

**Fill in this information to identify the case:**

Debtor 1 KIKO USA, Inc.

Debtor 2  
(Spouse, if filing) \_\_\_\_\_

United States Bankruptcy Court for the: District of Delaware, Wilmington Division

Case number 18-10069

E-Filed on 02/23/2018  
Claim # 16

## Modified Form 410 Proof of Claim

04/16

**Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.**

**Filers must leave out or redact** information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. **Do not send original documents;** they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

**Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.**

**Part 1:** Identify the Claim

<b>1. Who is the current creditor?</b>	<u>Fashion Centre Mall, LLC</u> Name of the current creditor (the person or entity to be paid for this claim)	
	Other names the creditor used with the debtor _____	
<b>2. Has this claim been acquired from someone else?</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____	
<b>3. Where should notices and payments to the creditor be sent?</b> <small>Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)</small>	<b>Where should notices to the creditor be sent?</b>	<b>Where should payments to the creditor be sent? (if different)</b>
	<u>Simon Property Group, Inc.</u> Name <u>225 W. Washington Street</u> Number Street <u>Indianapolis</u> <u>Indiana</u> <u>46204</u> City State ZIP Code Contact phone <u>(317) 263-2346</u> Contact email <u>rtucker@simon.com</u>	<u>Fashion Centre Mall, LLC</u> Name <u>PO Box 402792</u> Number Street <u>Atlanta</u> <u>Georgia</u> <u>30384-2792</u> City State ZIP Code Contact phone _____ Contact email _____
	Uniform claim identifier for electronic payments in chapter 13 (if you use one): _____	
<b>4. Does this claim amend one already filed?</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on _____ <div style="text-align: right;"><small>MM / DD / YYYY</small></div>	
<b>5. Do you know if anyone else has filed a proof of claim for this claim?</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing? _____	

**Part 2:** Give Information About the Claim as of the Date the Case Was Filed

6. Do you have any number you use to identify the debtor?  No  Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor:   1     1     1     6  

7. How much is the claim? \$                     303,929.55                    . Does this amount include interest or other charges?  No  Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. What is the basis of the claim? Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card. Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c). Limit disclosing information that is entitled to privacy, such as health care information.  
Lease Non-Residential

9. Is all or part of the claim secured?  No  Yes. The claim is secured by a lien on property.  
**Nature of property:**  
 Real estate. If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.  
 Motor vehicle  
 Other. Describe: \_\_\_\_\_  
**Basis for perfection:** \_\_\_\_\_  
Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)  
**Value of property:** \$ \_\_\_\_\_  
**Amount of the claim that is secured:** \$ \_\_\_\_\_  
**Amount of the claim that is unsecured:** \$ \_\_\_\_\_ (The sum of the secured and unsecured amounts should match the amount in line 7.)  
**Amount necessary to cure any default as of the date of the petition:** \$ \_\_\_\_\_  
**Annual Interest Rate** (when case was filed) \_\_\_\_\_ %  
 Fixed  
 Variable

10. Is this claim based on a lease?  No  Yes. Amount necessary to cure any default as of the date of the petition. \$ \_\_\_\_\_

11. Is this claim subject to a right of setoff?  No  Yes. Identify the property: \_\_\_\_\_

**12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?**

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

No

Yes. Check one:

	Amount entitled to priority
<input type="checkbox"/> Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).	\$ _____
<input type="checkbox"/> Up to \$2,850* 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"/> Wages, salaries, or commissions (up to \$12,850*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).	\$ _____
<input type="checkbox"/> Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).	\$ _____
<input type="checkbox"/> Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).	\$ _____
<input checked="" type="checkbox"/> Other. Specify subsection of 11 U.S.C. § 507(a)( <u>2</u> ) that applies.	\$ <u>100.00</u>

\* Amounts are subject to adjustment on 4/01/19 and every 3 years after that for cases begun on or after the date of adjustment.

