

IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

FILED
BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
04 JAN '99 PM 1:08
CLERK, U.S. BANKRUPTCY
COURT
BY _____ DEPUTY

IN RE:

IVY, VERNON KEITH
IVY, CANDACE JOY

DEBTOR

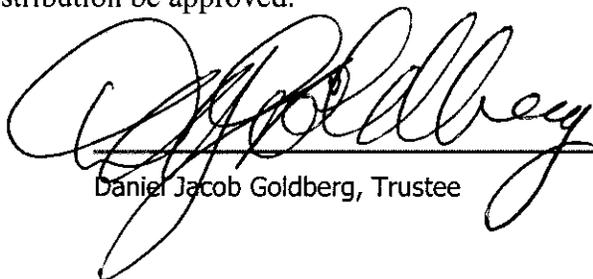
§
§ CASE NO. 01-92246
§
§ CHAPTER 7
§
§
§

TRUSTEE'S FINAL REPORT, APPLICATION FOR COMPENSATION AND
REPORT OF PROPOSED DISTRIBUTION

Daniel Jacob Goldberg, the Trustee of the estate of the above-named Debtor, hereby certifies under penalty of perjury, to the Court and to the United States Trustee that the Trustee has faithfully and properly fulfilled the duties of his office, that the Trustee has examined all proofs of claim as appropriate in preparation for the proposed distribution, and that the proposed distribution attached herewith is proper and consistent with the law and rules of the Court. The Trustee hereby applies for the commissions and expenses set forth herein and states that they are reasonable and proper.

Wherefore, the Trustee respectfully requests that the Final Report, Application for Compensation, and Report of Proposed Distribution be approved.

Date: 12-17-03



Daniel Jacob Goldberg, Trustee

REVIEWED BY THE UNITED STATES TRUSTEE

I have reviewed the Trustee's Final Report, Application for Compensation, and Report of Proposed Distribution.

United States Trustee

Date: 1-6-04

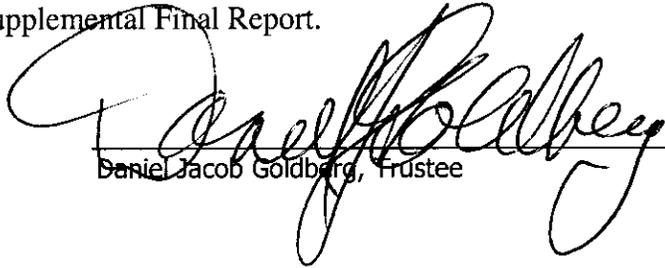
By: 

THE STATE OF TEXAS

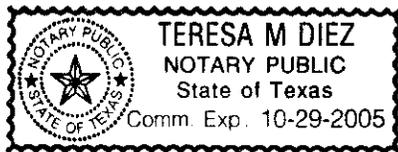
COUNTY OF HARRIS

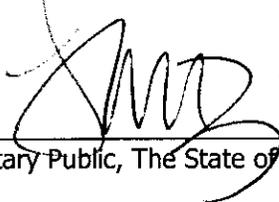
BEFORE ME, the undersigned authority on this date personally appeared Daniel Jacob Goldberg, and under oath stated the following:

"I, Daniel Jacob Goldberg, am the duly appointed Trustee in IVY, VERNON KEITH & IVY, CANDACE JOY bankruptcy proceeding. I am hereby making application for the maximum amount of Trustee fees, as it my opinion that the maximum amount was earned by me in carrying out my duties as Trustee. I held the 341(a) meeting, reviewed additional documents provided at my request, collected assets, reviewed claims, monitored estate, and had numerous conferences and correspondence with the debtor's and debtor's attorney. I filed an application to hire an accountant, filed tax returns with the IRS, filed an application to approve accountant's fees and tried a contested hearing in the issue of accountant's fees. I drafted and filed an application to pay the debtor's excess funds prior to closing the estate. Further, I performed all other numerous duties of a Trustee, including, but not limited to, Preparing Trustee's Final Report, will make disbursements and will prepare the Supplemental Final Report.


Daniel Jacob Goldberg, Trustee

SWORN TO AND SUBSCRIBED TO before me on this the 17th day of
DECEMBER 2003.




