Fill in this information to identify the case:

Debtor 1 Brian Gruber

Debtor 2 (Spouse, if filing)

United States Bankruptcy Court for the: _____ District of _____

Case number 19-10844

Official Form 410

Proof of Claim

04/19

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?**
   Brian Gruber
   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)
Brian Gruber Name	_____ Name
4141 Bayshore Blvd #703 Number Street	_____ Number Street
Tampa, FL 33611 City State ZIP Code	_____ City State ZIP Code
Contact phone 8138359123	Contact phone _____
Contact email bcgruber@msn.com	Contact email _____

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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? _____

1910844190521000000000004

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?** $ 4,520.00 . **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.

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.)

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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: _____

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 one:*

	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 $3,025* 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 $13,650*) 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 4/01/22 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 05/15/2019
MM / DD / YYYY

Signature

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KURTZMAN CARSON CONSULTANTS

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

Name: Brian C Gruber
First name | Middle name | Last name

Title:

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

Address: 4141 Bayshore Blvd
Number Street

Tampa, FL 33611
City | State | ZIP Code

Contact phone: Email:

Ameritrade

DIVISION OF TD AMERITRADE INC
PO BOX 2209
OMAHA, NE 68103-2209

SIPC

Confirmation Notice

BRIAN GRUBER
TOD
4141 BAYSHORE BLVD #703
TAMPA FL 33611-1801

Account Number	Other Information	Transaction Number	Capacity Codes	Your Representative		
882-003809 - 2		20268973295	A	TD AMERITRADE INC		
Activity	**Quantity**	**CUSIP Number**	**Price**	**Principal Amount**	**Misc Fees**	**Reg Fee**
YOU BOUGHT	600	004449104	7.50	4,500.00		0.00
As of Trade Date	**Trade Date**	**Settlement Date**	**Interest**	**Commission/Fee**	**Net Amount**	
09/21/2018	09/24/2018	09/25/2018		19.99	4,519.99	
Symbol			**Trade Description**			
AKAO	ACHAOGEN INC COM					

OPTION ASSIGNED
THIS IS AN UNSOLICITED TRADE
ASSIGNED ON 6 AKAO Sep 21 2018 7.5 Put
SEP 7.5

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FOR FURTHER INFORMATION REGARDING YOUR TRADE CONFIRMATION
PLEASE REFER TO THE TERMS AND CONDITIONS.

tension cables and then each floor would have to be core drilled in order to install the pipe and pressure valves. This would be a tremendous expensive thing to do. Brian and Bruce located what appeared to be an open chute and tested it to see if it was open from the roof to the lower level and it appeared to be. Last week when the engineering tech was at the building, they showed him this chute and he thought that it might work for this pipe but is checking on some things to make sure. Needless to say, if he is able to utilize this space the savings to the building will be major. We will be meeting with the engineer on Thursday to go over the final plans and discuss bidding, etc.. After this meeting and any needed revisions are completed, the completed plans and specs will be submitted to the Fire Inspector for approval. Once approval is granted, the engineer will go out to bid. At this time we have no more information or approximate cost to give you. Once we get the bids, the same process as outlined for the other project will be followed with 2 of the bids being submitted to the board for approval. Please note that funds for this project are limited due to only starting funding about 3 years ago when it became apparent that the building was going to have to comply with the current law/code.

- ASBESTOS TESTING UNITS/COMMON AREAS – in preparation for the installation of fire sprinklers it was required to have the common areas and every unit tested for asbestos. The testing was done at a cost of $4,640.00 and the test results indicated that the samples taken were "1% chrysotile asbestos which is not considered asbestos containing." This will save the association thousands of dollars in abatement costs

- GARAGE DOORS – after an exhaustive search and many months spend researching garage doors, finally 2 Spiral LH-HZ Hurricane Zone garage doors were purchased and installed at a cost of $67,000.00 (plus some re-wiring to accommodate the new doors). It seemed this project would never end and owners were rightfully more than frustrated with one delay after another; however, the new doors look great and are so much faster and quieter than the old doors. The Board was certainly glad to get this project completed.

with the written specifications. The engineer selected 2 of the 4 bidders to be interviewed individually to clarify any questions/concerns and to further negotiate. The 2 selected bidders were interviewed on October 11, 2018, and certain revisions were made to the base bid. The base bid of these 2 contractors range from $1,357,519.00 to $1,631,650.00 (these base bids do not include Paving which will be added when we get bids). There will also be added to the base bid amount an extra 35% to cover a 20% contingency; bonding and permitting fees (not included in base bid) and engineering fees. The next step will be to bring these 2 bids to the board for discussion and approval of one of them after which winning contractor will be notified and asked to submit a contract. The contract will be submitted to the association's attorney for review and any changes/revisions submitted back to the contractor. Once that is done, the contract will be submitted to the board for approval. Neither of these contractors can commence this project until first quarter of 2019 but it wil probably take that long to get everything approved. I think you can see the time and effort expended in getting this project to this point . Estimated time to complete the project is 270 days. Bi-weekly meetings will be held with the engineer and contractor so there will be a lot more time expended by your board members involved , Bruce and management in over-seeing this project from start to completion. The project will require Bruce to incur over-time as he has to be available to the contractor for access to certain areas of the building; units and in general for his knowledge of the building.

