

**Fill in this information to identify the case:**Debtor OTB Acquisition LLCUnited States Bankruptcy Court for the: Northern District of Georgia  
(State)Case number 25-52416**Modified 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 or 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?	Alma Tapia Espinoza	
	Name of the current creditor (the person or entity to be paid for this claim)	
	Other names the creditor used with the debtor <u>Alma Berenice Tapia Espinoza</u>	
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?	<b>Where should notices to the creditor be sent?</b>	<b>Where should payments to the creditor be sent? (if different)</b>
Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Alma Tapia Espinoza Alma Tapia Espinoza 1612 S Idalia Cir UNIT H Aurora, CO 80017, United States	
	Contact phone <u>7206464986</u>	Contact phone _____
	Contact email <u>tapiaalma13@gmail.com</u>	Contact email _____
	Uniform claim identifier (if you use one): _____	
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 _____ MM / DD / YYYY	
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? _____	



**Part 2: Give Information About the Claim as of the Date the Case Was Filed**

<b>6. Do you have any number you use to identify the debtor?</b>	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: <u>4402</u> <u>    </u> <u>    </u>
<b>7. How much is the claim?</b> \$ <u>6750</u>	<b>Does this amount include interest or other charges?</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).
<b>8. What is the basis of the claim?</b>	<p>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.</p> <p><u>Cleaning services already performed</u></p>
<b>9. Is all or part of the claim secured?</b>	<div><input checked="" type="checkbox"/> No</div> <div><input type="checkbox"/> Yes. The claim is secured by a lien on property. <b>Nature or property:</b> <div><input type="checkbox"/> Real estate: If the claim is secured by the debtor's principle residence, file a <i>Mortgage Proof of Claim Attachment</i> (Official Form 410-A) with this <i>Proof of Claim</i>. <input type="checkbox"/> Motor vehicle <input type="checkbox"/> Other. Describe: _____</div> <b>Basis for perfection:</b> _____ <small>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.)</small>  <b>Value of property:</b> \$ _____ <b>Amount of the claim that is secured:</b> \$ _____ <b>Amount of the claim that is unsecured:</b> \$ _____ (The sum of the secured and unsecured amount should match the amount in line 7.)  <b>Amount necessary to cure any default as of the date of the petition:</b> \$ _____  <b>Annual Interest Rate</b> (when case was filed) _____ % <div><input type="checkbox"/> Fixed <input type="checkbox"/> Variable</div></div>
<b>10. Is this claim based on a lease?</b>	<div><input checked="" type="checkbox"/> No</div> <div><input type="checkbox"/> Yes. <b>Amount necessary to cure any default as of the date of the petition.</b>    \$ _____</div>
<b>11. Is this claim subject to a right of setoff?</b>	<div><input checked="" type="checkbox"/> No</div> <div><input type="checkbox"/> Yes. Identify the property: _____</div>



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

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

☐ No

☒ Yes. Check all that apply:

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

Amount entitled to priority

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

☐ 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).

\$ 6750

☐ 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.

13. Is all or part of the claim entitled to administrative priority pursuant to 11 U.S.C. § 503(b)(9)?

☐ No

☒ Yes. Indicate the amount of your claim arising from the value of any goods received by the debtor within 20 days before the date of commencement of the above case, in which the goods have been sold to the Debtor in the ordinary course of such Debtor's business. Attach documentation supporting such claim.

\$ 6750

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 acknowledgement 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 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 04/23/2025  
MM / DD / YYYY