Notary Public, The State of Texas

**IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

**IN RE:
IVY, VERNON KEITH
IVY, CANDACE JOY
DEBTOR**

§ **CASE NO. 01-92246**
§ **CHAPTER 7**
§

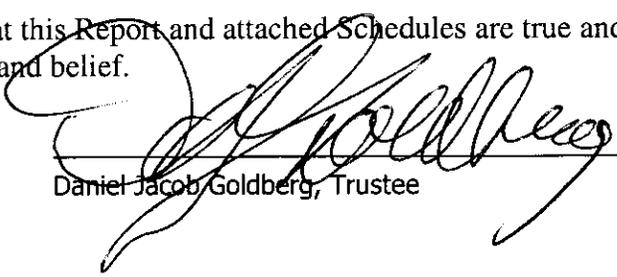
**TRUSTEE'S FINAL REPORT, APPLICATION FOR COMPENSATION AND
APPLICATION TO CLOSE CASE AND DISCHARGE TRUSTEE**

The Trustee of the estate presents the following final report:

1. The Trustee applies for commissions and expenses set forth herein: That they are reasonable and proper; that in the course of the performance of duties, the Trustee has advanced monies from personal funds for expenses, and that the Trustee has not been reimbursed or indemnified.
2. The Trustee submits Schedule F as a summary of the assets and estate property record. Any property scheduled under 11 U.S.C § 554(c).
3. The Trustee has reduced all assets of this estate to case or otherwise lawfully disposed of them and the estate is ready to be closed.
4. The Trustee submits Schedule A as the account of estate case receipts and disbursements.
5. There is no agreement or understanding between the Trustee and any other person for a division of the compensation sought by this application except as permitted by the Bankruptcy Code.
6. The Trustee requests approval of this final report.
7. The Trustee has examined each and every claim filed and noted his approval of claims as filed, or he has filed objections to allowance or requests for reclassification.
8. The Trustee further requests that the after final distribution of all monies in accordance with the Trustee's Report of Final Distribution, and upon filing of a Supplemental Final Report and Account and certification by the U.S. Trustee, the Trustee be discharged from office and that the case be closed.

I declare under penalty of perjury that this Report and attached Schedules are true and correct to the best of my knowledge and belief.

Date: 12/17/03


Daniel Jacob Goldberg, Trustee

Case Name: **IVY, VERNON KEITH & IVY, CANDACE JOY**
Case Number: **01-92246**

Final Report as of: December 17, 2003

SCHEDULE A-1

A. Receipts	\$241,321.25
B. Disbursements	
1. Secured Creditors	\$0.00
2. Administrative	\$88,618.25
3. Priority	\$0.00
4. Other	\$71,349.00
TOTAL DISBURSEMENTS	\$159,967.25
BALANCE ON HAND:	\$81,354.00

TRUSTEE'S FINAL REPORT CASE SUMMARY

TRUSTEE: **Goldberg**

CASE NAME: **Ivy, Vernon & Candace**

CASE NUMBER: **01-92246**

DATE UST APPROVED: **01/06/2004**

ESTATE INCOME:

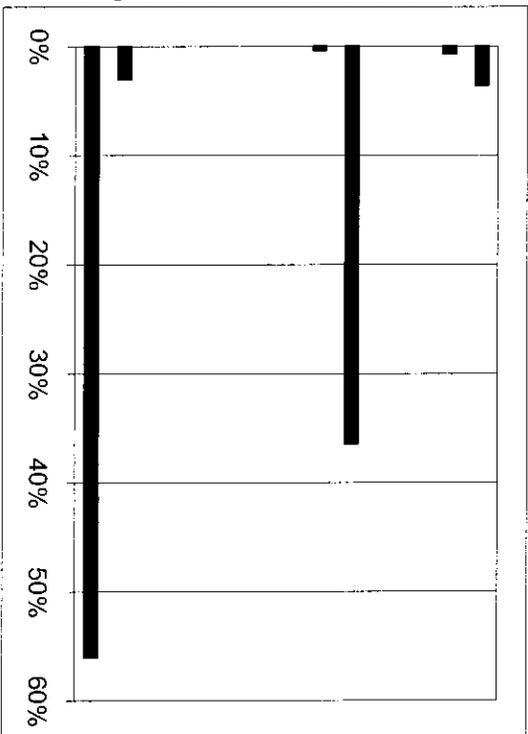
TOTAL RECEIPTS:

