

Fill in this information to identify the case:

Debtor 1 Fibrant, LLC

Debtor 2 (Spouse, if filing) _____

United States Bankruptcy Court for the: Southern District of Georgia

Case number 18-10274

- Date Stamped Copy Returned
- No self addressed stamped envelope
- No copy to return

Official 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

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1. Who is the current creditor?
 Austin Maintenance & Construction, Inc.
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?
 No
 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?

Janet Ayyad Ismail
Name

3535 Travis Street, Suite 300
Number Street

Dallas TX 75204
City State ZIP Code

Contact phone 214-443-5677
 Contact email jismail@austin-ind.com

Where should payments to the creditor be sent? (if different)

Name _____
Number Street _____
City State ZIP Code _____

Contact phone _____
 Contact email _____

Uniform claim identifier for electronic payments in chapter 13 (if you use one):

4. Does this claim amend one already filed?
 No
 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?
 No
 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 0 3 8

7. How much is the claim? \$ 2,784.41. 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

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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: _____

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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)?

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).

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).

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).

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

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

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

Amount entitled to priority

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

* 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.

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 7 16 2018
MM / DD / YYYY

Signature

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

Name Jack Richardson
First name Middle name Last name

Title Executive Vice President

Company Austin Maintenance & Construction, Inc.
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address 2801 East Thirteenth Street
Number Street

La Porte TX 77571
City State ZIP Code

Contact phone 713.641.3400 Email JRichardson@austinindl.com

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Womble Bond Dickinson (US) LLP

271 17th Street, NW
Suite 2400
Atlanta, GA 30363-1017

July 19, 2018

t: 404.872.7000
f: 404.888.7490

VIA FEDERAL EXPRESS

Fibrant, LLC Claims Processing Center
c/o Kurtzman Carson Consultants LLC
2335 Alaska Avenue
El Segundo, CA 90245

Jason H. Watson
Direct Dial: 404-879-2429
Direct Fax: 404-870-4829
E-mail: Jason.watson@wbd-us.com

Re: Fibrant, LLC. Debtor; Case No. 18-10274

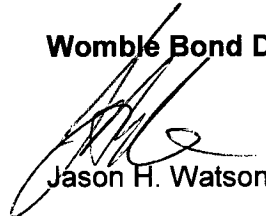
Gentlemen:

Enclosed please find an original Official Form 410 "Proof of Claim" to be filed in the above referenced matter. We have also enclosed a copy of said Proof of Claim to be stamped "filed" and returned to us in the attached Federal Express envelope.

Please let me know if you need any further information.

Best regards,

Womble Bond Dickinson (US) LLP



Jason H. Watson

JHW/sak

Enclosures

**EXHIBIT A TO PROOF OF CLAIM
FOR AUSTIN MAINTENANCE & CONSTRUCTION, INC. (“Claimant”)**

I. BASIS FOR CLAIM

As of the filing of this Proof of Claim, the Claimant is owed a total of \$2,784.41. The claim relates to services the Claimant provided to the Debtor. Specifically, \$2,784.41 remains unpaid for invoice # 831818440 for services provided from February 19, 2018 to February 25, 2018.¹ The Claimant reserves the right to assert interest.

II. NO SETOFF

To the best of the Claimant’s knowledge, the claims set forth in this Proof of Claim are not subject to any valid setoff or counterclaim by the Debtor; *provided, however*, that any setoff or recoupment rights that the Claimant may possess are expressly reserved and are not waived.

III. NO WAIVER

The filing of this Proof of Claim is not and should not be construed to be: (a) a waiver or release of the Claimant’s rights against any other entity or person liable for all or part of any claim described herein; (b) a waiver of the right to seek to have the reference withdrawn with respect to (i) the subject matter of these claims, (ii) any objection or other proceedings commenced with respect thereto, or (iii) any other proceedings commenced in these cases against or otherwise involving the Claimant; (c) a waiver of any right to the subordination, in favor of the Claimant, of indebtedness or liens held by creditors of the Debtor; or (d) an election of remedy that waives or otherwise affects any other remedy of the Claimant.

IV. RESERVATION OF RIGHTS

This Proof of Claim is filed without prejudice to the filing by, or on behalf of, the Claimant of any additional claims or proofs of claim with respect to any other claims that the

¹ The claim is less than the full amount of the invoice—\$11,933.73 has been paid on the invoice leaving the balance of \$2,784.41.

Claimant has or may have, including (without limitation) requests for payment of any administrative expenses allowable under Section 503(b) of the Bankruptcy Code or otherwise with respect to any transaction, whether or not such amounts are included in this Proof of Claim, and the Claimant's right to file such claims or any similar claims at an appropriate time is expressly reserved. Specifically, this Proof of Claim is filed with full reservation of rights, including (without limitation) the right to assert a claim for additional amounts, and the right to assert additional, supplementary, and/or amended proofs of claim and requests for administrative expense reimbursements, including (without limitation) based on events, information, and/or documents obtained from the Debtor or others, including through discovery. Without in any way limiting the foregoing, the Claimant's rights to assert any claims that it may have against the Debtor, or against any other party or property other than the Debtor and its estate, are expressly reserved.

All procedural and substantive defenses and rights with respect to any claims that may be asserted against the Claimant by the Debtor or any other party in interest in these bankruptcy cases or otherwise, or by any other person or entity whatsoever, are specifically preserved.

This Proof of Claim is not intended, nor should it be construed, as the Claimant's consent to jurisdiction in the Southern District of Georgia, the Claimant's consent to have the Bankruptcy Court adjudicate non-core matters, or a waiver of the Claimant's right to a trial by jury in any action or proceeding.