

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-MFW

E-Filed on 03/15/2018
Claim # 51

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

| | | |
|---|--|---|
| 1. Who is the current creditor? | <u>BONELLI EREDE PAPPALARDO STUDIO LEGALE</u> Name of the current creditor (the person or entity to be paid for this claim) Other names the creditor used with the debtor <u>BONELLIEREDE</u> | |
| 2. Has this claim been acquired from someone else? | <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____ | |
| 3. Where should notices and payments to the creditor be sent? <small>Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)</small> | Where should notices to the creditor be sent? <u>GIANPAOLO CIERVO</u> Name <u>VIA MICHELE BAROZZI 1 C/O BONELLI ERED</u> Number Street <u>MILAN</u> <u>20122</u> City State ZIP Code Contact phone <u>(003) 902-7711 x31</u> Contact email <u>GIANPAOLO.CIERVO@BELEX.COM</u> Uniform claim identifier for electronic payments in chapter 13 (if you use one): _____ | Where should payments to the creditor be sent? (if different) _____ Name _____ Number Street _____ City State ZIP Code Contact phone _____ Contact email _____ |
| 4. Does this claim amend one already filed? | <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ | Filed on _____ MM / DD / YYYY |
| 5. Do you know if anyone else has filed a proof of claim for this claim? | <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: 0 8 0 5

7. How much is the claim? \$ 6,174.80. 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.
Services Performed

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 type="checkbox"/> Other. Specify subsection of 11 U.S.C. § 507(a)(____) that applies. | \$ _____ |

* 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 03/15/2018
MM / DD / YYYY

GIANPAOLO CIERVO
Signature

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

Name GIANPAOLO CIERVO
First name Middle name Last name

Title LAWYER AT BONELLI EREDE PAPPALARDO

Company BONELLI EREDE PAPPALARDO STUDIO LEGALE
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 - KIKO U.S.A. Inc..pdf

Description - Statements of fees

KIKO USA, Inc.
470 Park Avenue South, 15th floor New York
10016 New York (U.S.A.)

Confidential

Milan, 24 January 2018

Statements of fees

For professional services rendered in favour of KIKO USA Inc. and its management: legal assistance with relation to the meeting held in Milan on November 20th, 2017 between KIKO USA Inc.'s ultimate shareholder (Mr. Percassi), management and lawyers, mainly consisted in courtesy translations in Italian of documents and emails drafted by KIKO USA Inc.'s lawyers, attendance to the meeting and simultaneous translation in Italian.

| | | | | |
|---|-----|----------|---|----------|
| Fees | USD | 5.820,88 | € | 4.712,50 |
| Lump sum disbursements | USD | 116,42 | € | 94,25 |
| | USD | 5.937,30 | € | 4.806,75 |
| 4% Mandatory Social Security Contributions (L. 576/80 and L. 175/83) | USD | 237,50 | € | 192,27 |
| Total amount due | USD | 6.174,80 | € | 4.999,02 |

Exempt from V.A.T. pursuant to articles 7-ter/7-septies of DPR 633/72

Operazione non soggetta / VAT exempt

Please effect payment either by means of non-transferable bank cheque issued in the name of Bonelli Erede Pappalardo – Studio Legale, or by bank transfer to the following account number: 100000004013 - INTESA SANPAOLO S.P.A., SEDE MILANO 01876, VIA VERDI 8, 20121 MILANO - C.ABI 03069 CAB 09400 - IBAN IT75V0306909400100000004013 SWIFT BCI TIT MM XXX

BonelliErede

Avv. Paolo Oliviero

Please state our reference number: M18018801

This is not a V.A.T. invoice

Attachment 2 - Kiko U.S.A. Timesheet.pdf

Description - Details of services performed

KIKO U.S.A.

033220 - KIKO U.S.A./Consulenza

| Lawyer | Date | Activity | Work description | Time | | Fees |
|------------------|-------------|---------------------------------------|---|--------------|------------|-----------------|
| OLIVIERO PAOLO | 14/11/2017 | Coordination | Conference call | 1,00 | USD | 586,70 |
| CIERVO GIANPAOLO | 15/11/2017 | Coordination | conference call with KIKO and John Kaplan | 1,00 | USD | 339,70 |
| CIERVO GIANPAOLO | 17/11/2017 | Drafting and negotiation of contracts | Italian translation of the document titled "Percassi Meeting November 20, 2017" | 3,50 | USD | 1.188,90 |
| OLIVIERO PAOLO | 17/11/2017 | Coordination | Document review | 1,00 | USD | 586,70 |
| CIERVO GIANPAOLO | 19/11/2017 | Coordination | email review and amendment to the draft both in English and Italian | 0,50 | USD | 169,88 |
| CIERVO GIANPAOLO | 20/11/2017 | Coordination | meeting with KIKO and Mr Percassi with John Kaplan and Mr Oliviero | 3,00 | USD | 1.019,00 |
| CIERVO GIANPAOLO | 20/11/2017 | Coordination | Courtesy translation revision and amendment | 0,50 | USD | 169,80 |
| OLIVIERO PAOLO | 20/11/2017 | Coordination | Meeting | 3,00 | USD | 1.760,20 |
| | | | | 13,50 | USD | 5.820,88 |