241,321.25 100.00%

ESTATE EXPENSES:

TRUSTEE'S COMMISSION
 TRUSTEE'S EXPENSES
 FIRM'S PROFESSIONAL FEES
 FIRM'S PROFESSIONAL EXPENSES
 OTHER ATTORNEY FEES
 OTHER PROFESSIONAL FEES
 COURT COSTS
 ESTATE EXPENSES(TAXES, ETC)
 PRIOR CHAPTER COSTS
 SECURED CLAIMS PAID
 PRIORITY CLAIMS PAID
UNSECURED CLAIMS PAID
 OTHER(RETURN TO DEBTOR, ETC)

8,552.61 3.54%
 1,652.30 0.68%
 0.00 0.00%
 0.00 0.00%
 87,864.51 36.41%
 753.74 0.31%
 0.00 0.00%
 0.00 0.00%
 0.00 0.00%
 0.00 0.00%
 0.00 0.00%
7,229.11 3.00%
 135,268.98 56.05%



UNSECURED CLAIMS
 ALLOWED

6,392.34

UNSECURED CLAIMS
 PAID

7,229.11

PERCENT RECOVERED
 FOR UNSECURED

113.09%

FORM 1
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT
ASSET CASES

Case No.: 01-92246
 Case Name: IVY, VERNON KEITH & IVY, CANDACE JOY
 For the Period Ending: 12/17/2003

Trustee Name: Daniel Jacob Goldberg
 Date Filed (f) or Converted (c): 10/18/2001 (f)
 \$341(a) Meeting Date: 11/26/2001
 Claims Bar Date: 03/04/2002

Ref #	Asset Description (Scheduled and Unscheduled (n) Property)	Petition/ Unscheduled Value	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned (a) - § 554(a) abandon- DA - § 554(c) abandon.	Sales/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1	Homestead - Hwy 184, Pineiland, Texas Home, 6 acres, and shop. Asset Notes: Claimed Exempt	\$60,000.00	\$0.00		\$0.00	FA
2	Cash - \$100.00 Asset Notes: Claimed Exempt	\$100.00	\$0.00		\$0.00	FA
3	Checking - Hemphill State Bank Personal: \$50.00 Business: \$25.00 Asset Notes: Claimed Exempt	\$75.00	\$0.00		\$0.00	FA
4	Furniture & Appliances Asset Notes: Claimed Exempt; Refrig, Washer/Dryer, Freezer, Oven, Stove, Dishwasher, Recliner, Sofa, Chair, Small Stereo, Desk, Computer & Desk, Bookshelves, End Tables, Bunk Bed, Dresser, Bed, Dresser, Dining Table, Grand Father Clock, Buffet, Tub, Mower.	\$1,500.00	\$0.00		\$0.00	FA
5	Pictures Asset Notes: Claimed Exempt	\$300.00	\$0.00		\$0.00	FA
6	Clothes for Family Asset Notes: Claimed Exempt	\$200.00	\$0.00		\$0.00	FA
7	Jewelry Wedding Rings: \$500.00 Grandfather Pocket Watch: \$800.00 Asset Notes: Claimed Exempt	\$1,300.00	\$0.00		\$0.00	FA
8	Guns Asset Notes: Claimed Exempt	\$200.00	\$0.00		\$0.00	FA
9	Term Life Insurance - \$100,000.00 Asset Notes: Claimed Exempt	\$1.00	\$0.00		\$0.00	FA
10	Personal Injury Claim MVA Motor Vehicle Accident Asset Notes: Claimed Exempt Scheduled on C: \$17,425.00 and \$18,924.00	\$36,349.00	\$0.00		\$169,851.00	\$897.00
11	1991 Ford Ranger Asset Notes: No Equity.	\$2,500.00	\$0.00		\$0.00	FA

**FORM 1
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT
ASSET CASES**

Case No.: 01-92246
 Case Name: IVY, VERNON KEITH & IVY, CANDACE JOY
 For the Period Ending: 12/17/2003

Trustee Name: Daniel Jacob Goldberg
 Date Filed (f) or Converted (c): 10/18/2001(f)
 \$341(a) Meeting Date: 11/26/2001
 Claims Bar Date: 03/04/2002

