

Fill in this information to identify the case:

Debtor US LEC of Florida LLC

United States Bankruptcy Court for the: Southern District of New York
(State)

Case number 19-22348

**Official Form 410
Proof of Claim**

04/16

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?	<u>7121 FAIRWAY OWNER LLC</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?	Where should payments to the creditor be sent? (if different)
	<u>7121 FAIRWAY OWNER LLC</u>	
	<u>C/O NAI MERIN HUNTER CODMAN INC</u>	
	<u>1601 FORUM PLACE SUITE 700</u>	
	<u>WEST PALM BEACH, FL 33401</u>	
	Contact phone <u>561-471-8000</u>	Contact phone _____
	Contact email <u>abrauner@mhcreal.com</u>	Contact email _____
	Uniform claim identifier for electronic payments in chapter 13 (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

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? \$ 4,910.26 - see attached. 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.
Lease

9. Is all or part of the claim secured? No
 Yes. The claim is secured by a lien on property.
Nature or property:
 Real estate: If the claim is secured by the debtor's principle 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 amount 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. \$ See summary page

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 all that apply:

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

Up to \$2,850* 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 \$12,850*) 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.

Amount entitled to priority

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

* Amounts are subject to adjustment on 4/01/19 and every 3 years after that for cases begun on or after the date of adjustment.

13. Is all or part of the claim 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.

\$ _____

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 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 06/19/2019
MM / DD / YYYY

/s/JORDAN C. PAUL
Signature

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

Name JORDAN C. PAUL
First name Middle name Last name

Title AUTHORIZED SIGNATORY

Company NAT/MERIN HUNTER CODMAN, INC.
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address 1601 Forum Place, Suite 700, West Palm Beach, Florida, 33401

Contact phone 561-471-8000

Email Abrauner@mhcreal.com



KCC ePOC Electronic Claim Filing Summary

For phone assistance: Domestic (877) 759-8815 | International (424) 236-7262

Debtor: 19-22348 - US LEC of Florida LLC		
District: Southern District of New York, White Plains Division		
Creditor: 7121 FAIRWAY OWNER LLC C/O NAI MERIN HUNTER CODMAN INC 1601 FORUM PLACE SUITE 700 WEST PALM BEACH, FL, 33401 Phone: 561-471-8000 Phone 2: Fax: Email: abrauner@mhcreal.com	Has Supporting Documentation: Yes, supporting documentation successfully uploaded Related Document Statement: Has Related Claim: No Related Claim Filed By: Filing Party: Authorized agent	
Other Names Used with Debtor:	Amends Claim: No Acquired Claim: No	
Basis of Claim: Lease	Last 4 Digits: No	Uniform Claim Identifier:
Total Amount of Claim: 4,910.26 - see attached	Includes Interest or Charges: No	
Has Priority Claim: No	Priority Under:	
Has Secured Claim: No Amount of 503(b)(9): No Based on Lease: Yes, 4,910.26 - see attached Subject to Right of Setoff: No	Nature of Secured Amount: Value of Property: Annual Interest Rate: Arrearage Amount: Basis for Perfection: Amount Unsecured:	
Submitted By: JORDAN C. PAUL on 19-Jun-2019 12:36:13 p.m. Eastern Time Title: AUTHORIZED SIGNATORY Company: NAI/MERIN HUNTER CODMAN, INC.		
Optional Signature Address: JORDAN C. PAUL 1601 Forum Place Suite 700 West Palm Beach, Florida, 33401 Telephone Number: 561-471-8000 Email: Abrauner@mhcreal.com		

CLAIMANT: 7121 Fairway Owner LLC
DEBTOR: US LEC of Florida LLC
Case No. 19-22348 (RDD)

1. The Debtor and Claimant are parties to a lease dated March 31, 2000, as amended from time to time (the "Lease"), pursuant to which Debtor leases certain premises located at 7121 Fairway Drive, Suite 101, Palm Beach Gardens, Florida 33418 (the "Premises"). The Lease is lengthy and therefore a copy is not attached hereto. On information and belief, the Debtor has a copy of the Lease in its possession. However, Claimant will provide a copy of the Lease to the Debtor upon written request therefor.

