior, and the National Oceanic and Atmospheric Administration of the United States Department of Commerce. The Agreement relates to liabilities of the Debtors under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. 9601 et seq.

Under the Agreement, the United States, on behalf of EPA, would receive:

[bullet] Allowed secured claims totaling \$579,151 for the following five sites: The Beede Waste Oil site (Plaistow, New Hampshire); the Florida Petroleum Reprocessors site (Davie, Florida); the Hows Corner site (Plymouth, Maine); the Jack Goins site (Cleveland, Tennessee); and the Lenz Oil Services site (DuPage County, Illinois);

[bullet] Allowed unsecured claims totaling \$171,744 for the following five sites: The Arkwright Dump site (Spartanburg, South Carolina); the Bill Johns Waste Oil site (Jacksonville, Florida) (with respect to response costs incurred before November 21, 2001); the Delatte Metals site (Ponchatoula, Louisiana); the Operating Industries, Inc. Landfill site (Monterey Park, California); and the Tulalip Landfill (Marysville, Washington); and

[bullet] A right to seek cost recovery in the future in connection with Operable Unit 2 of the Peterson Puritan site (Cumberland, Rhode Island), with up to \$506,500 of such cost recovery payable as an allowed secured claim and any amount over that payable as an allowed unsecured claim.

The Agreement further provides as follows:

[bullet] For Debtor-owned sites, environmental claims and actions by the United States are not discharged;

[bullet] For the following nine sites, environmental claims by the United States are discharged, to the extent the claims arise from the Debtors' conduct before the bankruptcy action: Adkins Branch Tire Dump (Putnam County, West Virginia); the Bufkin Store Lead site (Tabor City, North Carolina); the Chadbourn Battery site (Chadbourn, North Carolina); the Guyton Battery site (Chadbourn, North Carolina); the Jimmy Green Metals site (Nashville, North Carolina); the Odum Bufkin Battery site (Green Sea, South Carolina); the Old Stake Road Lead site (Chadbourn, North Carolina); the Petroleum Conservation, site (a/k/a the U.S. Oil, Two Rivers site) (Two Rivers, Wisconsin); and the Vinegar Hill Battery site (a/k/a the Williams store site) (Tabor City, North

Carolina); and

[sbull] For all other sites, the United States may not issue or seek environmental orders based on the Debtors' conduct before the bankruptcy action, but may recover response costs and natural resource damages based on such conduct, as if the United States' claims had been allowed unsecured claims under the Debtors' reorganization plan.

[[Page 20173]]

For a period of 30 days from the date of this publication, the Department of Justice will receive comments relating to the Agreement. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, PO Box 7611, U.S. Department of Justice, Washington, DC 20044, and should refer to In re Kmart Corp., et al., Case No. 02-02474, D.J. Ref. No. 90-11-2-07845.

The Agreement may be examined at the Office of the United States Attorney, 219 South Dearborn Street, Suite 2001, Chicago, Illinois 60604, and at the United States Environmental Protection Agency, Ariel Rios Building, 1200 Pennsylvania Avenue, NW., Washington, DC 20460. During the public comment period, the Agreement may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.html>. A copy of the Agreement may also be obtained by mail

from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044, or by faxing or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax number (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$7.00 (25 cents per page reproduction cost) payable to the United States Treasury.

William Brighton,  
Assistant Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 03-10085 Filed 4-23-03; 8:45 am]

BILLING CODE 4410-15-M



I certify that on March 5, 2009  
I mailed a copy of this Petition  
and all the attachments via  
first class mail to the following  
parties listed below as seen in  
the addresses.

to Attorney Charles E. Engeman  
Oglethorpe, Deakins, Wash, Smoak and  
Stewart, LLC at the Tunic Building  
Suite 201, 1336 Beltzler Road  
St. Thomas, VI 00802  
And

to The Clerk of the Court  
The U.S. Bankruptcy Court  
For the Northern District of Illinois  
Eastern Division  
60604

No. 08-7194

IN THE  
SUPREME COURT OF THE UNITED STATES

Please A. Bartlette — PETITIONER  
(Your Name)

Supreme Court, U.S.  
FILED  
NOV 07 2008  
OFFICE OF THE CLERK

VS.

