UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF INDIANA

* PROOF OF CLAIM

Name of Debtor **KIEL BROS OIL COMPANY, INC**

Case Number **04-11121-BHL-11**

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)

MILDRED ARRINGTON

Name and address where notices should be sent

Mildred Arrington
c/o Jeannette Eisan Hinshaw
Bose McKinney & Evans, LLP
135 N Pennsylvania Street, Suite 2700
Indianapolis, IN 46204 Telephone number (317) 684-5296

- ☐ Check box if you are aware that anyone else has filed a proof of 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

RECD OCT 07 2004

Account or other number by which creditor identifies debtor

Check here ☐ replaces
if this claim ☐ amends a previously filed claim dated _____

1 **Basis for Claim**

- ☐ Goods sold
- ☐ Services performed
- xx Money loaned
- ☐ Personal injury/wrongful death
- ☐ Taxes
- ☐ Other__
- ☐ Retiree benefits as defined in 11 U S C § 1114(a)
- ☐ Wages salaries and compensation (fill out below)
  Your SS# _____ _____ _____
  Unpaid compensation for services performed

2 Date debt was incurred 11/30/1990 5/29/98

3 If court judgment date obtained Ind Utility Reg Comm n Order 3 12 03

4 Total Amount of Claim at Time Case Filed **$187,631 11**
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
xx Check this box if your claim is secured by collateral (including a right of setoff)
Brief Description of Collateral
xxReal Estate ☐ Motor Vehicle
☐ Other _____
Debt secured by mortgage on land sold to Debtor

Value of Collateral $_____
Amount of arrearage and other charges at time case filed included in secured claim if any $_____

6 Unsecured Nonpriority Claim $
☐ 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 if c) none or only part of your claim is entitled to priority

7 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 $4 925) * 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 $2 225* of deposits toward purchase lease or rental of property or services for 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)(_____)

Amounts are subject to adjustment on 4/1/07 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment

8 Credits The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim

9 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

10 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

September 27 2004

Sign and print the name and title if any of the creditor or other person authorized to file this claim (attach a copy of power of attorney if any)

Mildred L. Arrington

Mildred Arrington

Kiel Bros
00327

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

566631

ATTACHMENT TO PROOF OF CLAIM
FILED BY MILDRED ARRINGTON
IN CASE NO 04-11121-BHL-11 (Lead Case-Kiel Bros)

balance loan as of 10/31/03, per attached 12/5/03 letter from Shawn P. Moran, Controller, KP Oil, Inc.	**200,869.78**
principal paid down via Oct 03 payment received early Nov 03	-1,607 17
principal paid down via Nov 03 payment received early Dec 03	-1,620 56
principal paid down via Dec 03 payment receivedd early Jan 04	-1,634 07
principal paid down via Jan 04 payment receivedd early Feb 04	-1,647 68
principal paid down via Feb 04 payment received early Mar 04	-1,661 41
principal paid down via March 04 payment received early April 04l	-1,675 26
principal paid down via April 04 payment received early May 04	-1,689 22
principal paid down via May 04 payment received early June 04	-1,703 30
TOTAL PRINCIPAL AFTER MAY '04 PAYMENT	**187,631.11**

BOSE
McKINNEY
& EVANS LLP

ATTORNEYS AT LAW

Jeannette Eisan Hinshaw
Downtown Office
Direct Dial (317) 684 5296
Direct Fax (317) 223 0296
E Mail JHinshaw@boselaw com

October 6, 2004

Via UPS Overnight Delivery

Kiel Bros Oil Company, Inc
c/o BMC Group, f/k/a Bankruptcy Management Corp
1330 East Franklin Avenue
El Segundo, CA 90245

Re Kiel Bros Oil Company, Inc
Case No 04-11121-BHL-11

KP Oil, Inc
Case No 04-11167-BHL-11

Gentlemen

Enclosed please find proofs of claim for filing in each of the above-referenced matters **NOTE THAT ALTHOUGH THE PROOFS OF CLAIM APPEAR TO BE IDENTICAL, ONE SHOULD BE FILED IN THE KIEL BROS CASE, AND ONE SHOULD BE FILED IN THE KP OIL CASE** As you will note, these claims have also been filed with the Clerk of the Court for the Southern District of Indiana, Indianapolis Division

Please provide us a file-marked copy of each proof of claim A self-addressed, stamped envelope is enclosed for your convenience Should you have any questions, please do not hesitate to contact the undersigned Thank you in advance for your help and cooperation in this matter

Very truly yours,

Jeanette Eisan Hinshaw

JEH/sjr

Enclosures

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JEANNETTE EISAN HIIISHAV
317 684 5231
BOSE MCKINNEY & EVANS LLP
135 N PENNSYLVANIA ST
INDIANAPOLIS IN 46204

LTR 1 OF 1

SHIP TO
C/O BMC GROUP F/K/A BKTCY MNGT CORP
KIEL BROS OIL COMPANY, INC
1330 EAST FRANKLIN AVENUE
EL SEGUNDO CA 90245-4306

CA 908 9-50

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