/s/Alma Tapia Espinoza  
Signature

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

Name Alma Tapia Espinoza  
First name Middle name Last name

Title \_\_\_\_\_

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

Address \_\_\_\_\_

Contact phone \_\_\_\_\_ Email \_\_\_\_\_



# Verita (KCC) ePOC Electronic Claim Filing Summary

For phone assistance: Domestic (888) 647-1744 | International (310) 751-2628

<b>Debtor:</b> 25-52416 - OTB Acquisition LLC <b>District:</b> Northern District of Georgia, Atlanta Division		
<b>Creditor:</b> Alma Tapia Espinoza Alma Tapia Espinoza 1612 S Idalia Cir UNIT H Aurora, CO, 80017 United States <b>Phone:</b> 7206464986 <b>Phone 2:</b>  <b>Fax:</b>  <b>Email:</b> tapiaalma13@gmail.com	<b>Has Supporting Documentation:</b> Yes, supporting documentation successfully uploaded <b>Related Document Statement:</b>	
	<b>Has Related Claim:</b> No <b>Related Claim Filed By:</b>	
	<b>Filing Party:</b> Creditor	
<b>Other Names Used with Debtor:</b> Alma Berenice Tapia Espinoza	<b>Amends Claim:</b> No <b>Acquired Claim:</b> No	
<b>Basis of Claim:</b> Cleaning services already performed	<b>Last 4 Digits:</b> Yes - 4402	<b>Uniform Claim Identifier:</b>
<b>Total Amount of Claim:</b> 6750	<b>Includes Interest or Charges:</b> No	
<b>Has Priority Claim:</b> Yes	<b>Priority Under:</b> 11 U.S.C. §507(a)(4): 6750	
<b>Has Secured Claim:</b> No <b>Amount of 503(b)(9):</b> Yes: 6750 <b>Based on Lease:</b> No <b>Subject to Right of Setoff:</b> No	<b>Nature of Secured Amount:</b> <b>Value of Property:</b> <b>Annual Interest Rate:</b> <b>Arrearage Amount:</b> <b>Basis for Perfection:</b> <b>Amount Unsecured:</b>	
<b>Submitted By:</b> Alma Tapia Espinoza on 23-Apr-2025 1:40:56 p.m. Pacific Time <b>Title:</b> <b>Company:</b> JCT Cleaning		

## Cleaning Invoice

J.C.T  
1612 S Idalia Cir Unit H  
Aurora, co 80017  
7206464986

Bill to  
On the Border #177  
6369 S Southlands Pkwy  
Aurora Co

Ship to  
Alma Berenice Tapia Espinoza  
1612 S Idalia Cir Unit H  
Aurora Co 80017  
Invoice details  
Invoice #: 0105  
Invoice date: 08/01/2024  
Terms:  
Due: 08/30/2024

Product/service Description	Qty/hrs	Rate	Amount
Cleaning Service Detail and daily clean of restaurant			
30 days	\$75.00	=	2250
Subtotal	2250.00		
Sales tax			
Shipping			

Total Due \$2250.00

## Cleaning Invoice

J.C.T  
1612 S Idalia Cir Unit H  
Aurora, co 80017  
7206464986

Bill to  
On the Border #177  
6369 S Southlands Pkwy  
Aurora Co

Ship to  
Alma Berenice Tapia Espinoza  
1612 S Idalia Cir Unit H  
Aurora Co 80017  
Invoice details  
Invoice #:0106  
Invoice date: 09/01/2024  
Terms:  
Due: 09/30/2024

Product/service Description	Qty/hrs	Rate	Amount
Cleaning Service Detail and daily clean of restaurant			
30 days	\$75.00	=	2250
Subtotal	2250.00		
Sales tax			
Shipping			

Total Due \$2250.00

## Cleaning Invoice

J.C.T  
1612 S Idalia Cir Unit H  
Aurora, co 80017  
7206464986

Bill to  
On the Border #177  
6369 S Southlands Pkwy  
Aurora Co

Ship to  
Alma Berenice Tapia Espinoza  
1612 S Idalia Cir Unit H  
Aurora Co 80017  
Invoice details  
Invoice #: 0107  
Invoice date: 10/01/2024  
Terms:  
Due: 10/30/2024

Product/service Description	Qty/hrs	Rate	Amount
Cleaning Service Detail and daily clean of restaurant			
30 days	\$75.00	=	2250
Subtotal	2250.00		
Sales tax			
Shipping			

Total Due \$2250.00

## **DEMAND FOR PAYMENT OF WAGES**

**TO: On The Border Mexican Grill & Cantina**

(EMPLOYER/BUSINESS/COMPANY NAME)

