

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re: TWA INC. POST CONFIRMATION / ESTATES
Debtors

Herbert McMillian, SS Claims# 235-64-8692) Creditor	Chapter 11 Case No. 01-56(PJW) (Jointly Administered)
-against-	
Trans World Airlines, Inc. et al., NY Tax Id#526-976 Hartford Insurance Group, Inc. Case #302FC24899 Names' Unknown Joined Parties in Interest; defaulting Debtors / Estates / Insurer)	REQUEST TO ENTER JUDGMENT by DEFAULT OF CREDITOR (Bankruptcy P. Rule 7055(b)(1))

TO THE CLERK OF THE BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE
REGARDING DOCKET NO. 5521

On 7th day of July 2005, Herbert McMillian, Creditor, applied and requests that the Clerk of this Court enter a Judgment by Default -against- defaulting **Trans World Airlines, Inc. and Hartford Insurance Group, Inc. Debtors / Estates / Insurer** and names unknown joined parties in interest in the underlying excess amount of **\$1,000,000.00** (million dollars) claimed in the original summons on notice and creditor petition, trial by jury demand with 20% in interest rate **\$200,000.00** a civil penalty costs & disbursements amounting in all to the of sum **\$1,200,000.00** as authorized by 7055(b)(1) of the Rules Bankruptcy Procedures. In support of this request, creditor states:

1. Defaulting debtors / estates / insurer was served with a copy of original pleading (i) Notice of Triable Issues of Certain Unpaid Claims as to Liability and as to Damages by Jury (ii) an Affidavit of Facts Constituting the Unpaid Claims, Default and Unpaid Amount Dues and *inter-alia* papers was filed in the Clerk Office of this Court on the **omnibus hearing scheduling order**; April 21, 2005 at 9:30 a.m. in this action.

2. Creditor, Declaration of Sevices filed with this Court on April 21, 2005 established that service was proper pursuant to Rule 5 or 12(a) and related of the Federal Rules of Civil Procedure and related subsection.

3. Defaulting debtors / estates / insurer has failed to appear or plead or otherwise to proceed to a hearing scheduling order and respond to the *inter-alia relevant documents* in the above paragraph (1). Of Certain Social Security disability claims and Payment of retiree insurance benefits and by (ERISA); Pension Plan in re: on the job physical injuries, date: 8/30/79. and Governing provision for **criminal penalties**, see; 29 USCS 1131 to 1132.

4. The applicable time limit for responding has expired.

5. Defaulting plan administrator, and its obligor insurer ceo, has fail to proceed at hearing 4/21/05 and they are not an infant or an incompetent natural person and not in military service.

6. Warning in consequently of the foregoing; accordingly;
IF THE INTER-ALIA PLAN ADMINISTRATOR and INSURER DESIGNEE;
fail to respond or appear at **omnibus hearing scheduling order;** On July 14, 2005 at 9:30 a.m. **see;** paragraph 7 and 8 of attach: Affidavit in Support of Request to Enter Clerk's Judgment by Default (Bankruptcy P.Rule 7055(b)(2).

Notice:to parties by B'krcty P.Rule 4001.(a)(2) & related Rule 7055(b)(2)(c).

Dated: July 7th , 2005

SUBMIT JUDGMENT ON NOTICE
By. *Herbert McMillian*
Herbert McMillian ,Creditor
179-17 Anderson Road
St.Albans, NY 11434
(718) 723-4693

To:

/s/ David D. Bird

Clerk of the Bankruptcy Court
For District of Delaware

By: _____

Deputy Clerk

and

Trans World Airlines Inc.et al.
Michael J. Lichty, Plan Administrator
Pachulski,Stang,Ziehl, Young,Jones,
Weintraub, PC.
919 North Market Street
Wilmington, DE 19899
Ph.(302) 652-4100

Hartford Insurance Group Inc.
Ramani Ayer,CEO
Counsel's Office's
John Doe's Esq.
690 Asylum Ave.
Hartford, CT 06115
Ph.(860) 547-2270

Americia Airlines Inc. CEO

John Doe's and Joined Name & Address Unknown Parties In Interest.

