

60

UNITED STATES BANKRUPTCY COURT
DISTRICT OF IDAHO (BOISE)

PROOF OF CLAIM

Name of Debtor
James L Hershberger
Melissa R Hershberger

Case Number
01-00317

NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A "request" for payment of an administrative expense may be filed pursuant to 11 U.S.C. §503



Name of Creditor (The person or other entity to whom the debtor owes money or property):
Ken Hershberger
Name and Address where notices should be sent:

Ken Hershberger
765 SE Mt. Hood Hwy.
F-143
Gresham, OR 97080

- Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.
- Check box if you have never received any notices from the bankruptcy court in this case.
- Check box if the address differs from the address on the envelope sent to you by the court.

THIS SPACE IS FOR COURT USE ONLY

Telephone Number: 503-666-8390

Account or other number by which creditor identifies debtor:

Check here if replaces this claim amends a previously filed claim, dated _____

1. Basis for Claim

- Goods sold
- Services performed
- Money loaned
- Personal injury/wrongful death
- Taxes
- Other

- Retiree benefits as defined in 11 U.S.C. §1114(a)
- Wages, salaries, and compensation (fill out below)
Your SS #: _____
Unpaid compensation for services performed from _____ to _____
(date) (date)

2. Date debt was incurred:

DECEMBER-20-1990

3. If court judgment, date obtained:

4. Total Amount of Claim at Time Case Filed:

\$ 6000.00

If all or part of your claim is secured or entitled to priority, also complete Item 5 or 6 below.

Check this box if claim includes interest or other charges in addition to the principal amount of the claim. Attach itemized statement of all interest or additional charges.

5. Secured Claim.

Check this box if your claim is secured by collateral (including a right of setoff).

Brief Description of Collateral:

- Real Estate Motor Vehicle
- Other _____

Value of Collateral: \$ _____

Amount of arrearage and other charges at time case filed included in secured claim, if any: \$ _____

6. Unsecured Priority Claim.

Check this box if you have an unsecured priority claim

Amount entitled to priority \$ _____

Specify the priority of the claim:

- Wages, salaries, or commissions (up to \$4,300)* earned within 90 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. § 507(a)(3).
- Contributions to an employee benefit plan - 11 U.S.C. §507(a)(4).
- Up to \$ 1,950* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507(a)(6).
- Alimony, maintenance, or support owed to a spouse, former spouse, or child - 11 U.S.C. § 507(a)(7).
- Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(8).
- Other - Specify applicable paragraph of 11 U.S.C. § 507(a)(____).

*Amounts are subject to adjustment on 4/1/01 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.

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

8. Supporting Documents: Attach copies of supporting documents, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security agreements, and evidence of perfection of lien. DO NOT SEND ORIGINAL DOCUMENTS. If the documents are not available, explain. If the documents are voluminous, attach a summary.

9. Date-Stamped Copy: To receive an acknowledgment of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim.

THIS SPACE IS FOR COURT USE ONLY

REC'D
CARRISON S. BURKE
CLERK, IDAHO
FILED
2001 MAR -6 PM 2:21
U.S. COURTS

Date Sign and print the name and title, if any, of the creditor or other person authorized to file this claim (attach copy of power of attorney, if any):

3-3-01 Ken J Hershberger

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.

Chapter 12 and 13 claims, along with any supporting must be filed in duplicate.

5

DECEMBER 20 - 1990

PROMISSORY NOTE
I, KEN HERSHBERGER,

LOAN AMOUNT \$3000.00

PERSONAL LOAN for Jim & MELISSA
HERSHBERGER - MEXICO VACATION TO BE
REPAID BAIL IN MONTHLY INSTALLMENTS ⁴⁴
THE AMOUNT of 100.00 per month
TILL PAID IN FULL

JAMES L. HERSHBERGER

~~James L. Hershberger~~

MELISSA R. HERSHBERGER

~~Melissa R. Hershberger~~

RECEIPT

No. _____ Date August 10 1991

From Melissa Herzhberg \$ 150.00

one hundred fifty dollars Dollars

For MEXICO VACATION

Cash

Check

Money Order

Due	\$ 2651.00
Paid	\$ 150.00
Balance	\$ 2501.00

EXECUTIVE no. 7587

By [Signature]

RECEIPT

No. _____ Date APRIL 28 1991

From Jim Herzhberg \$ 150.00

one hundred fifty dollars Dollars

For MEXICO VACATION

Cash

Check

Money Order

Due	\$ 2800.00
Paid	\$ 150.00
Balance	\$ 2650.00

EXECUTIVE no. 7587

By [Signature]

RECEIPT

No. _____ Date FFB 14 1991

From Jim HERZBERG \$ 100.00

one hundred and 00/100 Dollars

For MEXICO VACATION

Cash

Check

Money Order

Due	\$ 2900.00
Paid	\$ 100.00
Balance	\$ 2800.00

EXECUTIVE no. 7587

By [Signature]

RECEIPT

No. _____ Date JAN 12 1991
From Melissa Herzhberg \$ 100.00 Dollars
one hundred and 00/100

For MEXICO VACATION
Cash \$ 3000.00
Check \$ 150.00
Money Order \$ 2900.00

EXECUTIVE no. 7587

By [Signature]

FEBRUARY 17 - 1980

PROMISSORY NOTE
E. KEN HERSHBERGER

LOAN Amount \$ 4500.00 for the purchase
of 1973 CHEV 34 444 pickup TRUCK
TO BE PAID BACK IN MONTHLY INSTALLMENTS
By Jim & Melissa HERSHBERGER IN
THE Amount of 150.00 per month
TIL PAID IN FULL

JAMES L HERSHBERGER

~~James L Herberger~~
MELISSA R HERSHBERGER
~~Melissa R Herberger~~

RECEIPT

No. _____ Date MAR-22 1990

From: Jim HERBERGER \$ 150.00

one hundred fifty and ⁰⁰/₁₀₀ Dollars

For: TRUCK LOAN

Cash

Check

Money Order

Due	<u>4500</u>	\$ <u>4500.00</u>
Paid	<u>150</u>	\$ <u>150.00</u>
Balance		\$ <u>4350.00</u>

EXECUTIVE no. 7587

By: [Signature]

RECEIPT

No. _____ Date MAR-29 1990

From: Melissa HERBERGER \$ 150.00

one hundred fifty and ⁰⁰/₁₀₀ Dollars

For: TRUCK payment

Cash

Check

Money Order

Due		\$ <u>4350.00</u>
Paid		\$ <u>150.00</u>
Balance		\$ <u>4200.00</u>

EXECUTIVE no. 7587

By: _____

RECEIPT

No. _____ Date MARCH - 01 1998

From: Jim + MELISSA HERBERGER \$ 700.00

Seven hundred dollars and ⁰⁰/₁₀₀ Dollars

For: TRUCK payment

Cash

Check

Money Order

Due		\$ <u>4200.00</u>
Paid		\$ <u>700.00</u>
Balance		\$ <u>3500.00</u>

EXECUTIVE no. 7587

By: [Signature]