

B10 (Official Form 10) (04/13)

UNITED STATES BANKRUPTCY COURT		PROOF OF CLAIM
Name of Debtor: Complete Hydraulic Services Inc. 130 Commerce Dr. Franklin, TN 37613	Case Number: 13-04677-JKC-11	<div style="transform: rotate(-45deg); font-size: small;"> FILED MAY 24 PM 1:42 U.S. DISTRICT COURT KEVIN P. DEMPSEY CLERK </div>
NOTE: Do not use this form to make a claim for an administrative expense that arises after the bankruptcy filing. You may file a request for payment of an administrative expense according to 11 U.S.C. § 503.		
Name of Creditor (the person or other entity to whom the debtor owes money or property): James K Scott		
Name and address where notices should be sent: 301 W. OAK ST. LeRay TN 37752 Telephone number: 305-530-1318 email: kelly.construction@Gmx.com		<input type="checkbox"/> Check this box if this claim amends a previously filed claim. Court Claim Number: _____ (If known) Filed on: _____
Name and address where payment should be sent (if different from above): SAME Telephone number: _____ email: _____		<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to this claim. Attach copy of statement giving particulars.
1. Amount of Claim as of Date Case Filed: \$ 2,139.28 If all or part of the claim is secured, complete item 4. If all or part of the claim is entitled to priority, complete item 5. <input type="checkbox"/> Check this box if the claim includes interest or other charges in addition to the principal amount of the claim. Attach a statement that itemizes interest or charges.		
2. Basis for Claim: purchased NPS 9KBP car lift plus tax charged my Visa (See instruction #2) \$ 2135.28 never shipped or returned calls		
3. Last four digits of any number by which creditor identifies debtor: ORDER ID 105447	3a. Debtor may have scheduled account as: _____ (See instruction #3a)	3b. Uniform Claim Identifier (optional): _____ (See instruction #3b)
4. Secured Claim (See instruction #4) Check the appropriate box if the claim is secured by a lien on property or a right of setoff, attach required redacted documents, and provide the requested information.		
Nature of property or right of setoff: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe: _____ Value of Property: \$ _____ Annual Interest Rate _____ % <input type="checkbox"/> Fixed or <input type="checkbox"/> Variable (when case was filed)	Amount of arrearage and other charges, as of the time case was filed, included in secured claim, if any: \$ _____ Basis for perfection: _____ Amount of Secured Claim: \$ _____ Amount Unsecured: \$ _____	
5. Amount of Claim Entitled to Priority under 11 U.S.C. § 507 (a). If any part of the claim falls into one of the following categories, check the box specifying the priority and state the amount.		
<input type="checkbox"/> Domestic support obligations under 11 U.S.C. § 507 (a)(1)(A) or (a)(1)(B).	<input type="checkbox"/> Wages, salaries, or commissions (up to \$12,475*) earned within 180 days before the case was filed or the debtor's business ceased, whichever is earlier – 11 U.S.C. § 507 (a)(4).	<input type="checkbox"/> Contributions to an employee benefit plan – 11 U.S.C. § 507 (a)(5).
<input checked="" type="checkbox"/> Up to \$2,775* 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"/> Taxes or penalties owed to governmental units – 11 U.S.C. § 507 (a)(8).	<input type="checkbox"/> Other – Specify applicable paragraph of 11 U.S.C. § 507 (a)().
Amount entitled to priority: \$ _____		
*Amounts are subject to adjustment on 4/01/16 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.		
6. Credits. The amount of all payments on this claim has been credited for the purpose of making this proof of claim. (See instruction #6)		

☒ ENVELOPE NOT PROVIDED

☒ COPIES NOT PROVIDED

B10 (Official Form 10) (04/13)

2

7. Documents: Attached are **redacted** copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, security agreements, or, in the case of a claim based on an open-end or revolving consumer credit agreement, a statement providing the information required by FRBP 3001(c)(3)(A). If the claim is secured, box 4 has been completed, and **redacted** copies of documents providing evidence of perfection of a security interest are attached. If the claim is secured by the debtor's principal residence, the Mortgage Proof of Claim Attachment is being filed with this claim. (See instruction #7, and the definition of "redacted".)

DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.

If the documents are not available, please explain:

8. Signature: (See instruction #8)

Check the appropriate box.

☒ I am the creditor. ☐ I am the creditor's authorized agent. ☐ I am the trustee, or the debtor, or their authorized agent. ☐ I am a guarantor, surety, indorser, or other codebtor. (See Bankruptcy Rule 3005.)
(See Bankruptcy Rule 3004.)

I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.

Print Name: James K Scott

Title: owner

Company: Wally Construction

Address and telephone number (if different from notice address above):

301 W. Oak St.

Helix IL 61752

Telephone number: email:

(Signature)

(Date)

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the debtor, exceptions to these general rules may apply.

Items to be completed in Proof of Claim form

Court, Name of Debtor, and Case Number:

Fill in the federal judicial district in which the bankruptcy case was filed (for example, Central District of California), the debtor's full name, and the case number. If the creditor received a notice of the case from the bankruptcy court, all of this information is at the top of the notice.

Creditor's Name and Address:

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

1. Amount of Claim as of Date Case Filed:

State the total amount owed to the creditor on the date of the bankruptcy filing. Follow the instructions concerning whether to complete items 4 and 5. Check the box if interest or other charges are included in the claim.

2. Basis for Claim:

State the type of debt or how it was incurred. Examples include goods sold, money loaned, services performed, personal injury/wrongful death, car loan, mortgage note, and credit card. If the claim is based on delivering health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information. You may be required to provide additional disclosure if an interested party objects to the claim.

3. Last Four Digits of Any Number by Which Creditor Identifies Debtor:

State only the last four digits of the debtor's account or other number used by the creditor to identify the debtor.

3a. Debtor May Have Scheduled Account As:

Report a change in the creditor's name, a transferred claim, or any other information that clarifies a difference between this proof of claim and the claim as scheduled by the debtor.

3b. Uniform Claim Identifier:

If you use a uniform claim identifier, you may report it here. A uniform claim identifier is an optional 24-character identifier that certain large creditors use to facilitate electronic payment in chapter 13 cases.

4. Secured Claim:

Check whether the claim is fully or partially secured. Skip this section if the

claim is entirely unsecured. (See Definitions.) If the claim is secured, check the box for the nature and value of property that secures the claim, attach copies of lien documentation, and state, as of the date of the bankruptcy filing, the annual interest rate (and whether it is fixed or variable), and the amount past due on the claim.

5. Amount of Claim Entitled to Priority Under 11 U.S.C. § 507 (a).

If any portion of the claim falls into any category shown, check the appropriate box(es) and state the amount entitled to priority. (See Definitions.) A claim may be partly priority and partly non-priority. For example, in some of the categories, the law limits the amount entitled to priority.

6. Credits:

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.

7. Documents:

Attach redacted copies of any documents that show the debt exists and a lien secures the debt. You must also attach copies of documents that evidence perfection of any security interest and documents required by FRBP 3001(c) for claims based on an open-end or revolving consumer credit agreement or secured by a security interest in the debtor's principal residence. You may also attach a summary in addition to the documents themselves. FRBP 3001(c) and (d). If the claim is based on delivering health care goods or services, limit disclosing confidential health care information. Do not send original documents, as attachments may be destroyed after scanning.

8. Date and Signature:

The individual completing this proof of claim must sign and date it. FRBP 9011. If the claim is filed electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what constitutes a signature. If you sign this form, you declare under penalty of perjury that the information provided is true and correct to the best of your knowledge, information, and reasonable belief. Your signature is also a certification that the claim meets the requirements of FRBP 9011(b). Whether the claim is filed electronically or in person, if your name is on the signature line, you are responsible for the declaration. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer's address and telephone number if it differs from the address given on the top of the form for purposes of receiving notices. If the claim is filed by an authorized agent, provide both the name of the individual filing the claim and the name of the agent. If the authorized agent is a servicer, identify the corporate servicer as the company. Criminal penalties apply for making a false statement on a proof of claim.



