

United States Bankruptcy Court
Northern District of Illinois
Eastern Division

Case Number: 02-2474

Case Name: Kmart

Notice of Motion
To Enforce

Comes now, Ilse Bartlette, Pro se and hereby notify this honorable court that Kmart has not met its obligation neither have its affiliates, nor the reorganized debtors towards the Chapter 11 cases.

The Bar date June -, 2003 has long been passed over 6 years ago to date.

The Effective Date of the Plan has not occurred for payments and should had also taken place in the year 2003.

The distributions and rights that are provided in the Plan shall be in complete satisfaction, discharge, and release effective as of the Effective ^{Date} Confirmation Date 4-, 2003 (but subject to the occurrence of the Effective Date), of claims and causes of Action, whether known or unknown, against, liabilities of liens or, obligations of rights against, and interest in the debtors or any of their assets or properties,

FILED
UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
JUN 12 2009
KENNETH S. GARDNER, CLERK
PS REP. - M/BM

regardless of whether any property shall have been distributed or retained pursuant to the Plan on account of such Claims, rights and Interest, including, but not limited to, Claims and Interest that arise before the Confirmation Date, any liability (including withdrawal liability) to the extent such Claims relate to services performed by employees of the Debtors prior to the Petition Date and that arise from a termination of employment or a termination of any employee or retiree benefit program, regardless of whether such termination occurred prior to or after the Confirmation Date, and all debts of the kind specified in sections 502(g), 502(h) or 502(i) of the Bankruptcy Code, in each case whether or not a (a) a proof of claim or interest based upon such claim, debt, right, or Interest is filed or deemed filed under section 501 of the Bankruptcy Code, (b) a Claim or Interest based upon such Claim, debt, right, or Interest is allowed under section 502 of the Bankruptcy Code, or (c) the holder of such a Claim, right, or Interest accepted the Plan. The Confirmation Order shall be a judicial determination of the discharge of all Claims against and Interest in the Debtors, subject to the Effective Date occurring.

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I came before the Court March 17, 2009, 11am. during (Kmart's) Omnibus hearing and will again on June 16, 2009 at 11:00 a.m. The Venue will be at Judge Sunderby's Court room the same place it took place on March 17, 2009.

June 16, 2009 I will again come before the Court for the relief and ask the Court to support of relief and other entitlements. Kmart emerged from Bankruptcy and ignored its responsibilities. What it also did was it restructured the Chapter 11 claims of whom I am one placed us in disallowed gave us Case Nos. 02-02462 through 02-02499 the only thing true on that stance was my name and address and figure quote. Nothing else is the truth. Kmart set out to fool even the Court and that stance should not be tolerated and will not be.

The Confirmation Order supports the Plan enclosed is a copy showing full cover and nothing in the Plan shall be deemed to release any of the Debtors or the Plan Investors or their Affiliates from their obligations under the Investment Agreement or the transactions contemplated thereby.

"Retained Actions" means all claims, Causes of Action, rights of action, rights of

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Action, suits and proceedings, whether in law or in equity, whether known or unknown, which any Debtor or any Debtors' estate may hold against any person, including, without limitation (a) Claims and Causes of Action brought prior to the Effective Date, (b) Claims and Causes of Action against any Persons for failure to pay for products or services provided or rendered by any of the Debtors, (c) Claims and Causes of Action relating to strict enforcement of any of the Debtors' intellectual property rights, including patents, copyrights and trademarks, and (d) Claims and Causes of Action seeking the recovery of any of the Debtors' or the Reorganized Debtors' accounts receivable or other receivables or rights to payment created or arising in the ordinary course of any of the Debtors' or the Reorganized Debtors' businesses, including, without limitation, claim overpayments and tax refunds; provided however that the foregoing shall not include Trust Claims (including Avoidance Claims that are Trust Claims), which shall be transferred to the Kmart Creditor Trust, Avoidance Claims, or Claims explicitly released under this Plan or by Final Order of the Bankruptcy Court prior to the date hereof.

I Certify that a True Copy of my
Motion to Enforce was sent to
The US Bankruptcy Court Northern District
of Illinois, Eastern Division
at 219 South Dearborn Street,
Chicago, Illinois 60604

And

Mr. William Barrett, Barack
Ferrazzano Kirschbaum and
Neigelberg LLP at 200 West Madison,
Chicago, Illinois 60606

Dated 6-4-09

sent 6-10-2009 Thase Bartlett