In the United States Bankruptcy Court
For The District of Delaware

Herbert McMillian,)

Creditor

Chapter 11
Case No. 01-56)P JW)
(Jointly Administered)

-against-

Trans World Airlines, Inc. et al
Hartford Insurance Group, Inc
other Jointed Parties In Interest.
defaulting Debtors / Estates / Insurer)

AFFIDAVIT IN SUPPORT OF REQUEST TO
ENTER CLERK'S JUDGMENT by DEFAULT
(Bankruptcy Procedure Rule 7055(b)(2).

AFFIDAVIT OF CREDITOR

State of New York)
County of Queens)ss.:

Herbert McMillian, being duly sworn, deposes and says that:

Identity and Competence of Affiant

1. My name is Herbert McMillian,
2. I am over 18 years of age. I reside at 179-17 Anderson Road , St. Albans, NY 11434. I am fully competent to make this affidavit and I have personal knowledge of the facts stated in this affidavit.
3. I am as Pro se for the Creditor in this action.

Entry of Default For Failure to Appear

4. My review of the Court's records in this action indicate that the Clerk of this Court entered the default of defaulting debtors / estates / insurer and parties in interest on the (i) Notice of Triable Issues of Certain Unpaid Claims as to Liability and as to Damages by Jury (ii) an Affidavit of Facts Constituting the Unpaid Claims, Default and Unpaid Amount Dues and *inter-alia* papers was filed in the Clerk Office of this Court on the **omnibus hearing scheduling order**; April 21, 2005 at 9.30 a.m. in this action with attached Declaration of Services.

Certain Social Security disability claims and
Payment of retiree insurance benefits by (ERISA); Pension Plan.

5. **Nature of this action**; is Administrative merit claims condition to statutory on the job, of serious permanently physical injuries, **date**: 8 / 30 / 1979.

6. Relief sought; is by creditor -against- the *inter-alia* plan administrator debtors / estates' / its insurer and parties in interest for recover of the plan under the term of Bkrtcy P. section 1114 and subsection and related Rules and Codes of certain unpaid claims by TWA disability in *Management Policy and Procedure Manual, Employees Benefits Plan*, and including its obligor Insurer payment of disability to retired employee's and annuity contract plan of 401K ; under the Bankruptcy Code, Procedure **Section 1114** and related subsections of this title and among enforcement section of *erisa* plan.

7. Warning in consequently of the foregoing; accordingly: Thereafter if *inter-alia* the plan administrator / debtors / estates / insurer and the parties in interest failed to appear or to proceed to hearing and to cure the **.default.** and to testify as witness at **Omnibus Hearing on July 14th , 2005** and the debtors its obligor insurer to present value of an bond or an annuity contract, in amount of \$1.000.000.00 (million dollars) see Bankruptcy Code 322 / 323.

8. Plaintiff, reserves the rights to filed [amend] civil or criminal equity complaint and to transfer / removal to an appropriate following;

> **U.S. Court of Appeal**

that review and perform investigation , reports of misconduct of attorneys dispose of all legal issues in the proceeding.

> **Office of Disciplinary / Board on Professional Responsibility of the Supreme Court of the State of Delaware:***on the Judiciary Law; in violation of Disciplinary Rules and related and Investigate Complaint. and Bankruptcy Crimes by Title 18 United States Code [Chapter 9].*

> **U.S Attorney General** , Arrest and Commitment 18 U.S.C.~ 3057 of Investigation. / *Intervention in case Bkrtcy R-2018(b)* and related Code.

>> **And to Prosecute by Jury** for Administration and Enforcement for **Criminal penalties**, see; 29 USCS 1131 to 1132 and subsections.

Statement for Posting of Bond or Annuity Contract - Amount Due on Default

IT IS ADJUDGED , that Creditor demands judgment by default as matter of law against the defaulting Debtors' / Estates / its Insurer and joined parties in interest in the sum of **\$1,000.000.00** (million dollars) the amount claimed in the original summon on notice - trial by jury demand and petition and with 20% in interest rate **\$200.000.00** a civil penalty costs & disbursements, amounting in all to the sum of **\$1,200.000.00** that the creditor have execution therefor.