Eric Easton/ Fred Thrasher/ Accounting Mrg

(OWNER/OFFICER/MANAGER LIABLE FOR WAGES)

2201 West Royal Lane Suite 170

(MAILING ADDRESS)

Irving, Texas 75063

(CITY, STATE, ZIP)

Michael.Peebles@ontheborder.com

(EMAIL ADDRESS)

**FROM: Alma Tapia Espinoza**

(EMPLOYEE NAME)

Vendor

(JOB TITLE)

17891 E Girard Dr Apt 1012

(MAILING ADDRESS)

Aurora, CO

(CITY, STATE, ZIP)

Tapiaalma13@gmail.com

(EMAIL ADDRESS)

Under Colorado Revised Statutes Title 8, Article 4, I formally demand the following wages I am owed:

**Total dollar amount that I believe I am owed: \$6750.00**

*(the amount may be approximate, or subject to change if evidence shows a different amount)*

**Description of the wages or compensation owed (another sheet may be attached if needed):**

**Missing payments to JCT Cleaning for month of August, September, and October.**

Under Colorado law, if, within 14 days of the sending of this demand, you fail to pay wages found to be owed, you will have violated Colorado labor law,<sup>\*</sup> and will be **ordered to pay more than just the wages owed:**

- in addition to the full wages owed, **a penalty of 200% of the wages owed or \$1,000.00**, whichever is greater ([C.R.S. § 8-4-109](#));
- if the violation is found to be "willful," **the above penalty increases to 300% of the wages owed or \$3,000.00**, whichever is greater; and
- fines of up to \$50 per day, to the State of Colorado, from the date the wages became due ([C.R.S. § 8-4-113](#)).

For more on how penalties and fines increase liability for unpaid wages, see the Division's [Employer FAQs](#) resource.<sup>\*\*</sup>

Please also note:

- If the Division finds an employer violated Colorado labor law, the Division publishes the violation on its website, on its [spreadsheet of violations](#) and/or its [decisions webpage](#).
- **An individual owner, officer, manager, or supervisor — not just the employer as a business or entity — may be found to be personally liable for, and responsible to pay, all amounts owed for unpaid wages.**

**Please make payment to me by this method (select only 1 of 3 options and fill in the corresponding fields):**

☐ Mail to my address listed above

☒ Direct deposit or transfer to: ☒ My bank account you have on record for paying my wages; or

☐ This account # ( ) and routing # ( )

☐ Other payment method: \_\_\_\_\_

Employee Signature



01/12/2025

Date

<sup>\*</sup>All wages or compensation are due, and must be paid, on regular paydays by 10 days after each pay period ends, unless we agreed on a different period. [C.R.S. § 8-4-103\(1\)\(a\)](#). Employees who quit or resign must be paid the next regular payday; terminated employees must be paid immediately, with limited exceptions: if an accounting unit for payroll is offsite, 24 hours after its next regular workday starts; if that unit is not scheduled to operate that day, six hours after its next regular workday starts. [C.R.S. § 8-4-109\(1\)\(a\),\(b\)](#).

<sup>\*\*</sup><https://cdle.colorado.gov/wage-hour-claim-investigations-employee-fee>



Missing payment

me

Nov 5, 2024

to accounting ▾

Good afternoon, I am emailing you regarding missing payments from three different invoices. I am missing the payment for August, September and October I have sent the invoices to account payable just like instructed in the email and have tried following up with the store managers, as well as the area manager, and nobody has reached out to me regarding the payment. It's already November and I still haven't received my three months payment and would like to know when I will be getting paid as my cleaning company is no longer needed with On The Border company. It is very frustrating as it is a lot of money that is owed to me. Please reach out to me as soon as possible. I will be calling corporate to see what's the hold up as well since I am not able to get answers from nobody. Please reach out at 720-646-4986. I will attach the invoices again.

Thank you,

...

Cleaning Invoice

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Aurora, co 80017  
7206464986

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