	1	2	3	4	5	6
	Asset Description (Scheduled and Unscheduled (u) Property)	Portion/ Unscheduled Value	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA = \$ 554(e) abandon. DA = \$ 554(c) abandon.	Sales/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
12	1997 Plymouth Voyager Van <i>Asset Notes:</i> No Equity.	\$8,500.00	\$0.00		\$0.00	FA
13	Computer/Fax Machine <i>Asset Notes:</i> Claimed Exempt	\$150.00	\$0.00		\$0.00	FA
14	Recovery Unit, Tank, H2O Pumps, Tools used in air conditioning and appliance business. <i>Asset Notes:</i> Claimed Exempt	\$2,500.00	\$0.00		\$0.00	FA
15	Organ, Keyboard w/Lamp, Accordion. Piano: Value: Zero <i>Asset Notes:</i> Claimed Exempt	\$1,000.00	\$0.00		\$0.00	FA
INT	Interest Earned <i>Asset Notes:</i> Claimed Exempt	Unknown	Unknown		\$121.25	FA
TOTALS (Excluding unknown value)						
						<u>\$169,972.25</u>
						<u>\$897.00</u>

Major activities affecting case closing:

Initial Projected Date Of Final Report (TFR): 12/30/2003

Current Projected Date Of Final Report (TFR): 12/31/2004

Gross Value of Remaining Assets

\$897.00

**FORM 2
CASH RECEIPTS AND DISBURSEMENTS RECORD**

Case No. 01-92246
 Case Name: IVY, VERNON KEITH & IVY, CANDACE JOY
 Taxpayer ID #: 76-6188784
 For Period Beginning: 10/18/2001

Trustee Name: Daniel Jacob Goldberg
 Bank Name: Starling Bank
 Checking Acct #: 8010192246
 Account Title: Vernon Keith Ivy and Candace Joy Ivy

For Period Ending: 12/17/2003

Blanket bond (per case limit): \$300,000.00
 Separate bond (if applicable):

1 Transaction Date	2 Check or Ref. #	3 Paid to/ Received From	4 Description of Transaction	Uniform Tran Code	7 Deposit \$	8 Disbursement \$	9 Balance
08/08/2003		Transfer From Acct#8020192246	Per Order Settle Signed 7-30-03.	9999-000	\$125,110.51		\$125,110.51
08/08/2003	1	Vernon Ivy and Candace Ivy and Reich Chandler	Per Order Settle Signed on 7-30-03.	8100-002		\$36,349.00	\$88,761.51
08/08/2003	2	Reich Chandler	Per Order Settle Fees & Expenses Signed on 7-30-03.	3210-600		\$88,761.51	\$0.00
10/13/2003		Transfer From Acct#8020192246	Per Order signed on 10-02-03 re: Portion of Excess Funds to Debtors.	9999-000	\$35,000.00		\$35,000.00
10/13/2003	3	Vernon Keith Ivy and Candace Joy Ivy	Per Order To Pay Debtors a Portion of Excess Funds, signed on 10-02-03.	8200-002		\$35,000.00	\$0.00
11/06/2003		Transfer From Acct#8020192246	Per Order signed on 10/23/03, \$750/Fees & \$3.74/Expenses.	9999-000	\$753.74		\$753.74
11/06/2003	4	Smith & Hernaut, P.C.	Per Order signed on 10/23/03,(\$750/Fees & \$3.74/Expenses)	*		\$753.74	\$0.00
Accountant for Trustee Fees (Other Firm)				3410-000		\$750.00	
Accountant for Trustee Expenses (Other Firm)				3420-000		\$3.74	
12/16/2003		Transfer From Acct#8020192246	Transfer for TFR filing.	9999-000	\$81,347.31		\$81,347.31
12/16/2003		Transfer From: Ivy, Vernon Keith & Candace Joy # 8020192246	Transfer to Close Account	9999-000	\$6.69		\$81,354.00
12/17/2003		Reich Chandler	Refund on Check#2 *Refund on Neurocare Network costs in settlement.	3210-602		(\$897.00)	\$82,251.00

SUBTOTALS

\$242,218.25

\$159,967.25

**FORM 2
CASH RECEIPTS AND DISBURSEMENTS RECORD**

Case No. 01-92246
 Case Name: IVY, VERNON KEITH & IVY, CANDACE JOY
 Taxpayer ID #: 76-6188784
 For Period Beginning: 10/18/2001
 For Period Ending: 12/17/2003

