Fill in this information to identify the case:

Debtor Ascend Elements, Inc.

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

Case number 26-90440

Modified Official Form 410
Proof of Claim

04/25

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?**

78 Barnum Road, LLC

Name of the current creditor (the person or entity to be paid for this claim)

Other names the creditor used with the debtor Aspect Realty Group

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)
78 Barnum Road, LLC Michael Lombardi, Mgr. 38 Woodvue Road Windham, NH 03087, United States	
Contact phone 5088895881	Contact phone _____
Contact email aspectrealtygroupllc@gmail.com	Contact email _____
(see summary page for notice party information)	

Uniform claim identifier (if you use one):

_____

4. **Does this claim amend one already filed?**

☐ No

☑ Yes. Claim number on court claims registry (if known) _____ Filed on 05/16/26 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? Michael Lombardi

269044026061700000000001

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?** $ 15,700,000. **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.

Contract matters

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.** $ 15,700,000

11. **Is this claim subject to a right of setoff?**

☑ No

☐ Yes. Identify the property: _____

26904402606170000000000001

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:*

	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 $3,800* 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 $17,150*) 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 4/01/28 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.

$ 2,711,971.92

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 06/17/2026
MM / DD / YYYY

/s/michael john lombardi
Signature

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

Name: michael john lombardi
First name | Middle name | Last name

Title: Manager

Company: 78 Barnum Road, LLC
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address: 38 Woodvue Road, Windham, NH, 03087, United States

Contact phone: 5088895881 Email: awscleanwater@yahoo.com

26904402606170000000000001

Verita (KCC) ePOC Electronic Claim Filing Summary

For phone assistance: Domestic (866) 927-7078 | International (310) 751-2651

Debtor:
26-90440 - Ascend Elements, Inc.
District:
Southern District of Texas, Houston Division

Creditor:
78 Barnum Road, LLC
Michael Lombardi, Mgr.
38 Woodvue Road

Windham, NH, 03087
United States
Phone:
5088895881
Phone 2:
Fax:
Email:
aspectrealtygroupllc@gmail.com

Has Supporting Documentation:
Yes, supporting documentation successfully uploaded
Related Document Statement:

Has Related Claim:
Yes
Related Claim Filed By:
Michael Lombardi

Filing Party:

Disbursement/Notice Parties:
Racusin and Wagner, L.L.P.
Barry Racusin
4900 Woodway Tower
Suite 510

Houston, Texas, 77056
United States
Phone:
Phone 2:
Fax:
E-mail:
blr@racusinlaw.com

Other Names Used with Debtor:
Aspect Realty Group

Amends Claim:
Yes, 05/16/26
Acquired Claim:
No

Basis of Claim:
Contract matters

Last 4 Digits:
No

Uniform Claim Identifier:

Total Amount of Claim:
15,700,000

Includes Interest or Charges:
No

Has Priority Claim:
No

Priority Under:

Has Secured Claim:
No
Amount of 503(b)(9):
Yes: 2,711,971.92
Based on Lease:
Yes, 15,700,000
Subject to Right of Setoff:
No

Nature of Secured Amount:
Value of Property:
Annual Interest Rate:
Arrearage Amount:
Basis for Perfection:
Amount Unsecured:

VN: F1C1D7DF8DF226D2986B2E88587B5806

Submitted By:

michael john lombardi on 17-Jun-2026 8:07:38 a.m. Pacific Time

Title:

Manager

Company:

78 Barnum Road, LLC

Optional Signature Address:

38 Woodvue Road

Windham, NH, 03087

United States

Telephone Number:

5088895881

Email:

awscleanwater@yahoo.com

When we originally submitted invoices reflecting the amount owed by Ascend Elements, those invoices included our out of pocket brokerage commission expense of $172,388.06, as well as several months of free rent that had been granted to Ascend Elements pursuant to the terms of the lease. Following Ascend's default under the lease, we subsequently back-charged the previously granted free rent and brokerage commission. The combined amount of the brokerage commission and the free rent totals $833,028.08. Accordingly, to avoid any duplication and accurately reflect the amounts due, we hereby amend our claim for monies owed by reducing the originally stated amount of $3,545,000.00 by $833,028.08, resulting in a revised total amount due of $2,711,971.92

Aspect Realty Group LLC
38 Woodvue Rd
Windham, NH 03087-2113 USA
+15088895881
awscleanwater@yahoo.com

INVOICE

BILL TO
Ascend Elements
78 Barnum Road
Devens, MA 01434

INVOICE # 30
DATE 05/07/2024
DUE DATE 05/07/2024
TERMS Due on receipt

SERVICE	DESCRIPTION	QTY	RATE	AMOUNT
Lease Payment	Monthly Rent @ 78 Barnum Rd., Devens, MA	1	110,106.67	110,106.67
				0.00
				0.00
				0.00
				0.00
				0.00
	Note: As instructed in the lease, a $5,000 late penalty will be charged if rent is received after the fifth business day of the month			0.00

BALANCE DUE **$110,106.67**

Aspect Realty Group LLC
38 Woodvue Rd
Windham, NH 03087-2113 USA
+15088895881
awscleanwater@yahoo.com