2. As of the date of the Debtor's filing for relief under the Bankruptcy Code, the Debtor was liable to Claimant under the Lease for the liquidated amount of \$4,910.26 (the "Liquidated Claim"), together with all unliquidated and undetermined amounts payable under the Lease (e.g., CAM adjustments and true-ups, indemnification claims, property damage claims, etc.) (the "Unliquidated Claim" and, together with the Liquidated Claim, the "Claim"). A ledger showing the calculation of the Liquidated Claim is attached hereto.

3. Claimant reserves the right to (i) amend, modify or supplement this Claim from time to time for any permissible purpose including, without limitation, increasing the amount of the Liquidated Claim and/or substituting a liquidated amount for the amount of the Unliquidated Claim and (ii) file one or more additional proofs of claim.

4. In executing and filing this proof of claim, Claimant does not waive (i) any of its rights and remedies against any other person or entity who may be liable for all or part of the Claim, whether an affiliate or insider of the Debtor, or otherwise, (ii) any other claim (as defined in Section 101(5) of the Bankruptcy Code) against the Debtor including administrative expense claims arising from the Debtor's post-petition occupancy of the Premises, (iii) any past, present

or future defaults (or events of default) by the Debtor; and (iv) any claim arising from the Debtor's subsequent rejection of the Lease.

5. This Claim is in addition to, and does not amend or supersede, a separate claim filed by Claimant against an affiliate of the Debtor relating to the affiliate's guaranty of the Lease.

WPBDOCS 10005812 1

Lease Ledger

Lease Information

Windstream Communications, Inc
Windstream Communications, Inc
4001 North Rodney Parham Road
Little Rock , AR , 72212

Date 06/10/2019
Lease Id t0003419
Property mh96703
Location 7121 Fairway Owner LLC
Assigned Space(s) 101, 104
Customer
ICS Code
Lease Type Office Net
Lease Term **From** 03/01/2000 **To** 07/31/2023
Lease Area 13,183(Gross Sqft)
Monthly Rent 27871.70
Office Phone
Fax No
E-Mail

Date	Description	Charges	Payments	Balance	
	Balance Forward			8,252.10	
01/01/19	CAM Recovery (01/2019)	9,741.67		17,993.77	
01/01/19	Sales Tax for CAM Recovery (01/2019)	652.69		18,646.46	
01/01/19	CAM Recovery (01/2019)	3,990.62		22,637.08	
01/01/19	Sales Tax for CAM Recovery (01/2019)	267.37		22,904.45	
01/01/19	Rent - Base (01/2019)	21,135.52		44,039.97	
01/01/19	Sales Tax for Rent - Base (01/2019)	1,416.08		45,456.05	
01/01/19	Rent - Base (01/2019)	6,736.18		52,192.23	
01/01/19	Sales Tax for Rent - Base (01/2019)	451.32		52,643.55	
01/04/19	ACH01042019		44,267.07	8,376.48	
01/28/19	12/15/18-1/15/19 Electric Elect Rm 1st Floor	4,155.13		12,531.61	
01/31/19	ACH013119		48,853.85	(36,322.24)	
02/01/19	CAM Recovery (02/2019)	9,741.67		(26,580.57)	
02/01/19	Sales Tax for CAM Recovery (02/2019)	652.69		(25,927.88)	
02/01/19	CAM Recovery (02/2019)	3,990.62		(21,937.26)	
02/01/19	Sales Tax for CAM Recovery (02/2019)	267.37		(21,669.89)	
02/01/19	Rent - Base (02/2019)	21,135.52		(534.37)	
02/01/19	Sales Tax for Rent - Base (02/2019)	1,416.08		881.71	
02/01/19	Rent - Base (02/2019)	6,736.18		7,617.89	
02/01/19	Sales Tax for Rent - Base (02/2019)	451.32		8,069.21	
02/12/19	ACH021219		8,568.85	(499.64)	
02/19/19	Electric Bill Back 1/22/19-2/19/19	5,409.90		4,910.26	
0-30 Days		31-60 Days	61-90 Days	Above 90 Days	Amount Due
(499.64)		0.00	0.00	5,409.90	4,910.26