**13. Is all or part of the claim entitled to administrative priority pursuant to 11 U.S.C. § 503(b)(9)?**

No

Yes. Indicate the amount of your claim arising from the value of any goods received by the Debtor within 20 days before the date of commencement of the above case, in which the goods have been sold to the Debtor in the ordinary course of such Debtor's business. Attach documentation supporting such claim.

\$ \_\_\_\_\_

**Part 3:** Sign Below

**The person completing this proof of claim must sign and date it. FRBP 9011(b).**

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

**A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.**

Check the appropriate box:

- I am the creditor.
- I am the creditor's attorney or authorized agent.
- I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.
- I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

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

Executed on date 02/23/2018  
MM / DD / YYYY

Ronald M. Tucker  
Signature

**Print the name of the person who is completing and signing this claim:**

Name Ronald M. Tucker  
First name Middle name Last name

Title Vice President/Bankruptcy Counsel

Company Simon Property Group, Inc.  
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address \_\_\_\_\_  
Number Street

City \_\_\_\_\_ State \_\_\_\_\_ ZIP Code \_\_\_\_\_

Contact phone \_\_\_\_\_ Email \_\_\_\_\_

Attachment 1 - 1116 KIKMI Claim Backup 22318.pdf

Description -



# Rejection Claim Calculation

As of February 22, 2018

Tenant **Kiko USA, Inc. - KIKUS/**  
Cause # **18-10069**

Rpt ID: ARBK05  
Run Date/Time: 02/23/18 9:31 AM EST

Lease	Property	Rejection Date	Lease Expiration Date	Months Remaining on Lease Term	Monthly Obligations Amount	Obligations through End of Lease Term	Total Annual Charges	15 % of Rent for Remaining Lease Term	Three Years of Rent
Kiko Milano-KIKM//	Fashion Ctr at Pentagon City--1116	01/31/2018	05/31/2025	88	\$23,017.39	\$2,025,530.32		\$303,829.55	\$828,626.04

Rejection Date is not null

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Date of Filing: 01/11/2018 Lease(s) selected: Kiko Milano-KIKM//

THIS DOCUMENT CONTAINS TRADE SECRET INFORMATION OWNED BY SIMON. UNAUTHORIZED DISCLOSURE IS STRICTLY PROHIBITED AND MAY RESULT IN SERIOUS LEGAL CONSEQUENCES.

TENANT: KIKUS/ Kiko USA, Inc.  
 LEASE: KIKMI// Kiko Milano  
 PROJECT: 1116 Fashion Ctr at Pentagonon City Arlington VA  
 EXECUTION DATE: 2/25/2015 LEASE STATUS: Terminated Lease  
 LEASE START DATE: 5/23/2015 LEASE TYPE: Lease  
 LEASE END DATE: 5/31/2025 SECURITY DEPOSIT: .00  
 REPLACEMENT DATE: CORP NAME: Kiko USA, Inc.  
 INSURANCE EXP: Terms: \*  
 GENERAL LEASE NOTES: Letter of credit for \$119,891.13  
 STANDARD PROVISIONS INTENTIONALLY DELETED:  
 SUPPLEMENTAL AGREEMENT:  
 CONSTRUCTION ALLOWANCE:  
 UTILITY: HCP: M1=.60, 30; M2=std; M3=.60, 8/31/11; M4=10,10/15/11 \$3.50  
 RENEWAL:  
 TERMINATION: 1/31/18, per TAR prior to lease expiration  
 TID RENAME:  
 LID RENAME:

---SPACE INFO--- SEQ #: 1  
 FLOOR: 01 UNIT: 0607C  
 SQ FT RENTABLE SPACE START 5/23/2015 CLOSE 5/23/2015  
 LEASE 1,097 1/31/2018 VACATE 1/31/2018  
 ACTUAL 1,097 RCD 6/08/2015 TERM 1/31/2018  
 SPACE TYPE: INL  
 OPEN 5/23/2015  
 CLOSE 5/27/2018  
 VACATE 1/31/2018  
 SALES REPORTING Monthly  
 ADDED STATEMENT Annually  
 PAYMENT  
 SALES YEAR Jun - May  
 SIC 1951 Cosmetics

