

BMC

JAN 21 2010

RECEIVED

IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE

In re:)
)
UBI LIQUIDATING CORP., et al.,)
)
Debtors.)

Case No. 10-13005-KJC
Chapter 11
Joint Administered

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BMC GROUP

**PROOF OF UNSECURED CLAIM OF
FAIRLANE TOWN CENTER LLC
("Fairlane Town Center/Ashley Stewart Woman Sizes 14-28, Store #209")**

1. This proof of claim is made for Fairlane Town Center LLC, a Michigan limited liability company ("Claimant"), 200 East Long Lake Road, Bloomfield Hills, Michigan 48304, and is signed by Andrew S. Conway, who is the attorney for the Claimant and is duly authorized to make this claim.

2. The debtors are, at the time of filing of the petition initiating this case, and still are indebted or liable to the Claimant in the sum of **\$70,440.29**. (See Exhibit A attached hereto.)

3. The basis of liability for this debt is the debtors' failure to pay and perform their obligations under the Lease prior to September 21, 2010, the date on which the debtors filed their petition under Chapter 11 of the Bankruptcy Code. Claimant reserves the right to amend this proof of claim to include rejection damages pursuant to Bankruptcy Code Section 502(b)(6) in the event the Lease is rejected by the debtors.

4. The writing on which this claim is founded (the Lease) is in the possession of the debtors. (Copies available upon request.)

5. No judgment has been rendered on this claim.

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

7. This claim is not subject to any setoff or counterclaim.



8. No security interest is held for this claim.
9. This claim is a general unsecured claim.
10. The Claimant reserves the right to amend this claim.

Total Amount Claimed: **\$70,440.29**
Claimant: Fairlane Town Center LLC
("Fairlane Town Center/Ashley Stewart Woman
Sizes 14-28, Store #209")

Dated: January 20, 2011

Andrew S. Conway
Attorneys for Claimant

By: 

Andrew S. Conway
200 East Long Lake Road, Suite 300
Bloomfield Hills, Michigan 48304
(248) 258-7427

Penalty for Presenting Fraudulent Claim. Fine of not more than \$5000 or imprisonment for not more than 5 years or both. Title 18, U.S.C. §152.

**EXHIBIT A TO
PROOF OF UNSECURED CLAIM OF
FAIRLANE TOWN CENTER LLC
("Fairlane Town Center/Ashley Stewart Woman Sizes 14-28, Store #209")**

I. General Information

Date of Lease: 7/10/00
Lease Commencement Date: 9/13/00
Expiration Date of Lease: 1/31/17
Chapter 11 Petition Filed: 9/21/10

II. Liability in the amount of \$70,440.29 arising from debtors' failure to perform their obligations under the Lease prior to September 21, 2010:

See attached Exhibit A-1

III. Total Claim: \$70,440.29

ACCOUNT STATUS REPORT
PRE - PETITION CHARGES

TENANT: Ashley Stewart Woman Sizes 14-28
 CENTER: Fairlane Town Center
 SPACE: M126
 LEASID: 014201

