

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X  
In re : Chapter No. 11  
: :  
BGI, INC., f/k/a Borders Group Inc., : Case No.: 11-10614 (MG)  
: :  
Debtors. : Substantively Consolidated  
: :  
-----X

**NOTICE OF APPEAL FROM THE ORDER DENYING  
THE MOTION TO ALLOW AND DEEM TIMELY FILED GIFT CARD CLAIMS**

Eric Beeman, Jane Friej and Robert Traktman hereby appeal under 28 U.S.C. § 158(a) and Fed. R. Bankr. P. 8001 and 8002, from the **Order Denying The Motion to Allow and Deem Timely Filed Gift Card Claims**, entered in these cases on August 16, 2012 [Docket No. 2814](the “Order) (attached hereto as Exhibit A), denying the Motion [Docket No. 2415].

The names of all the parties to the Order appealed from and the names, address and telephone numbers of their respective attorneys are as follows:

1. BGI Creditors’ Liquidating Trust and Curtis R. Smith in his capacity as the Liquidating Trustee are represented by Bruce D. Buechler of the law firm of Lowenstein Sandler PC, 65 Livingston Avenue, Roseland, NJ 07068 (Tel No. 973-597-2308);

2. Eric Beeman, Jane Friej and Robert Traktman, the appellants in this action, are represented by Schuyler Carroll and Jeffrey Vanacore of the law firm of Perkins Coie LLP, 30 Rockefeller Plaza, New York, NY 10112 (Tel. No. 212-262-6900) and Clint Krislov and Kenneth Goldstein of Krislov and Associates, Ltd., 20 North Wacker Drive, Suite 1350, Chicago, Illinois 60606 (Tel. No. 312-606-0500).

Dated: New York, New York  
August 28, 2012

Respectfully submitted,

By: /s/ Schuyler Carroll

Schuyler Carroll

Jeffrey Vanacore

**PERKINS COIE LLP**

30 Rockefeller Plaza

25th Floor

New York, NY 10112

PHONE: 212-262-6905

FAX: 212-977-1636

SCarroll@perkinscoie.com

JVanacore@perkinscoie.com

- and -

Clinton A. Krislov

Kenneth T. Goldstein

Eli Korner

**KRISLOV & ASSOCIATES, LTD.**

20 North Wacker Drive, Suite 1350

Chicago, IL 60606

(312) 606-0500

**EXHIBIT A**



**ORDERED**, that the Late Claim Motion be, and hereby is, DENIED for the reasons set forth in the Court's *Memorandum Opinion Denying Gift Card Claimants' Motion to File Late Claims and Class Certification* [Docket No. 2806].

DATED: New York, New York  
August 16, 2012

/s/Martin Glenn  
MARTIN GLENN  
United States Bankruptcy Judge