Sworn to before me on 7
July 2005

Francis T. Rus

FRANCIS T. RUS
NOTARY PUBLIC, State of New York
No. 043819007082
located in Queens County
Commission Expires May 18, 2006

x *Herbert McMillian*
Herbert McMillian, Creditor

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re: TWA INC. POST CONFIRMATION ESTATES
Debtors

Chapter 11

In the claims for "retiree employee benefits" under)
ERISA plan for payments in insurance disability, to
Herbert McMillian, SS Claim# 235-64-8692

Case No. 01-56(PJW).
(Jointly Administered)

Creditor's

-against-

"Class Action"

Trans World Airlines, Inc. et al., NYS Tax# 526 976
Hartford Insurance Group, Inc. Case# 302FC 24899
John Doe's, an Fictitious Names' Unknown
Joined Parties In Interest, defaulting Estates)

Hearing Date:

July 14, 2005

**CERTIFICATION OF CREDITOR, NO OBJECTIONS
REGARDING DOCKET NO. 5521**

Pursuant to 28USC-1961 through 1963

The undersigned hereby certifies that, as of 08 day of July, 2005 hereof, the defaulting debtors / estates / insurer has failed to object or appear or plead or otherwise to proceed to a omnibus hearing scheduling order on April 21, 2005 of an creditor original pleading (i) Notice of Triable Issues of Certain Unpaid Claims as to Liability and as to Damages by a Jury (ii) an Affidavit of Facts Constituting the Unpaid Claims, Default and Unpaid Amount Dues. The undersigned further certifies that creditor has review the Court's docket No. 5521 in this case no answer, objection or other responsive pleading to the Notice / Proceeding appears thereon.

It is hereby respectfully requested that the attached : Request to Enter Judgment by Default of Creditor and Affidavit in Support of Request to Enter Clerk's Judgment by Default to be signed and entered at the earliest convenience of the Clerk's of the Court. (Bankruptcy Procedure Rule 7055(b)(1).

DATED: July 08, 2005

SUBMIT JUDGMENT ON NOTICE

By: Herbert McMillian

Herbert McMillian, Creditor
179-17 Anderson Road
St. Albans, NY 11434
(718) 723-4693

Entry Default Judgment by default; by the execution of [form] B 260.
Bankruptcy Code References: ~ 1144 ; 1230; 1330; 4001 / 28USC~1655 and 1452.

In The United States Bankruptcy Court
For The District of Delaware

DECLARATION

Pursuant, 28 U.S.C. 1746

I, Herbert McMillian, pro se for Creditor, declare under penalties of perjury for the undersigned in this entitled action he cause one (1) true copy of original paper's > **Request To Enter Judgment by Default of Creditor**

> **Affidavit in Support of Request To Enter Clerk Judgment by Default**

> **Certification of Creditor, No Objection, Docket No. 5521**

to be served on the following via: U.S. Priority Mail
on 07 day July 2005 with postages fully prepaid to:

Notice: to *inter-alia* plan administrator, debtor / estates / attorneys / obligor insurer

Trans World Airlines Inc. et al.,

Michael J. Lichty, CEO
Pachulski, Stang, Ziehl, Young
Jones, Weintraub, PC
919 North Market Street
Wilmington, DE 19899
Ph. (302) 652-4100

Hartford Insurance Group Inc.

Ramani Ayer, CEO
Counsel's Office's
John Doe's, Esq.
690 Asylum Ave.
Hartford, CT 06115
Ph. (860) 547-2270

American Airlines Inc, CEO

John Doe(e) Joinder's Name & Address Unknown Party In Interest.

and

I, swear under penalty of perjury, under the laws of the United States that the foregoing is true and correct in this declaration are true.

in this entitled action he cause one (1) Original true paper(s);

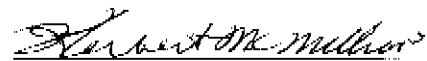
as the same type above to be filed and entered Via: Personally Services
at: Clerk Office

United States Bankruptcy Court / District of Delaware / 824 Market Street
Wilmington, Delaware 19899.

EXECUTED: on

July 8th, 2005

Dated



By: Herbert McMillian,
Pro se for Creditor
179-17 Anderson Road
St. Albans, NY 11434
(718) 723-4693

Affix fee here in stamps



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PROVIDE FOR INSURANCE - POSTMASTER

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Herbert McMillian
179-17 Anderson Rd
St Albans, NY 11434
One piece of ordinary mail addressed to: Pachymis, Stang
Zieh, Young Jones, Weintack PC
919 North Market Street
Wilmington, DE 19899

PS Form 3817, Mar. 1989

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Received From:

Herbert McMillian
179-17 Anderson Rd.
St. Albans, NY 11434
One piece of ordinary mail addressed to:
Hartford Insurance Group Inc.
690 Asylum Ave.
Hartford Ct. 06115