Start Dt	End Date	Ann Rent	Rent Sq/Ft	Monthly Rent	---BREAK POINT INFO---	Start Dt	End Date	Sls Cat	Chg Typ	Ovrg%	Product Sls Base	Ovrg%	Product Sls Base
5/23/15	5/31/16	BMR	181,005.00	15,083.75	5/23/15	5/31/16	RET	BOV	8.000	2,000,000			
6/01/16	5/31/17	BMR	186,435.12	15,536.26	6/01/16	5/31/17	RET	BOV	8.000	2,060,000			
6/01/17	2/28/18	BMR	192,029.88	16,002.49	6/01/17	1/27/18	RET	BOV	8.000	2,121,800			
2/01/18	2/28/18	BMR	192,029.88	16,002.49	6/01/18	5/31/19	RET	BOV	8.000	2,185,454			
6/01/18	5/31/19	BMR	197,789.16	16,482.43	6/01/19	5/31/20	RET	BOV	8.000	2,251,017			
6/01/19	5/31/20	BMR	203,723.88	16,976.99	6/01/20	5/31/21	RET	BOV	8.000	2,318,548			
6/01/20	5/31/21	BMR	209,834.16	17,486.18	6/01/21	5/31/22	RET	BOV	8.000	2,388,104			
6/01/21	5/31/22	BMR	216,130.92	18,010.91	6/01/22	5/31/23	RET	BOV	8.000	2,459,747			
6/01/22	5/31/23	BMR	222,614.16	18,551.18	6/01/23	5/31/24	RET	BOV	8.000	2,533,540			
6/01/23	5/31/24	BMR	229,294.92	19,107.91	6/01/24	5/31/25	RET	BOV	8.000	2,609,546			
6/01/24	5/31/25	BMR	236,173.08	19,681.09	6/01/25		RET	BOV	8.000				

---CURRENT MONTHLY OBLIGATIONS---

Charge Description	Ann Amt	Sq/Ft	Monthly	Pay	Eff Date	End Date	Recovery Information
BMR Base Minimum Rent Fi	192,029.88	175.05	16,002.49	MON	6/01/17	2/28/18	RET Real Estate Tax Reimbursement
CMR Trash Removal	1,644.96	1.50	137.08	MON	1/01/18	2/28/18	Proprate Cost
DWT Domestic Water	64.32	.06	5.36	MON	5/23/15	2/28/18	Rate: 100% Amt: 80%
ELE Electricity	3,881.16	3.54	323.43	MON	12/01/17	2/28/18	
HCP HVAC Plant	5,221.68	4.76	435.14	MON	7/01/17	2/28/18	
MFD Media Funding	2,539.80	2.32	211.65	MON	1/01/18	2/28/18	
OFN Operating Costs Fixe	39,913.44	36.38	3,326.12	MON	1/01/18	2/28/18	
PFM Promotion Fund	3,809.76	3.47	317.48	MON	1/01/18	2/28/18	
RET R/E Tax	25,780.68	23.50	2,148.59	MON	1/01/18	2/28/18	
SEW Sewage Treatment	140.40	.13	11.70	MON	5/23/15	2/28/18	

2/23/18 BRIDGEST  
10:36:16 QPADEV0071

\* \* TENANT DETAIL SUMMARY \* \*

By Tenant

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V000414 CO

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TENANT: KIKUS/ Kiko USA, Inc.  
LEASE: KIKMI// Kiko Milano  
PROJECT: 1116 Fashion Ctr at Pentagon City Arlington

...CONTINUED

VA

INACTIVE SPACE

--SPACE INFO-- SEQ #: 1 ...CONTINUED  
CURRENT OBLIGATION: 275,026.08 250.71 22,918.84

Current Effective Rent: 192,029.85  
Total Ancillaries: 82,996.18  
Total Charges: 275,026.08  
Effective Rent/Sq Ft: 250.65

% OF LAST YR SALES

46.71% This Year (Est):  
20.19% Last Year sales:  
66.90% 2nd Prev Yr sls:

27,504.09  
411,086.81  
502,744.10