

EXHIBIT A

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re:)	Case No. 02 B 02474
)	Honorable Susan Pierson Sonderby
KMART CORPORATION,)	
)	
)	Hearing Date: November 3, 2009
Reorganized Debtor,)	Hearing Time: 11:00am (CDT)

STATEMENT OF CLAIMS OF BEULAH D. JOHNSON

Claimant Beulah D. Johnson ("Johnson") asserts the following claims against Kmart Corporation ("Debtor"):

1. Johnson is a citizen and resident of North Carolina.
2. Debtor is a corporation organized and existing under the laws of Michigan which does business in North Carolina.

CLAIM I: JUDGMENT DEBT

3. Johnson restates and incorporates by reference the statements contained in other paragraphs of this Statement of Claims.
4. Johnson obtained a Judgment against Debtor on June 11, 1998 in the United States District Court, Eastern District of North Carolina in "the amount of \$23,140 in back pay, \$7,500 in attorney's fees, plus accrued interest and to provide the training denied Plaintiff when she was not promoted to Assistant Manager Trainee and Assistant Manager." A true copy of this Judgment is attached.
5. A true copy of the Court's June 10, 1998 Order detailing how the Judgment amount was calculated and is attached.
6. Debtor has not paid Johnson any of the money called for in the Judgment.
7. Debtor did not provide Johnson with the training called for in the Judgment.

8. Johnson respectfully request that the court award her the \$30, 640 with corrected interest and principle dated from June 11, 1998 until June 11, 2002 (stated in claim II). The monetary value of the Judgment plus the fair market value of the training and that the Court order accrued and principle interest from June 11, 1998 until payment.

9. Johnson restates and incorporates by reference the statements contained in other paragraph of this Statement of Claim according to Attorney Phillip Barton.

THEREFORE, Claimant Johnson respectfully requests that the Court award her:

1. The \$30,640 monetary value of the Judgment plus the fair market value of the training and that the Court adds to this award interest from June 11, 1998 until payment. (Copy attach of Attorney Phillip Barton's figures).
2. Compensation for the emotional distress she has suffered;
3. The costs of this action including her reasonable attorney fees;
4. Such other and further relief as the Court deems just and proper.

CLAIM II: PRE-PETITION JUDGMENT

1. Johnson respectfully request to correct the amount on claim form by correcting the interest and principal owed on claim form from June 11, 1998 to June 11, 2002 plus interest on claim until paid.

2. Johnson filed claim number 46097 (copies attached includes a letter to Honorable Judge Sonderby dated November 2, 2002; a correct copy of claim with corrected interest submitted by Attorney Phillip Barton). This interest started from the date of Judgment plus wages loss by the increase hourly wage from June 11, 1998 to June 11, 2002. However, the case is pending in bankruptcy court.

THEREFORE, Claimant Johnson is respectfully requests that the Court award her:

1. The amount owed on a pre-petition judgment of \$75,866. This amount included principal wages from June 11, 1998 to June 11, 2002, of \$68,386 plus attorney's fees of \$7,500. This amount should include accrued interest from June 11, 1998 to June 11, 2002 of \$21,516. The total corrected amount of \$97,402 for principal plus accrued interest plus attorney's fees and until paid.
2. Such other and further relief as court deems just and proper.

CLAIM III: PETITION FOR COMPENSATION

1. Johnson respectfully requests for compensation for losses in earning that would have resulted in higher contribution to my 401K and retirement benefits.

2. Johnson's weekly payroll deductions were 8% of gross wages per week.
3. Johnson requests in a lump sum payment for her 100% retirement (Eligibility for 100%) without penalty.

THEREFORE, Claimant Johnson respectfully requests that the Court award her:

1. The monetary value of the losses in earnings that the Court deems just and proper.

CLAIM IV: PRE-PETITION JUDGMENT

1. Johnson respectfully requests that the Court to award \$15,000,000 for thirty laborious years of duress, stress, and extreme mental anguish.

2. Johnson was forced to work duties well beyond job responsibilities.

3. Johnson was given excessive amount of job duties to be completed in a day.

4. Johnson feels that Kmart was trying to force her to quit and fail because of the excessive workload.

5. Johnson was only allowed to work on her own job responsibilities when time to leave for the day. Therefore, this meant that Johnson would have to use her own time to complete her work without pay.

6. Johnson suffered from depression, memory loss, and sustained other medical illnesses as a result of excessive stress and workload. Enclosed will be a copy of medical problems and medications.

