FILED

January 23, 2012

CLERK, U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

D31

# UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF CALIFORNIA

In re:		§	
		§	
WILLIS, DONALD CLYDI	$\Xi$	§	Case No. 10-53326 C
		§	
	Debtor(s)	§	

## TRUSTEE'S FINAL REPORT (TFR)

The undersigned trustee hereby makes this Final Report and states as follows:

- 1. A petition under chapter 7 of the United States Bankruptcy Code was filed on 12/22/2010. The undersigned trustee was appointed on 12/22/2010.
  - 2. The trustee faithfully and properly fulfilled the duties enumerated in 11 U.S.C. §704.
- 3. All scheduled and known assets of the estate have been reduced to cash, released to the debtor as exempt property pursuant to 11 U.S.C. § 522, or have been or will be abandoned pursuant to 11 U.S.C. § 554. An individual estate property record and report showing the disposition of all property of the estate is attached as **Exhibit A**.

4. The t	rustee realized gross receipts of	\$	2,500.00
	Funds were disbursed in the following	ng amounts:	
	Payments made under an interim disbursement		0.00
	Administrative expenses		0.00
	Bank service fees		9.84
	Other payments to creditors		0.00
	Non-estate funds paid to 3 <sup>rd</sup> Parties		0.00
	Exemptions paid to the debtor		0.00
	Other payments to the debtor		0.00
	Leaving a balance on hand of 1	\$	2,490.16

The remaining funds are available for distribution.

The balance of funds on hand in the estate may continue to earn interest until disbursed. The interest earned prior to disbursement will be distributed pro rata to creditors within each priority category. The trustee may receive additional compensation not to exceed the maximum compensation set forth under 11 U.S.C. §326(a) on account of the disbursement of the additional interest.

- 5. Attached as **Exhibit B** is a cash receipts and disbursements record for each estate bank account.
- 6. The deadline for filing non-governmental claims in this case was 05/13/2011 and the deadline for filing governmental claims was 06/13/2011. All claims of each class which will receive a distribution have been examined and any objections to the allowance of claims have been resolved. If applicable, a claims analysis, explaining why payment on any claim is not being made, is attached as **Exhibit C**.
  - 7. The Trustee's proposed distribution is attached as **Exhibit D**.
- 8. Pursuant to 11 U.S.C. § 326(a), the maximum compensation allowable to the trustee is \$625.00. To the extent that additional interest is earned before case closing, the maximum compensation may increase.

The trustee has received \$0.00 as interim compensation and now requests a sum of \$625.00, for a total compensation of  $\$625.00^2$ . In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of \$0.00, and now requests reimbursement for expenses of \$43.04, for total expenses of  $\$43.04^2$ .

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Date: 11/26/2011	By:/s/John W. Reger
	Trustee

**STATEMENT**: This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

If the estate is administratively insolvent, the dollar amounts reflected in this paragraph may be higher than the amounts listed in the Trustee's Proposed Distribution (Exhibit D).

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## INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT ASSET CASES

Page: 1
Exhibit A

Case No: 10-53326 C Judge: Christopher M . Klein

Case Name: WILLIS, DONALD CLYDE

For Period Ending: 11/26/11

Trustee Name: John W. Reger

Date Filed (f) or Converted (c): 12/22/10 (f)

341(a) Meeting Date: 02/09/11

Claims Bar Date: 05/13/11

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA=554(a) Abandon DA=554(c) Abandon	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1. 12197 S. Stoneridge Circle Paradise, CA 95969 2BR,	160,000.00	0.00	DA	0.00	FA
2. 77-6469 Alii Dr. Kallua-Kona, HI 96740 ZBR, 2BA, 1	279,000.00	2,000.00		2,000.00	FA
3. Bank of the West, Personal Checking Account	3,000.00	0.00	DA	0.00	FA
4. Bank of the West, Business Checking Account	50.00	0.00	DA	0.00	FA
5. Livingroom furniture, appliances & items Bedroom f	10,000.00	0.00	DA	0.00	FA
6. Clothing	2,000.00	0.00	DA	0.00	FA
7. Jewelry	500.00	0.00	DA	0.00	FA
8. USM Annuity, from qualified pension plan to IRA	105,047.78	0.00	DA	0.00	FA
9. 2003 Subaru Forester X Sport Utliity 40 163K mi. V	4,430.00	0.00	DA	0.00	FA
10. 2009 BMW Motorcycle 4K mi. Value based on debtor,	6,500.00	0.00	DA	0.00	FA
11. 1998 Catallna Capri 17ft Saii Boat. 165K. Debtor o	4,967.00	0.00	DA	0.00	FA
12. Medical Tools of the Trade	2,000.00	0.00	DA	0.00	FA
13. Term Life finsurance Policy	1.00	0.00	DA	0.00	FA
14. business goodwill (u)	0.00	500.00		500.00	FA

