

Fill in this information to identify the case:

Debtor 1 Van's Aircraft, Inc.

Debtor 2
(Spouse, if filing) _____

United States Bankruptcy Court for the: District of Oregon, Eugene Division

Case number 23-62260-dwh11

E-Filed on 02/06/2024
Claim # 363

Official Form 410

Proof of Claim

04/25

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>Cardella, Nelson S</u> Name of the current creditor (the person or entity to be paid for this claim) Other names the creditor used with the debtor _____	
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? Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Where should notices to the creditor be sent? <u>Cardella, Nelson S</u> Name <u>2601 Ski Trail Lane</u> Number Street <u>Waxhaw</u> <u>NC</u> <u>28173</u> City State ZIP Code Contact phone <u>(704) 301-3852</u> Contact email <u>nelcardella@hotmail.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 type="checkbox"/> No <input checked="" type="checkbox"/> Yes. Claim number on court claims registry (if known) <u>94</u> <div>Filed on <u>12/29/2023</u> MM / DD / YYYY</div>	
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: _____

7. How much is the claim? \$_____ 30,428.07 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.

Quick Build Kit Fuselage and wings

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. \$_____ 0.00

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:

☐ Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).

Amount entitled to priority

\$ 0.00

☐ Up to \$3,350* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).

\$ 0.00

☐ Wages, salaries, or commissions (up to \$15,150*) 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).

\$ 0.00

☐ Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).

\$ 0.00

☐ Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).

\$ 0.00

☐ Other. Specify subsection of 11 U.S.C. § 507(a)() that applies.

\$ 0.00

* Amounts are subject to adjustment on 4/01/25 and every 3 years after that for cases begun on or after the date of adjustment.

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 02/06/2024
MM / DD / YYYY

Nelson S Cardella

Signature

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

Name Nelson S Cardella

First name

Middle name

Last name

Title Creditor

Company

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 - NelsonCardella_CoverLetter_v1.1.pdf

Description -

December 29th, 2023

BMC Group, Inc.
Att: Van's Aircraft
P.O. Box 90100
Los Angeles, CA 90009

Creditors Information:
Name: Cardella, Nelson S.
Claim Number: 94
Case Name: Van's Aircraft
Case Number: 23-62260-dwh11

This letter is to request the following supporting documents added to the claim:

Invoice_000000000238006_QBWings
Invoice_000000000284507_QBFUS

These documents support the claim of a full refund or a replacement Quick Build Fuselage and Quick Build Wings with no Laser Cut Parts. I purchased and paid extra money for Quick Build kits and would like Vans to honor that contract.

Regards,

A handwritten signature in black ink, appearing to be 'N. Cardella', followed by a long horizontal flourish.

Nelson S Cardella
2601 Ski Trail Lane
Waxhaw, NC 28173
nelcardella@hotmail.com
(704) 301-3852

Fill in this information to identify the case:

Debtor 1 Van's Aircraft, Inc.

Debtor 2
(Spouse, if filing) _____

United States Bankruptcy Court for the: District of Oregon, Eugene Division

Case number 23-62260-dwh11

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Quick Build Fuselage and Wings with Laser Cut Parts

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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. \$_____ 0.00

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☐ Yes. Check one:

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Amount entitled to priority

\$ 0.00

☐ Up to \$3,350* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).

\$ 0.00

☐ Wages, salaries, or commissions (up to \$15,150*) 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).

\$ 0.00

☐ Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).

\$ 0.00

☐ Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).

\$ 0.00

☐ Other. Specify subsection of 11 U.S.C. § 507(a)() that applies.

\$ 0.00

* Amounts are subject to adjustment on 4/01/25 and every 3 years after that for cases begun on or after the date of adjustment.

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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 12/29/2023
MM / DD / YYYY

Nelson S Cardella

Signature

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

Name Nelson S Cardella

First name

Middle name

Last name

Title Creditor

Company

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 - Invoice_000000000238006_QBWings.pdf

Description -



VAN'S AIRCRAFT
TOTAL PERFORMANCE

VANS AIRCRAFT, INC.