7. Johnson has experienced numerous discriminatory acts and suffered employer's retaliation.

8. Johnson has been employed with Kmart on or about September 14, 1972, and experienced the first act of discrimination when was up for promotion as a checkout supervisor in January 1975. (Copy of letter attached, claim filed at EEOC).

9. Johnson now has thirty-seven years with the Kmart Corporation. She did not received training and/or promotion as an assistant manager or manager. She is now presently unable to work and is eligible for 100% retirement.

THEREFORE, Claimant Johnson respectfully requests that the Court award her:

1. The monetary amount of \$15,000,000 for hardship, laborious years, extreme mental anguish, lengthy settlement and the high stress that subjected me to numerous medical problems.

2. Such other and further relief as the Court deems just and proper.

CLAIM V: PRE-PETITION JUDGMENT FOR PUNITIVE DAMAGES

1. Johnson respectfully requests that the Court to award \$25,000,000 in punitive damages for Kmart Corporation's deliberate, willful, flagrant disregard for the law by their blatant, undue, lengthy lapse in complying with the court order.

2. Johnson claims Kmart just refused to pay judgment. Johnson has enclosed articles showing that Kmart was aware of Court order given in another case ("Marshal seize Kmart store tills", court order given when bond not paid, company outraged and "FBI probes Kmart papers").


3. Johnson wants the court to make sure all funds granted are paid through the Court. Her request is also making sure no other release is necessary, except the one pertaining to this case. This is to ensure that money will be dispersed properly and timely.

THEREFORE, Claimant Johnson respectfully requests that the Court award her:

1. The monetary amount of \$25,000,000 for the punitive damages in Kmart's lengthy lapse in failing to comply with the Court order Judgment for compensation.

2. Such other and further relief as the Court deems just and proper.

This is the 2nd day of November, 2009


Beulah D. Johnson


CERTIFICATE OF SERVICE

Beulah D. Johnson, the claimant, certifies that she served her Statement of Claims by depositing the same in first-class, postage prepaid U.S. mail addressed to:

Attorney William J. Barrett
200 West Madison Street, Suite 3900
Chicago, IL 60606

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

This is the 2nd day of November, 2009



Beulah D. Johnson

EXHIBIT B

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA

RALEIGH DIVISION

5.96-CV-1004-B0(2)

FILED

NOV 29 1996

DAVID W. DANIEL, CLERK
U.S. DISTRICT COURT
E. DIST. NO. CAR

_____)
BEULAH D. JOHNSON,)
Plaintiff,)
)
-vs-)
)
KMART, Store #4826 &)
KMART CORPORATION,)
Defendants.))
_____)

C O M P L A I N T

COMES the Plaintiff complaining of the Defendants as follows:

1. That Plaintiff is a Black female employee of Defendant KMART Corporation's Store # 4826 in Fayetteville, Cumberland County, North Carolina which has over 100 employees.

2. That this is an action pursuant to 42 U.S.C. Section 2000(e) et seq (Title VII of the Civil Rights Act of 1964) because Defendants have denied Plaintiff a pay increase as a result of a transfer from the position of check-out Operator to Check-out Supervisor, have denied Plaintiff training in Defendant's Assistant Manager's Trainee Program, and also denied Plaintiff a promotion to the position of Assistant Manager all on account of her race.

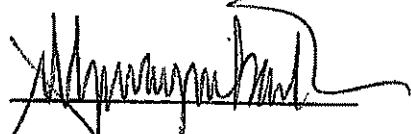
3. That Plaintiff timely filed her charge with the Equal employment Opportunity Commission and has received her Notice of Right To Sue (a copy is attached).

4. That this action is, therefore, timely filed.

WHEREFORE, Plaintiff prays for the following relief:

1. A jury trial;
2. Compensatory damages;
3. Back pay;
4. Retroactive promotion into the Assistant Manager's position she was denied;
5. Retroactive credit and training she was denied;
6. Such other relief as the Court deems reasonable and appropriate.

THIS the 29th day of November, 1996.



Philip Wayne Barton
BARTON & ASSOCIATES

Post Office Box 53581
Fayetteville, NC 28305
(910) 486-7799

EXHIBIT C

CLAIM I, 1087

United States District Court
Eastern District of North Carolina

FILED
JUN 11 1998
DAVID W. DANIEL, CLERK
US DISTRICT COURT
E. DIST. N. CAROLINA

BEAULAH D. JOHNSON,

Plaintiff,

v.