TOTALS (Excluding Unknown Values)

\$577,495.78

\$2,500.00

\$2,500.00

(Total Dollar Amount in Column 6)

Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

April 08, 2011, 01:42 pm collecting

Initial Projected Date of Final Report (TFR): // Current Projected Date of Final Report (TFR): //

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## FORM 2

## ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Page: 1
Exhibit B

Case No: 10-53326 -C

Case Name: WILLIS, DONALD CLYDE

Taxpayer ID No: \*\*\*\*\*\*8188
For Period Ending: 11/26/11

Trustee Name: John W. Reger

Bank Name: Union Bank

Account Number / CD #: \*\*\*\*\*\*3050 Checking Account (Non-Interest Earn

Blanket Bond (per case limit):

\$ 7,500,000.00

Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction	Check or			Uniform			Account / CD
Date	Reference	Paid To / Received From	Description Of Transaction	Tran. Code	Deposits (\$)	Disbursements (\$)	Balance (\$)
			BALANCE FORWARD				0.00
02/09/11	2	debtor	Sale of Asset	1110-000	250.00		250.00
03/03/11	14	debtor	Sale of Asset	1110-000	250.00		500.00
04/04/11	2	debtor	Sale of Asset	1110-000	250.00		750.00
05/03/11	14	debtor	Sale of Asset	1110-000	250.00		1,000.00
06/06/11	2	debtor	Sale of Asset	1110-000	250.00		1,250.00
07/05/11	2	debtor	Sale of Asset	1110-000	250.00		1,500.00
08/11/11	2	debtor	Sale of Asset	1110-000	250.00		1,750.00
09/06/11	2	debtor	Sale of Asset	1110-000	250.00		2,000.00
09/26/11		Union Bank	BANK SERVICE FEE	2600-000		2.46	1,997.54
10/06/11	2	debtor	Sale of Asset	1129-000	250.00		2,247.54
10/25/11		Union Bank	BANK SERVICE FEE	2600-000		2.46	2,245.08
11/07/11	2	debtors	Sale of Asset	1110-000	250.00		2,495.08
11/25/11		Union Bank	BANK SERVICE FEE	2600-000		4.92	2,490.16
			COLUMNITOTALS		2,500.00	9.84	2,490.16

COLUMN TOTALS	2,500.00	9.84	2,490.16
Less: Bank Transfers/CD's	0.00	0.00	
Subtotal	2,500.00	9.84	
Less: Payments to Debtors		0.00	
Net	2,500.00	9.84	
		NET	ACCOUNT
TOTAL - ALL ACCOUNTS	NET DEPOSITS	DISBURSEMENTS	BALANCE
Checking Account (Non-Interest Earn - *******3050	2,500.00	9.84	2,490.16
	2,500.00	9.84	2,490.16
	(Excludes Account Transfers)	(Excludes Payments To Debtors)	Total Funds On Hand
	,	<i>'</i>	

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## FORM 2

## ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Page: 2 Exhibit B

Trustee Name: John W. Reger 10-53326 -C Case No: Case Name: WILLIS, DONALD CLYDE

Bank Name: Union Bank

\*\*\*\*\*\*3050 Checking Account (Non-Interest Earn Account Number / CD #:

> Blanket Bond (per case limit): \$ 7,500,000.00

Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction	Check or			Uniform			Account / CD
Date	Reference	Paid To / Received From	Description Of Transaction	Tran. Code	Deposits (\$)	Disbursements (\$)	Balance (\$)

Taxpayer ID No:

For Period Ending: 11/26/11

\*\*\*\*\*\*8188

## TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 10-53326 C

Case Name: WILLIS, DONALD CLYDE

Trustee Name: John W. Reger

Balance on hand \$ 2,490.16

Claims of secured creditors will be paid as follows:

Claim No.	Claimant	Clain	n Asserted	An	owed lount of lim	Interim Payment to Date	Proposed Payment	
000001	Citifinancial	\$	3,359.27		3,359.27	\$ 0.00	\$	0.00
	Association of Apartment Owners							
000011	of White Sands Vil	\$	4,347.34	\$	4,347.34	\$ 0.00	\$	0.00
000012	USAA	\$ 1	40,845.52	\$	140,845.52	\$ 0.00	\$	0.00

Total to be paid to secured creditors \$ 0.00

Remaining Balance \$ 2,490.16

Applications for chapter 7 fees and administrative expenses have been filed as follows:

Reason/Applicant	Total Requested	Interim Payments to Date	Proposed Payment
Trustee Fees: John W. Reger	\$ 625.00	\$ 0.00	\$ 625.00
Trustee Expenses: John W. Reger	\$ 43.04	\$ 0.00	\$ 43.04

Total to be paid for chapter 7 administrative expenses \$\_\_\_\_\_\_668.04

Remaining Balance \$\_\_\_\_\_\_1,822.12

Applications for prior chapter fees and administrative expenses have been filed as follows:

## NONE

In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$ 25,222.54 must be paid in advance of any dividend to general (unsecured) creditors.

## Allowed priority claims are:

Claim No.	Claimant	Allowed Amount of Claim		Interim Payments to Date	Proposed Payment
000009B	Franchise Tax Board	\$	777.58	\$ 0.00	\$ 56.17
000016	Internal Revenue Service	\$	24,444.96	\$ 0.00	\$ 1,765.95
Total	to be paid to priority creditors	S		\$	1,822.12
Rema	nining Balance			\$	0.00

The actual distribution to wage claimants included above, if any, will be the proposed payment less applicable withholding taxes (which will be remitted to the appropriate taxing authorities).

Timely claims of general (unsecured) creditors totaling \$ 229,248.06 have been allowed and will be paid <u>pro rata</u> only after all allowed administrative and priority claims have been paid in full. The timely allowed general (unsecured) dividend is anticipated to be 0.0 percent, plus interest (if applicable).

Timely allowed general (unsecured) claims are as follows:

Claim No.	Claimant	Allowed Amount of Claim		Interim Payments to Date		Proposed Payment	
	Capital One Bank (USA),						
000002	N.A.	\$	601.06	\$	0.00	\$	0.00
00000		Φ.	0.060.10	Ф	0.00		0.00
000003	Chase Bank USA, N.A.	\$	9,060.18	\$	0.00	\$	0.00
000004	U.S. Department of Education	S	30,075.88	\$	0.00	\$	0.00
			20,072.00	*	0.00	7	0.00
	U.S. Department of						
000005	Education	\$	32,900.51	\$	0.00	\$	0.00

Claim No.	Claimant		Allowed Amount Interof Claim to D		Payments	Proposed Payment	
000006	U.S. Department of Education	\$	39,308.98	\$	0.00	\$	0.00
000007	U.S. Department of Education	\$	32,038.48	\$	0.00	\$	0.00
000009A	Franchise Tax Board	\$	700.23	\$	0.00	\$	0.00
000010	PYOD LLC	\$	26,227.32	\$	0.00	\$	0.00
000013	FIA Card Services, N.A.	\$	19,286.22	\$	0.00	\$	0.00
000014	FIA Card Services, N.A.	\$	27,098.04	\$	0.00	\$	0.00
000015	FIA Card Services, N.A.	\$	5,934.45	\$	0.00	\$	0.00
000016A	IRS	\$	6,016.71	\$	0.00	\$	0.00
Tota	ıl to be paid to timely general u	ınsecuı	red creditors		\$		0.00
Rem	naining Balance				\$		0.00

Tardily filed claims of general (unsecured) creditors totaling \$ 0.00 have been allowed and will be paid <u>pro rata</u> only after all allowed administrative, priority and timely filed general (unsecured) claims have been paid in full. The tardily filed claim dividend is anticipated to be 0.0 percent.

Tardily filed general (unsecured) claims are as follows:

## **NONE**

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling \$0.00 have been allowed and will be paid *pro rata* only after all allowed administrative, priority and general (unsecured) claims have been paid in full. The dividend for subordinated unsecured claims is anticipated to be 0.0 percent.

Subordinated unsecured claims for fines, penalties, forfeitures or damages and claims ordered subordinated by the Court are as follows:

NONE