INVOICE

BILL TO
Ascend Elements
78 Barnum Road
Devens, MA 01434

INVOICE # 41
DATE 06/20/2024
DUE DATE 06/20/2024
TERMS Due on receipt

SERVICE	DESCRIPTION	QTY	RATE	AMOUNT
Rent (deleted)	July 2024 Rent @ 78 Barnum Rd., Devens	1	110,106.67	110,106.67
				0.00
				0.00
				0.00
				0.00
				0.00
				0.00
	Note: As Instructed in the Lease, a $5,000 Late Penalty will be Charged if Rent is Received after the Fifth Business Day of the Month			0.00

BALANCE DUE **$110,106.67**

Aspect Realty Group LLC
38 Woodvue Rd
Windham, NH 03087-2113 USA
+15088895881
awscleanwater@yahoo.com

INVOICE

BILL TO
Ascend Elements
78 Barnum Road
Devens, MA 01434

INVOICE # 44
DATE 07/15/2024
DUE DATE 07/15/2024
TERMS Due on receipt

SERVICE	DESCRIPTION	QTY	RATE	AMOUNT
Rent (deleted)	August 2024 Rent @ 78 Barnum Rd., Devens	1	110,106.67	110,106.67
				0.00
				0.00
				0.00
				0.00
				0.00
				0.00
	Note: As Instructed in the Lease, a $5,000 Late Penalty will be Charged if Rent is Received after the Fifth Business Day of the Month			0.00

BALANCE DUE **$110,106.67**

Aspect Realty Group LLC
38 Woodvue Rd
Windham, NH 03087-2113 USA
+15088895881
awscleanwater@yahoo.com

INVOICE

BILL TO
Ascend Elements
78 Barnum Road
Devens, MA 01434

INVOICE # 52
DATE 08/19/2024
DUE DATE 08/19/2024
TERMS Due on receipt

SERVICE	DESCRIPTION	QTY	RATE	AMOUNT
Rent (deleted)	September 2024 Rent @ 78 Barnum Rd., Devens	1	110,106.67	110,106.67
				0.00
				0.00
				0.00
	Rent Due September 1, 2024			0.00
				0.00
				0.00
	Note: As Instructed in the Lease, a $5,000 Late Penalty will be Charged if Rent is Received after the Fifth Business Day of the Month			0.00

BALANCE DUE **$110,106.67**

Aspect Realty Group LLC
38 Woodvue Rd
Windham, NH 03087-2113 USA
+15088895881
awscleanwater@yahoo.com

INVOICE

BILL TO
Ascend Elements
78 Barnum Road
Devens, MA 01434

INVOICE # 52
DATE 08/19/2024
DUE DATE 08/19/2024
TERMS Due on receipt

SERVICE	DESCRIPTION	QTY	RATE	AMOUNT
Rent (deleted)	September 2024 Rent @ 78 Barnum Rd., Devens	1	110,106.67	110,106.67
				0.00
				0.00
				0.00
	Rent Due September 1. 2024			0.00
				0.00
				0.00
	Note: As Instructed in the Lease, a $5,000 Late Penalty will be Charged if Rent is Received after the Fifth Business Day of the Month			0.00

BALANCE DUE **$110,106.67**

Aspect Realty Group LLC
38 Woodvue Rd
Windham, NH 03087-2113 USA
+15088895881
awscleanwater@yahoo.com

INVOICE

BILL TO
Ascend Elements
78 Barnum Road
Devens, MA 01434

INVOICE # 51
DATE 09/01/2024
DUE DATE 09/01/2024
TERMS Due on receipt

SERVICE	DESCRIPTION	QTY	RATE	AMOUNT
Rent (deleted)	September 2024 Rent @ 78 Barnum Rd., Devens	1	110,106.67	110,106.67

Rent Due: September 1, 2024

0.00
0.00
0.00
0.00
0.00
0.00
0.00

Note: As Instructed in the Lease, a $5,000 Late Penalty will be Charged if Rent is Received after the Fifth Business Day of the Month

BALANCE DUE **$110,106.67**

Aspect Realty Group LLC
38 Woodvue Rd
Windham, NH 03087-2113 USA
+15088895881
awscleanwater@yahoo.com

INVOICE

BILL TO
Ascend Elements
78 Barnum Road
Devens, MA 01434

INVOICE # 57
DATE 09/20/2024
DUE DATE 09/20/2024
TERMS Due on receipt

SERVICE	DESCRIPTION	QTY	RATE	AMOUNT
Rent (deleted)	October 2024 Rent @ 78 Barnum Rd., Devens	1	110,106.67	110,106.67
				0.00
	Rent due 10/1/24			0.00
				0.00
				0.00
				0.00
				0.00
	Note: As Instructed in the Lease, a $5,000 Late Penalty will be Charged if Rent is Received after the Fifth Business Day of the Month			0.00

BALANCE DUE **$110,106.67**

Aspect Realty Group LLC
38 Woodvue Rd
Windham, NH 03087-2113 USA
+15088895881
awscleanwater@yahoo.com

INVOICE

BILL TO
Ascend Elements
78 Barnum Road
Devens, MA 01434

INVOICE # 73
DATE 01/15/2025
DUE DATE 01/15/2025
TERMS Due on receipt

SERVICE	DESCRIPTION	QTY	RATE	AMOUNT
Reimbursement	Commission fee paid to Davidson Young for leasing of 78 Barnum Road, Devens	1	172,388.06	172,388.06

BALANCE DUE **$172,388.06**