Judgment in a Civil Case
Case Number: 5:96-CV-1004-BO(2)

KMART Store #4826 and
KMART CORPORATION,

Defendants.

Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that Defendants Kmart Store #4826 and Kmart Corporation to pay Plaintiff Beulah D. Johnson the amount of \$23,140 in back pay, \$7,500 in attorney's fees, plus accrued interest and to provide the training denied Plaintiff when she was not promoted to Assistant Manager Trainee and Assistant Manager.


JUDGMENT FILED AND ENTERED THIS 11TH DAY OF JUNE, 1998, AND COPIES MAILED TO:

Phillip Wayne Barton, Esq.
P. O. Box 53581
Fayetteville, NC 28305-3581

JUNE 11, 1998

DAVID W. DANIEL, CLERK


Deputy Clerk

I certify the foregoing to be a true and correct copy of the original.
David W. Daniel, Clerk
United States District Court
Eastern District of North Carolina
By 
Deputy Clerk

CLAIM I: JOP2

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION

FILED

No. 5:96-CV-1004-BO

JUN 11 1998

DAVID W. DANIEL, CLERK US DISTRICT COURT E. DIST. N. CAROLINA

BEULAH D. JOHNSON,)
Plaintiff,)
v.)
KMART Store #4826 and)
KMART CORPORATION,)
Defendants.)

ORDER

This matter is before the Court following the entry of default judgment against Defendants pursuant to Rule 55(b) and a hearing on damages. The Court hereby finds that Defendants owe Plaintiff \$40 per week in back pay for the period between November 1, 1995, and November 28, 1995; \$80 per week in back pay for the period between November 28, 1995, and January 6, 1996; and \$120 per week in back pay from January 6, 1996, to the present. The Court thus ORDERS Defendants to pay to Plaintiff the amount of \$23,140 in back pay, \$7,500 in attorney's fees, plus accrued interest. Defendants are also ORDERED to provide the training denied Plaintiff when she was not promoted to Assistant Manager Trainee and Assistant Manager.

SO ORDERED.

This 10th day of June, 1998.

TERRENCE W. BOYLE
CHIEF UNITED STATES DISTRICT JUDGE

I certify the foregoing to be a true and correct copy of the original
David W. Daniel, Clerk
United States District Court
Eastern District of North Carolina
Deputy Clerk