Messages | Site Help | Last Login: 11/3/2012 09:31AM ET Log Out

Transactions & Details

Click any transaction for details.

Account name: Spark Visa Business Card ...4521 ▼

SPARK
BUSINESS

Account Details [more detail](#)

Balance

\$2,886.11
(as of 11/14/2012)

Available Credit

\$5,722.71

Minimum Payment

\$0.00

Payment Due Date

11/21/2012

[View Pending Payments](#)

[Transfer a Balance](#)

Transaction History

Recent Activity

[Since Previous Statement](#) ▼

Date Range(90 days max)

to

[Display](#)

[View Your Year End Summary](#)

Date	Description	All Categories ▼	Amount
Pending Transactions			
11/14/2012	MENARDS - NORMAL	Merchandise	\$751.90
11/14/2012	CHSSI	Gas/Automotive	\$2,139.28
Posted Transactions			
11/13/2012	MENARDS 3072 NORMAL IL	Merchandise	\$89.96
11/13/2012	MENARDS 3072 NORMAL IL	Merchandise	\$78.18
11/12/2012	CASEYS GEN STORE 1397 LE ROY IL	Gas/Automotive	\$41.68
11/12/2012	BOO BOOS DAWGHOUSE BLOOMINGTON IL	Dining	\$25.04
11/12/2012	BUFFALO WILD WINGS BLOOMINGTON IL	Dining	\$30.89
11/12/2012	NEW VIBES LLC LE ROY IL	Gas/Automotive	\$76.00
11/10/2012	LOVES TRAVEL S00053678 LEROY IL	Gas/Automotive	\$15.30
11/10/2012	FREEDOM OIL #35 BLOOMINGTON IL	Gas/Automotive	\$75.00
11/08/2012	LEROY TRUE VALUE LE ROY IL	Merchandise	\$25.60
11/08/2012	LOVES TRAVEL S00053678 LEROY IL	Gas/Automotive	\$15.62
11/08/2012	MEIJER #207 Q01 NORMAL IL	Gas/Automotive	\$50.00
11/07/2012	RP LUMBER CO INC 5373 BLOOMINGTON IL	Merchandise	\$938.91
11/07/2012	MENARDS 3072 NORMAL IL	Merchandise	\$14.76

\$577.21

↑

1-317-736-5094 or Toll Free at 1-888-736-5094

More Translations...

COMPLETE HYDRAULIC SERVICE & SALES, INC.
YOUR ONE STOP HYDRAULIC SHOP!
1-888-736-5094 SHOWROOM HOURS: Mon-Fri: 8am-5pm Sat: 8am-Noon CALL US ANYTIME!

2013 Spring Specials
SAVE ON A WHEEL BALANCER TODAY!

WB-160 Wheel Balancer **\$899.⁹⁵**
JM-0634A Jack Stand **\$89.95**

More Promotional Offers Coming Soon! Specials on Jacks, Wheel Service Equipment, and Other Shop Equipment!

JOIN OUR MAILING LIST!

Garage Equipment, Automotive Lifts, & Wheel Service Equipment
2 Post Lifts, 4 Post Lifts, Scissor Lifts, Motorcycle Lifts, Tire Changers, Wheel Balancers...