Trustee Name: Daniel Jacob Goldberg
 Bank Name: Sterling Bank
 Checking Acct #: 8010192246
 Account Title: Vernon Keith Ivy and Candace Joy, Ivy
 Blanket bond (per case limit): \$300,000.00
 Separate bond (if applicable):

1 Transaction Date	2 Check or Ref. #	3 Paid to/ Received From	4 Description of Transaction	Uniform Tran Code	7 Deposit \$	8 Disbursement \$	9 Balance
TOTALS: \$242,218.25 \$159,967.25 \$82,251.00 Less: Bank transfers/CDs \$242,218.25 \$0.00 Subtotal \$0.00 \$159,967.25 Less: Payments to debtors \$0.00 \$71,349.00 Net \$0.00 \$88,618.25							

For the period of 10/18/2001 to 12/17/2003

Total Compensable Receipts: \$0.00
 Total Non-Compensable Receipts: \$0.00
 Total Comp/Non Comp Receipts: \$0.00
 Total Internal/Transfer Receipts: \$242,218.25
 Total Compensable Disbursements: \$88,618.25
 Total Non-Compensable Disbursements: \$70,452.00
 Total Comp/Non Comp Disbursements: \$159,070.25
 Total Internal/Transfer Disbursements: \$0.00

For the entire history of the account between 08/08/2003 to 12/17/2003

Total Compensable Receipts: \$0.00
 Total Non-Compensable Receipts: \$0.00
 Total Comp/Non Comp Receipts: \$0.00
 Total Internal/Transfer Receipts: \$242,218.25
 Total Compensable Disbursements: \$88,618.25
 Total Non-Compensable Disbursements: \$70,452.00
 Total Comp/Non Comp Disbursements: \$159,070.25
 Total Internal/Transfer Disbursements: \$0.00

\$242,218.25
899. -- *
\$241,321.25 (Sch A-1)

* THIS WAS A REWARD OR EXPENSE WHICH WAS ORIGINALLY ENTERED AS A DEPOSIT, BUT PER THE WST - PRIMARY WITHIN TRANSACTION CODE REFERENCE GUIDE, WERE SPECIAL SITUATIONS #2 EXPENSE REWARDS, WE RECORDED AS A DEBITIVE TRANSACTION (SEE ATTACHMENT)

**FORM 2
CASH RECEIPTS AND DISBURSEMENTS RECORD**

Case No: 01-92246
 Case Name: IVY, VERNON KEITH & IVY, CANDACE JOY
 Taxpayer ID #: 76-6188784
 For Period Beginning: 10/18/2001
 For Period Ending: 12/17/2003

Trustee Name: Daniel Jacob Goldberg
 Bank Name: Sterling Bank
 Money Market Acct #: 8020192246
 Account Title: Ivy, Vernon Keith & Candace Joy
 Blanket bond (per case limit): \$300,000.00
 Separate bond (if applicable):