EXHIBIT D

Beulah Johnson Interest Calculation

Judgment 30,640.00

Rate	Period	# days	Per Diem	Interest total	Cumulative Total
5.56%	6/11/98-6/30/98	20	4.667353425	93.35	30,733
5.54%	7/1/98- 7/31/98	31	4.650564384	144.17	30,878
5.55%	8/1/98-8/31/98	31	4.658958904	144.43	31,022
5.51%	9/1/98 - 9/30/98	30	4.625380822	138.76	31,161
5.07%	10/1/98 - 10/31/98	31	4.256021918	131.94	31,293
4.83%	11/1/98-11/30/98	30	4.054553425	121.64	31,414
4.68%	12/1/98-12/31/98	31	3.928635616	121.79	31,536
4.63%	1/1/99-1/31/99	31	3.886663014	120.49	31,657
4.76%	2/1/99-2/28/99	28	3.995791781	111.88	31,768
4.81%	3/1/99-3/31/99	31	4.037764384	125.17	31,894
4.74%	4/1/99-4/30/99	30	3.97900274	119.37	32,013
4.74%	5/1/99-5/31/99	31	3.97900274	123.35	32,136
4.76%	6/1/99-6/30/99	30	3.995791781	119.87	32,256
4.99%	7/1/99-7/31/99	31	4.188865753	129.85	32,386
5.07%	8/1/99-8/31/99	31	4.256021918	131.94	32,518
5.22%	9/1/99-9/30/99	30	4.381939726	131.46	32,649
5.20%	10/1/99-10/31/99	31	4.365150685	135.32	32,785
5.42%	11/1/99-11/30/99	30	4.549830137	136.49	32,921
5.30%	12/1/99-12/31/99	31	4.44909589	137.92	33,059
5.45%	1/1/00-1/31/00	31	4.575013699	141.83	33,201
5.73%	2/1/00-2/29/00	29	4.810060274	139.49	33,341
5.85%	3/1/00-3/31/00	31	4.910794521	152.23	33,493
6.02%	4/1/00-4/30/00	30	5.05350137	151.61	33,644
6.27%	5/1/00-5/31/00	31	5.263364384	163.16	33,808
6.53%	6/1/00-6/30/00	30	5.481621918	164.45	33,972
6.54%	7/1/00-7/31/00	31	5.490016438	170.19	34,142
6.50%	8/1/00-8/31/00	31	5.456438356	169.15	34,311
6.52%	9/1/00-9/30/00	30	5.473227397	164.20	34,475
6.51%	10/1/00-10/31/00	31	5.464832877	169.41	34,645
6.51%	11/1/00-11/30/00	30	5.464832877	163.94	34,809
6.40%	12/1/00-12/31/00	31	5.372493151	166.55	34,975
5.98%	1/1/01-1/31/01	31	5.019923288	155.62	35,131
5.49%	2/1/01-2/28/01	28	4.608591781	129.04	35,260
5.31%	3/1/01-3/31/01	31	4.457490411	138.18	35,398
4.80%	4/1/01-4/30/01	30	4.029369863	120.88	35,519
4.21%	5/1/01-5/31/01	31	3.534093151	109.56	35,629
3.97%	6/1/01-6/30/01	30	3.332624658	99.98	35,729
3.77%	7/1/01-7/31/01	31	3.164734247	98.11	35,827
3.65%	8/1/01-8/31/01	31	3.064	94.98	35,922
3.07%	9/1/01-9/30/01	30	2.577117808	77.31	35,999
2.49%	10/1/01-10/31/01	31	2.090235616	64.80	36,064
2.09%	11/1/01-11/30/01	30	1.754454795	52.63	36,116
1.82%	12/1/01-12/31/01	31	1.52780274	47.36	36,164
1.73%	1/1/02-1/22/02	22	1.452252055	31.95	36,196
				\$5,555.80	

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12/2006, 5.24

EXHIBIT E

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re:

KMART CORPORATION,

Debtor.

Case No. 02 B 02474

Honorable Susan Pierson Sonderby

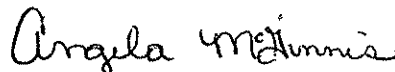
**DECLARATION OF ANGELA MCGINNIS IN SUPPORT OF KMART
CORPORATION'S MOTION TO ALLOW IN PART AND DISALLOW IN PART
CLAIM OF BEULAH JOHNSON**

I, Angela McGinnis, state under penalty of perjury, pursuant to 28 U.S.C. § 1746, that:

1. I am employed as a paralegal for Sears Holdings Management Company ("SHMC"). SHMC is an affiliate of Kmart Corporation ("Kmart") that provides certain administrative support services, including legal, to Kmart. Prior to my employment by SHMC, I was employed by Kmart in its legal department. Although I am now employed by SHMC, my responsibilities principally concern legal claims brought against Kmart.

2. I am the chief custodian of records (including electronic databases) of all employee claims brought against Kmart since 1995. It has been the practice of Kmart at all times since at least 1995 to create a record of every legal action commenced against the company.

3. I am informed that on November 29, 1996 Beulah Johnson filed a complaint against Kmart in the United States District Court for the Eastern District of North Carolina. In reviewing Kmart's litigation records that cover 1996, 1997, and 1998, I found no record or other entry of any lawsuit brought by Beulah Johnson against Kmart, any judgment obtained by Beulah Johnson against Kmart, or any proceeding or order to enforce any judgment.



Angela McGinnis

EXHIBIT F

CM/ECF - NCED

CLOSED

U.S. District Court
EASTERN DISTRICT OF NORTH CAROLINA (Western Division)
CIVIL DOCKET FOR CASE #: 5:96-cv-01004-BO

Johnson v. KMart, Store #4826, et al
Assigned to: Judge Terrence W. Boyle
Demand: \$0
Cause: 42:2000 Job Discrimination (Race)

Date Filed: 11/29/1996
Date Terminated: 06/11/1998
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

Plaintiff**Beulah D. Johnson**

represented by **Philip Wayne Barton**
Barton & Associates
PO Box 53581
Fayetteville, NC 28305-3581
910-485-4444
Email: attybarton@msn.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant**KMart, Store #4826****Defendant****KMart Corporation**