Kmart Corporation Et AL — RESPONDENT(S)

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

☒ Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

District Court St. Thomas, Virgin Islands  
United States Court of Appeals for the Third Circuit

☐ Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

Petitioner's affidavit or declaration in support of this motion is attached hereto.

Please A. Bartlette  
(Signature)

10

**AFFIDAVIT OR DECLARATION  
IN SUPPORT OF MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS***

I, Heese A. Bartlette, am the petitioner in the above-entitled case. In support of my motion to proceed *in forma pauperis*, I state that because of my poverty I am unable to pay the costs of this case or to give security therefor, and I believe I am entitled to redress.

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>
Self-employment	\$ <u>None</u>	\$ <u>NA</u>	\$ <u>None</u>	\$ <u>NA</u>
Income from real property (such as rental income)	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>
Interest and dividends	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>
Gifts	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>
Alimony	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>
Child Support	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>	\$ <u>NA</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0.00</u>	\$ <u>NA</u>	\$ <u>None</u>	\$ <u>NA</u>
Disability (such as social security, insurance payments)	\$ <u>624.00</u>	\$ <u>None</u>	\$ <u>6.24</u>	\$ <u>None</u>
Unemployment payments	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>
Public-assistance (such as welfare)	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>
Other (specify): _____	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>
<b>Total monthly income:</b>	\$ <u>624</u>	\$ <u>NA</u>	\$ <u>624</u>	\$ <u>NA</u>

2. List your employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
<u>None</u>	<u>None</u>	<u>None</u>	\$ <u>None</u>
			\$
			\$

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
<u>NA</u>	<u>NA</u>	<u>NA</u>	\$ <u>NA</u>
			\$
			\$

4. How much cash do you and your spouse have? \$ 550.00  
Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial institution	Type of account	Amount you have	Amount your spouse has
<u>BANK</u>	<u>SAVINGS</u>	\$ <u>100.00</u>	\$ <u>425.67</u>
		\$	\$
		\$	\$

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

<input type="checkbox"/> Home Value <u>NA</u>	<input type="checkbox"/> Other real estate Value <u>NA</u>
<input type="checkbox"/> Motor Vehicle #1 Year, make & model <u>none</u> Value <u>none</u>	<input type="checkbox"/> Motor Vehicle #2 Year, make & model <u>NA</u> Value <u>NA</u>
<input type="checkbox"/> Other assets Description <u>NA</u> Value <u>NA</u>	

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
<u>NONE</u>	\$ <u>NONE</u>	\$ <u>NONE</u>
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

7. State the persons who rely on you or your spouse for support.

Name	Relationship	Age
<u>Jason Bartlette</u>	<u>Son</u>	<u>35</u>
<u>Jah'Quan, Jada</u>	<u>Grandchildren</u>	<u>10, 4</u>
<u>Michael Sonja</u>	<u>grand children</u>	<u>4 2</u>

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, or annually to show the monthly rate.

	You	Your spouse
Rent or home-mortgage payment (include lot rented for mobile home)	\$ <u>None</u>	\$ <u>None</u>
Are real estate taxes included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Is property insurance included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ <u>None</u>	\$ <u>NA</u>
Home maintenance (repairs and upkeep)	\$ <u>None</u>	\$ <u>NA</u>
Food	\$ <u>None</u>	\$ <u>NA</u>
Clothing	\$ <u>None</u>	\$ <u>None</u>
Laundry and dry-cleaning	\$ <u>None</u>	\$ <u>NA</u>
Medical and dental expenses	\$ <u>NA</u>	\$ <u>NA</u>

