


## Fill in this information to identify the case:

Debtor 1 OTB Holding LLC, et al.

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

United States Bankruptcy Court for the: Northern District of Georgia 

Case number 25-52415

## Official Form 410

## Proof of Claim

12/24

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?	<u>Appell Striping &amp; Sealcoating, Inc.</u> 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?	<input checked="" type="checkbox"/> No <input type="checkbox"/> 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?  <u>Michael Appell</u> Name <u>6 Willowbrook Ave</u> Number Street <u>Bay Shore</u> <u>NY</u> <u>11706</u> City State ZIP Code Contact phone <u>(631) 519-2465</u> Contact email <u>mappell@appellstriping.com</u> Uniform claim identifier (if you use one): _____	Where should payments to the creditor be sent? (if different)  Name _____ Number Street _____ City State ZIP Code _____ Contact phone _____ Contact email _____
4. Does this claim amend one already filed?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on ____ / ____ / ____	
5. Do you know if anyone else has filed a proof of claim for this claim?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing? _____	

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**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: \_\_\_\_\_

7. How much is the claim? \$ 5,259.00 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.  
Services performed.

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:** \$ 5,259.00 (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:** \$ 5,259.00  
**Annual Interest Rate** (when case was filed) \_\_\_\_\_%  
☐ Fixed  
☐ Variable

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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:

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 \$3,350\* 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 \$15,150\*) 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.

\$ \_\_\_\_\_

\* Amounts are subject to adjustment on 4/01/25 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)(3) 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 04/01/2025

MM / DD / YYYY

Signature

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

Name

Michael

Appell

First name

Middle name

Last name

Title

Partner

Company

Appell Stripping & Sealcoating, Inc.

Identify the corporate servicer as the company if the authorized agent is a servicer.

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Address

6 Willowbrook Ave

Number Street

Bay Shore

NY

11706

City

State

ZIP Code

Contact phone

(631) 519-2465

Email

mappell@appellstripping.com

Print

Save As...

Add Attachment

Reset

**APPELL STRIPING AND  
SEALCOATING, INC**

6 Willowbrook Ave  
Bay Shore, NY 11706 US



**INVOICE**

**BILL TO**  
On The Border Mexican Grill & Cantina  
3676 Potomac Circle  
Grandville MI  
49418 US

**INVOICE** 11088  
**DATE** 01/04/2025  
**TERMS** Net 30

DATE	ACTIVITY	AMOUNT
	Asphalt Repair	5,259.00
	- { 582 } Sq ft of Approx. Repairs	
	- {15} areas of repair located throughout parking lot	
	-We will rotomill and/or cut a perimeter and excavate repair area to a depth of 1.5"- 2.5".	
	- We will remove all materials from site.	
	-Next we will compact base and then install RCA as needed.	
	-We then will install 1.5"- 2.5" compacted thickness surface asphalt.	
	Sales Tax	0.00
	Sales Tax calculated by AvaTax on Thu Jan 9 05:29:31 UTC 2025	

**BALANCE DUE** **\$5,259.00**

Pay invoice

Please note that sales and use tax is auto calculated by our national tax company, "Avalara" based on GPS location of the job site. Some jobs depending on service, location and/or other factors decide whether Appell legally has to charge and pay tax on a job by job bases.

Materials purchased for this job included sales tax.

Please remit all payments to  
6 Willowbrook Ave., Bay Shore, NY 11706

From: Accounting Email [accounting@appellstriping.com](mailto:accounting@appellstriping.com)  
Subject: Invoice -- WO-1546: On The Border - 3676 Potomac Cir SW,  
Grandville, MI  
Date: Jun 25, 2024 at 15:40:52  
To: [Jim.DiPietro@ontheborder.com](mailto:Jim.DiPietro@ontheborder.com)  
Cc: Jessica Levin [jessica@appellstriping.com](mailto:jessica@appellstriping.com), Mike Appell  
[mappell@appellstriping.com](mailto:mappell@appellstriping.com)

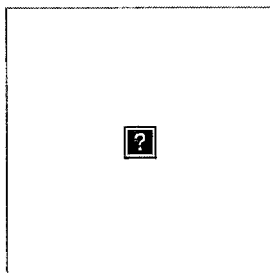
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Greetings,

Please see the attached invoice for the work. Please reply to this email or call me at (773) 932-8771 if you have any questions or concerns.

Thank you for your business.

Respectfully,



**Milli Martinek**

Compliance and Accounting Manager  
National | Appell Striping & Seal Coating Inc.

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(773) 932-8771

[accounting@appellstriping.com](mailto:accounting@appellstriping.com)

[Appellstriping.com](http://Appellstriping.com)

6 Willowbrook Avenue, Bay Shore, NY 11706



**Invoice 11088 with photos**

**.pdf**  
2 MB