Date Filed	#	Docket Text
11/29/1996	1	Complaint filed alleging employment racial discrimination; right to sue letter attached; jury demand (bb) (Entered: 12/04/1996)
12/02/1996		Filing Fee Paid; FILING FEE \$ 120 RECEIPT # 36342 (bb) (Entered: 12/04/1996)
12/02/1996		Summons(es) issued for KMart, Store #4826, KMart Corporation and Glenn Dixon, District Manager, Store #4826 (bb) Modified on 11/04/1997 (Entered: 12/04/1996)
03/26/1997	2	Return of service executed as to KMart Corporation 3/26/97; served agent at C.T. Corporation System; Answer due on 4/15/97 for KMart Corporation (bb) Modified on 11/04/1997 (Entered: 03/27/1997)
06/03/1997	3	Notice directing Plaintiff to Proceed After Failure to Answer in accordance w/Rule 55 FR CivP. signed by Clerk Daniel (bb) (Entered: 06/03/1997)
06/25/1997	4	Motion by Beulah D. Johnson for entry of default as to KMart, Store #4826, KMart Corporation (bb) (Entered: 06/25/1997)

06/25/1997	5	Clerk's entry of default as to KMart, Store #4826, KMart Corporation granting [4-1] motion for entry of default as to KMart, Store #4826, KMart Corporation (bb) (Entered: 06/25/1997)
10/02/1997		Letter From: Clerk to atty. Philip Barton Re: status of service of this case upon def't KMart Store #4826. Atty. has five days to notify Clerk (bb) (Entered: 10/07/1997)
11/04/1997		Case submitted to: Chief Judge Boyle for disposition (bb) (Entered: 11/04/1997)
11/04/1997		Case submitted to: Judge Boyle for review (bb) (Entered: 11/06/1997)
02/04/1998	6	Order: plaintiff is given 10 days from the date of this order w/in which to take steps to immediately reduce the entry of default to default judgment. Failure to take any affirmative action w/in this time period may result in the dismissal of this action in its entirety; signed by Clerk Daniel. OB Ref: BO-8, p. 161 (bb) (Entered: 02/04/1998)
02/17/1998	7	Motion by Beulah D. Johnson for default judgment against KMart, Store #4826, KMart Corporation (bb) (Entered: 02/24/1998)
03/26/1998		Case submitted to: Chief Judge Boyle for review (bb) (Entered: 03/26/1998)
04/07/1998		Issued Notice of Hearing: set bench trial before Chief Judge Terrence W. Boyle for 2:30 4/22/98 at Raleigh to decide on the issues of liquidated damages (bb) (Entered: 04/07/1998)
04/08/1998	8	Order granting [7-1] motion for default judgment against KMart, Store #4826, KMart Corporation; the Clerk of Court shall schedule a hearing to determine the unliquidated damages owed in this matter; signed by Judge Boyle. OB Ref: BO-9, p. 96; served (bb) (Entered: 04/08/1998)
04/29/1998		Bench trial set at 2:30 6/3/98 before Chief Judge Terrence W. Boyle at Raleigh; cys to counsel; Chief Judge Boyle; Court Reporter; Courtroom Deputy; Operations Manager; Criminal Section (bb) (Entered: 04/29/1998)
06/03/1998		Bench trial held before Chief Judge Terrence W. Boyle at Raleigh; no one present for def't; judgment will be entered by the court. Court Reporter: Jo Bush; 1 hour (bb) (Entered: 06/09/1998)
06/11/1998	9	Order: Defendants to pay Plaintiff the amount of \$23,140 in back pay, \$7,500 in attorney's fees, plus accrued interest. Defendants are also ORDERED to provide the training denied Plaintiff when she was not promoted to Assistant Manager Trainee and Assistant Manager; signed by Chief Judge Boyle. OB Ref: BO-10, p. 61; served 3 cc to atty. Barton (bb) (Entered: 06/11/1998)
06/11/1998	10	Judgment for Beulah D. Johnson against KMart, Store #4826, KMart Corporation signed by R. Bowen, Dep. Clerk. OB Ref: BO-10, p. 62; 3 cc to atty Barton (bb) (Entered: 06/11/1998)
06/11/1998		Case closed permanent (bb) (Entered: 06/11/1998)

PACER Service Center			
Transaction Receipt			
06/15/2009 17:18:45			
PACER Login:	bf0062	Client Code:	KMRT0000
Description:	Docket Report	Search Criteria:	5:96-cv-01004-BO
Billable Pages:	2	Cost:	0.16