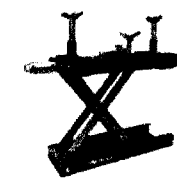
- Search
- BLOW-OUT SALE!
 - HOME
 - ABOUT US
 - CONTACT
 - DIRECTIONS
 - FAQ
 - HYDRAULIC SERVICE
 - On-Site Service
 - Financing Info
 - CC Authorization
 - Distributor Info
 - CHSSI ON TV!
 - Extreme Makeover
 - Man Caves - NASCAR
 - Man Caves - NFL
 - COMMUNITY LIFT
 - Car Shows & Car Clubs
 - VEHICLE LIFTS
 - 2 Post Lifts
 - 4 Post Lifts
 - Alignment Lifts
 - Scissor Lifts
 - Specialty Lifts
 - Bridge Jacks
 - Motorcycle Lifts
 - Vehicle Turntables
 - WHEEL SERVICE
 - Tire Changers
 - Wheel Balancers
 - Brake Lathes
 - Alignment Systems
 - Tire Spreaders
 - Wheel Dollies
 - SHOP EQUIPMENT

2013 Spring / Summer Sales
SAVE ON A WHEEL BALANCER TODAY!

JM-0634A Jack Stand **\$89.95**
WB-160 Wheel Balancer **\$899.⁹⁵**

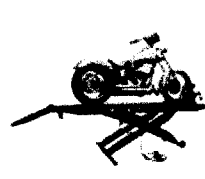
Specials on Jacks, Wheel Service Equipment, and Other Shop Equipment!

Featured Motorcycle Lifts & Scissor Lifts:



TCML-SJ
Motorcycle Service Jack
Capacity: 1,000 LBS.
Retail Price: ~~\$99.95~~
SALE! \$59.95!

More Info



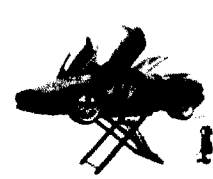
TCML
Motorcycle Lift - 24" Wide
Capacity: 1,500 LBS.
Retail Price: ~~\$749.95~~
SALE! \$699.95!

More Info



TCMLW
Motorcycle Lift - 48" Wide
Capacity: 1,500 LBS.
Retail Price: ~~\$849.95~~
SALE! \$799.95!

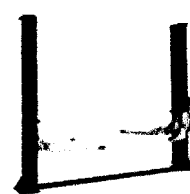
More Info



TCPL6
Mid Rise Pad Lift
Capacity: 6,000 LBS.
Retail Price: ~~\$1,549.95~~
SALE! \$1,499.95!

More Info

Featured 2 Post (Two Post) Vehicle Lifts:



CL 9,000 BP
2 Post Base Plate Lift
Capacity: 9,000 LBS.
Limited Qty Available
ONLY: \$1,399.95!

More Info



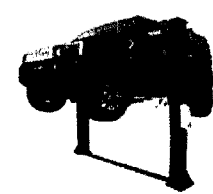
CL 9,000 OHA
2 Post Overhead Lift
Capacity: 9,000 LBS.
Limited Qty Available
ONLY: \$1,399.95!

More Info



NPS 9,000 BP
2 Post Base Plate Lift
Capacity: 9,000 LBS.
Retail Price ONLY:
\$1,999.95!

More Info



CJ 10,000 BP
2 Post Base Plate Lift
Capacity: 10,000 LBS.
Symmetric OR Asymmetric
ONLY: \$1,799.95!

More Info

Lilly Construction

From: Lilly Construction [lillyconstruction@gmx.com]
Sent: Monday, December 31, 2012 7:32 PM
To: 'shipping@completehydraulic.com'
Subject: FW: BP1000 lift

-----Original Message-----

From: Lilly Construction [mailto:lillyconstruction@gmx.com]
Sent: Monday, December 31, 2012 7:30 PM
To: 'shipping@completehydraulics.com'
Subject: BP1000 lift

I purchased a BP 2post lift in November 2012, Your Company Charged my Visa XXXX 4521 on November 14, for \$2139.28 Your sales person (female) whom took the order over the phone, Indicated 3 weeks for delivery. I have not hear or seen any email updates on this order? I've tried to call the company, with no luck to reach a live body.