LCD-S: 9/13/2000
 CLOSE DATE: N/A
 LTD-S: 1/31/2017

DATE PREPARED: 1/17/2011
 PREPARED BY: A. Garlinghouse

Date Tenant Filed: 9/21/2010

Due Date	Minimum Rent	Common Area Maintenance	Promotional Charge	Real Estate Taxes & Assess.	Insurance	Electricity	WAT	Other	Description	Period Covered
11/1/2009	4,166.67		1,511.43							11/01/09-11/30/09
12/1/2009	4,166.67		1,511.43				100.72			12/01/09-12/31/09
12/1/10/09				(1,253.56)						07/29/09-10/28/09
12/23/09										01/01/08-12/31/08
01/13/10		6,335.32		(144.05)					Overpyt ck 338210	01/01/08-12/31/08
01/28/10		(1,112.19)		(144.05)					Overpyt ck 338342	01/01/10-01/31/10
02/01/10		(1,112.19)		(144.05)					Overpyt ck 340282	02/01/10-02/28/10
04/06/10		(1,112.19)				774.60				03/01/10-03/31/10
03/30/10										01/27/10-02/25/10
04/05/10							88.22			10/28/09-01/27/10
06/28/10							94.94			01/27/10-04/28/10
07/06/10									Year End Adjustment	04/28/10-05/27/10
07/14/10	4,166.67	22,872.86	1,511.43	1,133.27		1,113.17				01/01/09-12/31/09
08/01/10		8,600.51								08/01/10-08/31/10
08/01/10										08/01/10-08/31/10
08/01/10										05/27/10-06/24/10
08/31/10										06/24/10-07/28/10
09/01/10										09/01/10-09/20/10
09/29/10	2,777.78	5,733.67	1,007.62	755.51		1,285.01				07/28/10-08/26/10
10/11/10										04/28/10-07/28/10
11/02/10								94.51		08/26/10-09/20/10
12/22/10									Year End Adjustment	01/01/09-12/31/09
01/17/11				1,975.85				55.34		07/28/10-09/20/10

SUBTOTAL: 15,277.79 40,205.79 5,541.91 2,178.92 6,802.14 433.73

TOTAL: \$ 70,440.29

EX. P.I.

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IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE

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In re:)
)
UBI LIQUIDATING CORP., et al.,)
)
Debtors.)
_____)

Case No. 10-13005-KJC
Chapter 11
Joint Administered

CERTIFICATE OF SERVICE

Susan K. Link, being first duly sworn, deposes and says that she is an employee of The Taubman Company, and that on January 20, 2011, she served a copy of the following documents:

1. **Proof of Unsecured Claim of Fairlane Town Center LLC ("Fairlane Town Center/Ashley Stewart Woman Sizes 14-28, Store #209");**
2. **Proof of Administrative Claim of Fairlane Town Center LLC ("Fairlane Town Center/Ashley Stewart Woman Sizes 14-28, Store #209");**

and this Certificate of Service, via Notice of Electronic Filing and/or by enclosing the papers in sealed envelopes with first-class postage fully prepaid and depositing the envelopes and their contents in the United States mail, addressed as follows:

Mark D. Collins, Esq.
Richards Layton & Finger P.A.
One Rodney Square
PO Box 551
Wilmington, DE 19899

U.S. Trustee
844 King Street, Room 2207
Lockbox #35
Wilmington, DE 19899-0035

Susan K. Link

Susan K. Link

Subscribed and sworn to before me,
on this 20th day of January, 2011

Terrie A. Knowlton

Notary Public
My commission expires:
Acting in Oakland County, MI

TERRIE A. KNOWLTON
Notary Public, State of Michigan
County of Lapeer
My Commission Expires May, 03, 2014
Acting In Oakland County

BMC

Taubman

JAN 21 2010

RECEIVED

Andrew S. Conway
Direct dial: (248) 258-7427
Email: Aconway@taubman.com



January 20, 2011

By UPS

BMC Group, Inc.
Attn. Tinamarie Feil
Urban Brands Claims Processing
600 1st Avenue, Suite 300
Seattle, WA 98104

**Re: UBI Liquidating Corp., et al.
Chapter 11 Case No. 10-13005-KJC**

Dear Ms. Feil:

Please find enclosed an original and two (2) copies of the following:

1. **Proof of Unsecured Claim of Fairlane Town Center LLC ("Fairlane Town Center/Ashley Stewart Woman Sizes 14-28, Store #209");**
2. **Proof of Administrative Claim of Fairlane Town Center LLC ("Fairlane Town Center/Ashley Stewart Woman Sizes 14-28, Store #209"); and**
3. **Certificate of Service.**

Please file the enclosed and return time-stamped copies in the self-addressed, stamped envelope provided. Thank you for your assistance in this regard.

Very truly yours,

Andrew S. Conway

ASC/skl
Enclosure

cc: Mark D. Collins, Esq.
US Trustee

200 East Long Lake Road
Suite 300
Bloomfield Hills, Michigan
48304-2324