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>None</u>	\$ <u>NA</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>None</u>	\$ <u>NA</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>none</u>	\$ <u>None</u>
Life	\$ <u>17.56</u>	\$ <u>NA</u>
Health	\$ <u>8.51</u>	\$ <u>NA</u>
Motor Vehicle	\$ <u>none</u>	\$ <u>NA</u>
Other: <u>Med Rx Plan</u>	\$ <u>31.60</u>	\$ <u>NA</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>We pay our Taxes</u>	\$ <u>None</u>	\$ <u>NA</u>
Installment payments		
Motor Vehicle	\$ <u>none</u>	\$ <u>NA</u>
Credit card(s)	\$ <u>190.00</u>	\$ <u>NA</u>
Department store(s)	\$ <u>none</u>	\$ <u>none</u>
Other: <u>none</u>	\$ <u>none</u>	\$ <u>none</u>
Alimony, maintenance, and support paid to others	\$ <u>None 624</u>	\$ <u>NA</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>none</u>	\$ <u>NA</u>
Other (specify): <u>none</u>	\$ <u>none</u>	\$ <u>NA</u>
Total monthly expenses:	\$ <u>624.00</u>	\$ <u>NA</u>

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

☐ Yes ☒ No

If yes, describe on an attached sheet.

10. Have you paid – or will you be paying – an attorney any money for services in connection with this case, including the completion of this form? ☐ Yes ☒ No

If yes, how much? none

If yes, state the attorney's name, address, and telephone number:

11. Have you paid—or will you be paying—anyone other than an attorney (such as a paralegal or a typist) any money for services in connection with this case, including the completion of this form?

☐ Yes ☐ No

If yes, how much? \$1000.00

If yes, state the person's name, address, and telephone number:

*Tisha LAKE, Typist (jury instruction)  
P.O. Box 304580  
St. Thomas, VI 00803  
District Court*

12. Provide any other information that will help explain why you cannot pay the costs of this case.

*Times are truly extremely hard, and very challenging for our family. The only thing left is hope for better days.*

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: November 7, \_\_\_\_\_, 2008

*Theresa A. Barthelt*  
(Signature)

No. \_\_\_\_\_

**08-7194**

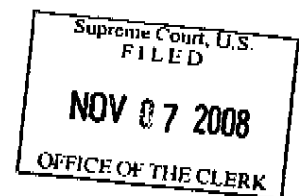
IN THE

SUPREME COURT OF THE UNITED STATES

*Please A Bartlette* — PETITIONER  
(Your Name)

vs.

*Kmart Corporation Et Al* — RESPONDENT(S)



ON PETITION FOR A WRIT OF CERTIORARI TO  
*United States Court of Appeals*  
*For The Third Circuit*

\_\_\_\_\_  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

*Please A. Bartlette*  
(Your Name)

*P. O. Box 7095*  
(Address)

*St. Thomas, Virgin Islands 00801*  
(City, State, Zip Code)

*(340) 726-0579*  
(Phone Number)



**QUESTION(S) PRESENTED**

Moreover, "[O]nly the Bankruptcy Court with jurisdiction over the debtor's case has the authority to grant relief from the stay of judicial proceedings against the Debtor."

"Consolidating all prepetition claims against the debtor in one collective proceeding before a bankruptcy court is the essence of Bankruptcy."

### LIST OF PARTIES

[ ] All parties appear in the caption of the case on the cover page.

[✓] All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

- 1 Adams, Joseph A.  
4227 Brownsville Rd.  
Trevose, PA 19053
- 2 ADAMS, Rick  
547 E Washington Ave.  
P.O. Box 274  
NEWTOWN, PA 18940
- 3 Akami Technologies, Inc.  
500 Technology Square  
Cambridge, MA 02139
- 4 Alexander, Julie  
123 GRATIOT Blvd  
Marysville, MI 48040
- 5 ARBOR, Doris ANN  
8706 Bertwood  
Houston, TX 77016
- 6 AROCHO RAMIREZ EthelWaldo  
623 Ponce DE LEON AVE.  
Suites 601 & 602-A  
San Juan, PR 00917
- 7 Bartimous BERRY  
155 South miami Avenue  
Suite 600  
Miami, Florida 33130
- 8 ILESEA, Bartlette  
P.O. Box 7095  
St. Thomas, VI 00801
- 9 Beale, mr Walter V.  
1205 Whispering Oaks DR.  
Keller, TX 76248
- 10 Bergmann, JEFFREY N.  
8521 Six Forks Rd.  
STE 305  
RALEIGH, NC 27615