If I don't hear from your Company, I will advise my Visa to cancel the transaction

Please contact me, 309 530 1318

Jim Scott

301 W. Oak st

Le Roy, Il 61752

Lilly Construction

From: Eva Soules [esoules@completehydraulic.com]
Sent: Wednesday, January 02, 2013 3:31 PM
To: LILLYCONSTRUCTION@GMX.COM
Cc: 'Eva Soules'
Subject: INVOICE

James,

Attached is your invoice. We will email you when the lift is ready to ship.

Please let me know if you have any questions.

Thank you,

Ms. Eva Soules
Executive Assistant

Complete Hydraulic Service & Sales, Inc.
North American Division
130 Commerce Park Drive
Franklin, Indiana (USA) 46131
O - 317.736.5094 x1114
F - 317.738.0555

The information contained in this electronic mail message is privileged and confidential information intended only for the use of the recipient(s) identified above. If the reader of this message is not an intended recipient, or the employee or agent responsible to deliver it to an intended recipient, any distribution or copying of this message is strictly prohibited. If you have received this message in error, please notify us immediately by telephone at 317-736-5094 Ext.1111 Cell & Office.

5/15/2013

Customer ID..... 3095301318
 Customer Name..... JAMES SCOTT
 Order ID..... 105447
 Ref.Order ID.....

Type/Status..... N / I
 S/O Date..... 11/14/12
 Invoice ID..... 214828
 Invoice Date..... 11/14/12

[----- Bill To -----] | [----- Ship To -----]
 Name..... JAMES SCOTT | LILLY CONSTRUCTION
 Name.....
 Address..... 301 W OAK STREET | 301 W OAK STREET
 Address.....
 City/St..... LEROY | IL | LEROY | IL
 Zip..... 61752 | 61752

P.O. Number..... JIM | Payment Terms..... 02
 Ship Via..... PICK UP / DELIV | Tax Code 1..... 00-
 F.O.B..... | Tax Code 2..... 000
 Ship Date: Request..... 00/00/00 | Tax Code 3.....
 Ship Date: Actual..... 00/00/00 | GL A/R Acct..... 12000
 Sales rep..... LKH | I/C Price Code..... 0
 A/R Description..... | I/C Location..... 1
 Comments.....

Qty Ordered	Stock ID Code	Line Item Description			UOM	Loc
Qty Shipped	Unit Price	Discont: %-Amnt	Extension	Tax	GL Acct No.	
1	1.000		SERIAL# NPS11120104BP			
1.000	0.0000	0.0	0.00	0.00 N	50100	
2	1.000		NPS 9K BP			
1.000	1,799.9500	0.0	0.00	1,799.95 N	50100	
3	1.000	SHIP	SHIP/HANDL/SPEC.ORD		EA	1
1.000	339.3300	0.0	0.00	339.33 N	50100	
4	1.000	CHSSI	THANKS, COMPLETE HYDR.		EA	1
1.000	0.0000	0.0	0.00	0.00 N	50100	

Invoice Sub-total (4 line items).....	2,139.28	Tax	GL Account No.
Total Non-Taxable Sales.....	2,139.28	-----	Applied Payments -----
Total Taxable Sales.....	0.00	Code	Reference Amount
Tax Applied (code 1).....	0.00		
Tax Applied (code 2).....	0.00	1	0.00
Tax Applied (code 3).....	0.00	2	0.00
Invoice Total.....	2,139.28	Balance:	2,139.28

Lilly Construction

From: shipping@completehydraulic.com
Sent: Thursday, January 10, 2013 6:15 PM
To: <lillyconstruction@gmx.com>
Subject: Jim. Re: BP1000 lift

Jim,

Hi,

We will look into your order and get back to you as to any delays or where it is.

Thanks

Don
Warehouse Director

On Dec 31, 2012, at 8:32 PM, "Lilly Construction" <lillyconstruction@gmx.com> wrote:

>

>

> -----Original Message-----

> From: Lilly Construction [mailto:lillyconstruction@gmx.com]

> Sent: Monday, December 31, 2012 7:30 PM

> To: 'shipping@completehydraulics.com'

> Subject: BP1000 lift

>

> I purchased a BP 2post lift in November 2012, Your Company Charged my Visa

> XXXX 4521 on November 14, for \$2139.28 Your sales person (female)

> whom took the order over the phone, Indicated 3 weeks for delivery. I

> have not hear or seen any email updates on this order? I've tried to call

> the company, with no luck to reach a live body.