- FIRE SPRINKLERS RETROFIT – by now all of you should be aware that the deadline for retrofitting the building with sprinklers is December 31, 2019. Management and the Board have been working on this project for approximately 3 years. This project was explained in detail in the cover letter with your Second Notice packet. Since that letter, the engineering tech has been back to the building to finish up looking at a few units and met with Brian and Bruce to go over some items. One of the requirements for this system is that there be a pressure valve on each floor for annual testing of the system which meant that a pipe had to be run from the top to the bottom teeing off to each floor with a pressure valve. As you know, this building is a post tension cable building and to do this first the building would have to be x-rayed to locate the post

and furnace building was $1,348.00 and the Flood Policy on the building is $22,598.00. Workers Comp coverage renewed in Sept. – cost $2,576.00. Total insurance costs 2018 - $116,229.51. The budgeted amount for 2018 was $144,759.08 which leaves a surplus of $28,529.57 which will be applied towards 2019 insurance. Due to Hurricanes Florence and Michael you can expect a major increase next year.

- SUBROGATION CLAIMS – there is a pending subrogation lawsuit against The Pinnacle filed by 103's homeowner's insurance carrier, Universal Property and Casualty. The following subrogation claims from homeowners' carriers are pending going back to 2014 – Unit 103 - $32, 366.05; Unit 202 - $22,398.67; Unit 204 – amount unknown at this time; Unit 405 - $10,525.53 and Unit 704 - $6,142.51. In addition, there will be added 2 more claims for the recent sewer backups again in Units 103 and 204. The association has paid out this year alone a total of $6,700.00 for drywall replacement, which is association's responsibility, in Units 103 and 204.

- PAINTING/EXPANSION JOINTS/GARAGE/PAVING PROJECT – this project has been a year long project for the board. The first step was to hire a professional engineer to do a Condition Survey of the building and areas of concern and then submit a written report to the board. The board retained Elevated Engineering Services. Cost – Condition Survey - $2,400.00; Report - $1,800.00. The Condition Survey Report was submitted in April and listed 11 areas of concern. Management, the President, Treasurer, Brian Gruber and Bruce held many meetings with the engineer going over and discussing the areas of concern after which the board retained Elevated Engineering to proceed with development of a Project Manual and specifications – Project Manual - $5,130.00; Bidding and Negotiations - $1,800 lump sum; Project Administration - $150.00 per hour. The Project Manual was completed in July and approved by the Board at the July meeting. Elevated Engineering went out to bid to 4 reputable general contractors who specialize in concrete restoration. A Pre-Bid meeting was held with the four contractors and the engineer on August 2, 2018. The bids were received by the engineer on Sept. 20, 2018, and he reviewed them for accuracy and to make sure they complied

- COOLING TOWER REPAIRS – repairs to the pipes and supports were completed in January at a cost of $5,963.00.

- COMMON AREA A/C – this project was just recently completed at a cost of $84,726.00 plus engineering fees of $4,680.00. The existing system was original and installed 40+ years ago and it was past time to update this system. Griffin Services is still testing and adjusting the new equipment and will be installing inline vibration isolators so as to modify the support stands in an attempt to eliminate noise by supporting them from the overhead structure in lieu of the concrete floor. It is hopeful that these modifications will be made next week.

- GARAGE PORT HOLE COVERS – there was an intruder in the garage in early January and after reviewing hours of the security camera tapes, it was determined that the intruder entered the garage by following a car in but exited the garage by kicking out one of the existing covers on the port holes. The Board found a company that could fabricate these covers out of steel or anodized aluminum. The board approved purchasing 68 port hole covers back in January at a cost of $6,500.00 with every 4th covering having a "P" in the center and the remaining ones being a decorative scroll pattern. It was decided to hold off installing these new covers until the building painting project was completed.

- RE-SCREENING OF COOLING TOWER - this project was just completed last week after over a year's wait. The contractor initially started the job in February but then disappeared until a couple of weeks ago when he called stating that he had had some family medical issues and would be back to finish the job.

- MULCH STONES – the board approved the purchase and installation of mulch stones as opposed to installing the regular mulch which only last approximately 3 months and then has to be re-done. It was determined that over a 12 month period it would cost a little over $9,000.00 to keep regular mulch looking nice and that the mulch stones would last for many years and look good. The area facing Bayshore and the side area along Tambay was completed at a cost of approximately $7,250.00.