14401 N.E. KEIL RD.
AURORA, OR 97002

Deposit Receipt

238006

Customer: 84056
CARDELLA, NELSON S
2601 SKI TRAIL LANE
WAXHAW, NC 28173
UNITED STATES

Telephone: 704 301 3852
Email: nelcardella@hotmail.com

Shipping address: CARDELLA, NELSON S.
2601 SKI TRAIL LANE
WAXHAW
NC
UNITED STATES
28173

Shipping Instructions: STEWART
Tracking Number:

Sales Order	Invoice Date	Order Date	Salesperson	Purchase Order
185761	05/23/22	10/04/21	ANNE	QWING

Stock code	Description	Warehouse	Ship quantity	Unit price	Gross amount
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----- Deposit Receipt -----

Deposit amount : 11335.57

Paid as : WEB CREDIT CARD PAYMENTS

Total deposit : 15128.07

NOTES

Attachment 2 - Invoice_000000000284507_QBFUS.pdf

Description -



VANS AIRCRAFT, INC.

14401 N.E. KEIL RD.
AURORA, OR 97002

Invoice

284507



Customer: 84056
CARDELLA, NELSON S
2601 SKI TRAIL LANE
WAXHAW, NC 28173
UNITED STATES

Telephone: 704 301 3852
Email: nelcardella@hotmail.com

Shipping address: CARDELLA, NELSON S.
2601 SKI TRAIL LANE
WAXHAW
NC
UNITED STATES
28173

Shipping Instructions: STEWART TRANSPORT
Tracking Number: 5/12/23-5/15/23

Sales Order	Invoice Date	Order Date	Order Terms	Salesperson	Purchase Order
185762	05/09/23	10/04/21	PAID	ANNE	QB FUSE

Stock code	Description	Ship quantity	Unit price	Gross amount
RV-8AQ FUSELAGE-1	QB FUSELAGE ONLY	1	15,300.00	15,300.00
			Discount:	-455.00
AN257-P3X6'	HINGE X 6'	1.000-	29.00	29.00-
ES 85615-157-1	FLAP ACTUATOR RV-6/7/8/9	1-	695.00	695.00-
VA-106	MAIN GEAR AXLE NUT (NOT FOR RV-10, 12 or 14/14	2-	16.00	32.00-
WD-820-L	BRAKE PEDAL ASSY LEFT	1.000-	36.75	36.75-
WD-820-R	BRAKE PEDAL ASSY RGHT	1.000-	36.75	36.75-

----- Payment Method -----

DEPOSIT 14404.84

Total payment : 14404.84

Invoice amount : 14404.84

Change given : 0.00



VAN'S AIRCRAFT
TOTAL PERFORMANCE

VANS AIRCRAFT, INC.

14401 N.E. KEIL RD.
AURORA, OR 97002

Invoice

284507

NOTES

DELETED ITEMS ARE ON BACK ORDER
AND WILL SHIP AS SOON AS THEY
ARE AVAILABLE.

Total gross:	14,470.50
Total discount:	455.00
Total tax:	389.34
Total freight:	0.00
Less Payment:	14,404.84
Net amount due:	0.00

CURRENCY USD

Attachment 3 - NelsonCardella_CoverLetter.pdf

Description -

December 29th, 2023

BMC Group, Inc.
Att: Van's Aircraft
P.O. Box 90100
Los Angeles, CA 90009

Creditors Information:

Name: Cardella, Nelson S.
Claim Number: New claim, no number assigned.
Case Name: Van's Aircraft
Case Number: 23-62260-dwh11

This letter is to request the following supporting documents added to the claim:

Invoice_000000000238006_QBWings
Invoice_000000000284507_QBFUS

Regards,

A handwritten signature in black ink, appearing to be 'N. Cardella', followed by a long horizontal line.

Nelson S Cardella
2601 Ski Trail Lane
Waxhaw, NC 28173
nelcardella@hotmail.com
(704) 301-3852