

**Fill in this information to identify the case:**

Debtor 1 EBPI MERGER INC.

Debtor 2 \_\_\_\_\_  
 (Spouse, if filing)

United States Bankruptcy Court for the: NORTHERN DISTRICT OF TEXAS

Case number 24-80041-SGJ11

# Bankruptcy

## Proof of Claim

12/15

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? TEXAS COMPTROLLER OF PUBLIC ACCOUNTS  
 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?	Where should payments to the creditor be sent? (if different)
<b>Office of the Attorney General                      Bankruptcy &amp; Collections Division</b> Name <u>P.O. Box 12548, MC-008</u> Number <u>Austin TX 78711</u> City State ZIP Code Contact phone <u>(512) 463-2173</u> Contact email <u>bankruptcytax@oag.texas.gov</u>	<b>Revenue Accounting Division                      Attention: Bankruptcy</b> Name <u>P.O. Box 13528</u> Number <u>Austin TX 78711</u> City State ZIP Code Contact phone <u>(512) 463-4510</u> Contact email <u>bankruptcysection@cpa.texas.gov</u>

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: 2 3 9 9

7. How much is the claim? \$ 31,882.00. 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.  
FRANCHISE TAX CH. 171

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. \$ \_\_\_\_\_

11. Is this claim subject to a right of setoff?  No  Yes. Identify the property: See attached.

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

No

Yes. Check one:

Amount entitled to priority

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

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

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). \$ \_\_\_\_\_

Wages, salaries, or commissions (up to \$12,475\*) 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). \$ 31,882.00

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. \$ \_\_\_\_\_

\* Amounts are subject to adjustment on 4/01/16 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 08/05/2024  
MM / DD / YYYY

\_\_\_\_\_  
Signature

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

Name LYDIA H HEWETT  
First name Middle name Last name

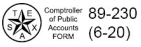
Title Accounts Examiner

Company Texas Comptroller of Public Accounts  
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address 111 E. 17th Street, ATTN: Revenue Accounting Div.  
Number Street

Austin Texas 78711  
City State ZIP Code

Contact phone (512) 463-4510 Email bankruptcysection@cpa.texas.gov



# Bankruptcy Claim Worksheet — With Addendum

Date 08/05/2024	Case court number 24-80041-SGJ11	Primary TP ID XXXXXXXX2399	Taxpayer number XXXXXXXX2399
Entity name EBPI MERGER, INC.			

Basis for claim: 13 - FRANCHISE TAX							
PERIOD	BASIS	GROSS TAX	PENALTY	INTEREST	TOTAL	PAYMENT	BALANCE
24	EAR	\$31,882.00	\$0.00	\$0.00	\$31,882.00	\$0.00	\$31,882.00
<b>TOTAL:</b>		\$31,882.00	\$0.00	\$0.00	\$31,882.00	\$0.00	\$31,882.00
<b>ORIGINAL PRIORITY PROOF OF CLAIM</b>						<b>GRAND TOTAL: \$31,882.00</b>	

Addendum:

- This claim is based, in whole or in part, on estimated liability due to the debtor's non-filing of a return or returns. The claim may be amended when actual amounts are obtained.
- Claim is based on statute. No other supporting documentation is required. Creditor reserves all setoff rights under Texas law, including those arising from audits, credits, refunds, or payments due for goods and services provided to the State of Texas.

R - Original Tax Return	F - Final Return	AR - Affiliated Return	EAA - Estimated Affiliated Audit
A - Audit	EF - Estimated Final Return	AA - Affiliated Audit	EAF - Estimated Affiliated Final
EA - Estimated Audit	SA - Successor Assessment	AF - Affiliated Final	
ER - Estimated Return	PA - Predecessor Assessment	EAR - Estimated Affiliated Return	