

CLAIM APPEALS  
ACCOUNTING SERVICES  
PO BOX 80141  
ST. LOUIS, MO 63180-0141

APPEAL OF CLAIM ID: 4678091

### **BASIS OF DENIAL:**

"The proof of value submitted with the claim is not acceptable"

### **ARGUMENT**

The Oxford English Dictionary defines value as *the amount of some commodity or medium of exchange that is considered to be a fair, adequate or equivalent return for a good or service provided. The relative status of a thing. The usefulness or importance of a thing or service and the comparable fair exchange of goods or services for exchange.* Value is subjective. What may be considered fair or adequate can vary from person to person dependent upon myriad factors including desire and resources.

In the realm of collectibles, such as the items subject to this claim, the value may exceed the costs. Conversely, as in this case, their value may deceed - be under - the costs. Collectibles are unlike utilities or the price for mailing a First-Class letter where a price is fixed and may not be directly related to the costs. Thus, there is no set price from which one can discern the amount to pay. Instead, collectibles generally fall into the realm of subjective and suggestive pricing which is established through guides. Producers of "price guides" often refer to sources of actual prices paid to establish a market value for the particular item. eBay auctions are one such source. Auctions that are conducted across a broad geographic area and are popularly known are considered better sources for market value than regional or local auctions such as an estate sale in a small town. eBay clearly qualifies as both broad and popular and as such the sale prices found there should be considered as adequate in determining a "value".

To offer a proof of the value requires that the claimed value be testable. To prove the value of an item may necessitate an artful psychological approach into the mind of an individual or an exhaustive analysis by a CPA. It could be argued that the price paid is the value but that may be woefully inadequate. The "costs" of going to the market to get a pain reliever could be \$50+ for the overworked attorney busy writing a brief whereas it may be only the marked \$3 price for an out-of-work person with little or no ambition. But this cannot be the basis for stating that the value of the pain reliever is \$3.

The \$50 cost for a bottle of pain reliever for the attorney who had to give up 15 minutes of work time to get it may be a bargain value. If that pain reliever allows him to complete two additional hours of billable work that day then the instant value to him is \$400, minus his expenses. So value is always dependent upon time, place and user.

Collectibles, like art, are subjective. What may appear to one as a priceless work of beauty may appear to another as nothing more than blobs of paint on an old piece of cloth. In the collectibles market there is a presumption that the buyer of an item personally attached a value to it of the price paid at that time and place. In the situation of an auction that is well advertised and occurs across a wide geographic area the price paid can be said to be a market value. As such in simple terms it can be presumed to prove the value of a collectible at that time.

Additionally, I have enclosed a copy of the transaction details from Paypal related to this claim. Thus, it can be presumed that the winning bidder to whom the items were sent valued them enough to pay the bid amount plus postage in anticipation of receiving the items.

### **CONCLUSION**

The item subject to this claim was sold on eBay. eBay is a valid and reliable venue for determining a value of an item specifically when the particular item is subject to a claim and the sales listing submitted with the claim should be accepted as proof of value without further examination as to the motivations of the buyer. For the foregoing reasons the documentation provided should be considered valid proof of "value" and the claim should be paid-in-full.

WHEREFORE, your undersigned, STUART SHOWALTER, now DEMANDS that this appeal be granted and that the underlying claim be PAID.

So submitted this 21st day of April 2017.

---

Stuart Showalter  
PO BOX 374  
Lebanon, IN 46052-0374