>

> If I don't hear from your Company, I will advise my Visa to cancel the

> transaction

>

> Please contact me, 309 530 1318

> Jim Scott

> 301 W. Oak st

Lilly Construction

From: Lilly Construction [lillyconstruction@gmx.com]
Sent: Tuesday, February 19, 2013 9:57 AM
To: 'shipping@completehydraulic.com'
Subject: RE: Jim. Re: BP1000 lift

I have call numerous times, to your sales department and Miss Eva Soules, with no response, Please refund my credit card and cancel this order, Order ID 105447 Invoice ID 214828 Invoice date 11-14-12,

If I do not hear from you in 3 days, I will contact the better business and State attorney's office of Indiana to file a complaint.

Jim Scott

-----Original Message-----

From: shipping@completehydraulic.com
[mailto:shipping@completehydraulic.com]
Sent: Thursday, January 10, 2013 6:15 PM
To: <lillyconstruction@gmx.com>
Subject: Jim. Re: BP1000 lift

Jim,

Hi,

We will look into your order and get back to you as to any delays or where it is.

Thanks

Don
Warehouse Director

On Dec 31, 2012, at 8:32 PM, "Lilly Construction"
<lillyconstruction@gmx.com> wrote:

Lilly Construction

From: Lilly Construction [lillyconstruction@gmx.com]
Sent: Wednesday, March 06, 2013 3:51 PM
To: 'refund@completehydraulic.com'
Subject: inv id 214828 order id 105447

To whom it may concern

I ordered a NPS 11120104BP lift on 11-14-2012, invoice id 214828 Order id 105447 sales rep LKH

I have contacted your company numerous times, with no response.

Please cancel order and refund my Visa or issue a check for \$2139.28. within 10 days or I will continue with filing a small claims affidavit in Johnson County Magistrate Court for judgment of \$2139.28 plus attorney fee's.

Jim Scott
301 W. Oak st.
Le Roy, IL 61752
309 530 1318



STATE OF INDIANA
OFFICE OF THE INDIANA ATTORNEY GENERAL

CONSUMER PROTECTION DIVISION

302 W. WASHINGTON STREET, 5TH FLOOR • INDIANAPOLIS, IN 46204-2770

www.IndianaConsumer.com

PHONE: 317.232.6330

FAX: 317.233.4393

GREG ZOELLER
INDIANA ATTORNEY GENERAL

May 16, 2013

James K Scott
301 West Oak Street
Le Roy, IL 61752

RE: File No.: 13-CP-52776 James K Scott vs. Complete Hydraulic Service & Sales, Inc

Dear Mr. Scott:

I have been investigating your complaint against **Complete Hydraulic Service & Sales, Inc.** Unfortunately, because this is a business-to-business transaction, we lack jurisdiction. Additionally, we have learned that **Complete Hydraulic Service & Sales, Inc.** recently filed for Chapter 11 Bankruptcy in the Indiana Southern District Bankruptcy Court. There is no way for our office to obtain any relief for you. At this point, we believe that you may need to discuss your individual concerns with your own private counsel.

You may be able to obtain monetary restitution by contacting the US Bankruptcy Court, Indiana Southern District: Indianapolis (317) 229-3800. Complete Hyrdaulic's case number is 13-04677-JKC-11.

Based on this information, we have no other alternative but to close this file. We understand your frustration and disappointment in this matter, but unfortunately, we are unable to proceed any further with productive mediation without being able to contact the business.

Sincerely,

Samuel O. Ladowski

Samuel Ladowski
Law Clerk – Certified Legal Intern
Consumer Protection Division