1 Transaction Date	2 Check or Ref. #	3 Paid to/ Received From	4 Description of Transaction	5 Uniform Tran Code	6 Deposit \$	7 Disbursement \$	8 Balance
06/27/2003	{10}	Chandler Law Offices	CK #11680 Settlement Proceeds	*	\$241,200.00		\$241,200.00
	{10}		Personal Injury Litigation		\$71,349.00		
	{10}		Personal Injury Litigation		1142-002		
	{10}		Personal Injury Litigation		1142-000		\$169,851.00
07/31/2003	(INT)	Sterling Bank	Interest Earned For July		\$40.97		\$241,240.97
08/08/2003		Transfer To Acct#8010192246	Per Order Settle Signed 7-30-03.		9999-000	\$125,110.51	\$116,130.46
08/08/2003	1	Vernon Ivy and Candace Ivy and Reich Chandler	Per Order Settle Signed on 7-30-03.		8100-000	\$36,349.00	\$79,781.46
08/08/2003	1	Vernon Ivy and Candace Ivy and Reich Chandler	Per Order Settle Signed on 7-30-03. ***CHECK WRITTEN FROM WRONG ACCOUNT***		8100-003	(\$36,349.00)	\$116,130.46
08/28/2003	(10)	Chandler Law Offices	Refund on Neurocare Network costs in Settlement.		1280-002	\$897.00	\$117,027.46
08/29/2003	(INT)	Sterling Bank	Interest Earned For August		1270-000	\$24.53	\$117,051.99
09/30/2003	(INT)	Sterling Bank	Interest Earned For September		1270-000	\$19.24	\$117,071.23
10/13/2003		Transfer To Acct#8010192246	Per Order signed on 10-02-03 re: Portion of Excess Funds to Debtors.		9999-000	\$35,000.00	\$82,071.23
10/31/2003	(INT)	Sterling Bank	Interest Earned For October		1270-000	\$16.43	\$82,087.66
11/06/2003		Transfer To Acct#8010192246	Per Order signed on 10/23/03. \$750/Fees & \$3.74/Expenses.		9999-000	\$753.74	\$81,333.92
11/28/2003	(INT)	Sterling Bank	Interest Earned For November		1270-000	\$13.39	\$81,347.31
12/16/2003	(INT)	Sterling Bank	Account Closing Interest As Of 12/16/2003		1270-000	\$6.69	\$81,354.00
12/16/2003		Transfer To Acct#8010192246	Transfer for TR filing		9999-000	\$81,347.31	\$6.69
12/16/2003		Transfer To: Vernon Keith Ivy and Candace Joy Ivy # 8010192246	Transfer to Close Account		9999-000	\$6.69	\$0.00
12/17/2003	(10)	Chandler Law Offices	Error: this deposit is a "refund" on a settlement. See refund on check no. 2.		1280-002	(\$897.00)	(\$897.00)

SUBTOTALS \$241,321.25

\$242,218.25

**FORM 2
CASH RECEIPTS AND DISBURSEMENTS RECORD**

Case No. 01-92246
 Case Name: IVY, VERNON KEITH & IVY, CANDACE JOY
 Taxpayer ID #: 76-6188784
 For Period Beginning: 10/18/2001
 For Period Ending: 12/17/2003

Trustee Name: Daniel Jacob Goldberg
 Bank Name: Sterling Bank
 Money Market Acct #: 8020192246
 Account Title: Ivy, Vernon Keith & Candace Joy
 Blanket bond (per case limit): \$300,000.00
 Separate bond (if applicable):

1 Transaction Date	2 Check or Ref. #	3 Paid to/ Received From	4 Description of Transaction	Uniform Tran Code	7 Deposit \$	8 Disbursement \$	9 Balance
			TOTALS:		\$241,321.25	\$242,218.25	(\$897.00)
			Less: Bank transfers/CDS		\$0.00	\$242,218.25	
			Subtotal		\$241,321.25	\$0.00	
			Less: Payments to debtors		\$0.00	\$0.00	
			Net		\$241,321.25	\$0.00	

For the period of 10/18/2001 to 12/17/2003

For the entire history of the account between 06/27/2003 to 12/17/2003

Total Compensable Receipts: \$169,972.25
 Total Non-Compensable Receipts: \$71,349.00
 Total Comp/Non Comp Receipts: \$241,321.25
 Total Internal/Transfer Receipts: \$0.00
 Total Compensable Disbursements: \$0.00
 Total Non-Compensable Disbursements: \$0.00
 Total Comp/Non Comp Disbursements: \$0.00
 Total Internal/Transfer Disbursements: \$242,218.25

Total Compensable Receipts: \$169,972.25
 Total Non-Compensable Receipts: \$71,349.00
 Total Comp/Non Comp Receipts: \$241,321.25
 Total Internal/Transfer Receipts: \$0.00
 Total Compensable Disbursements: \$0.00
 Total Non-Compensable Disbursements: \$0.00
 Total Comp/Non Comp Disbursements: \$0.00
 Total Internal/Transfer Disbursements: \$242,218.25

**FORM 2
CASH RECEIPTS AND DISBURSEMENTS RECORD**

Case No. 01-92246
 Case Name: IVY, VERNON KEITH & IVY, CANDACE JOY
 Taxpayer ID #: 76-6188784
 For Period Beginning: 10/18/2001
 For Period Ending: 12/17/2003

Trustee Name: Daniel Jacob Goldberg
 Bank Name: Stearns Bank
 Money Market Acct #: 8020192246
 Account Title: Ivy, Vernon Keith & Candace Joy
 Blanket bond (per case limit): \$300,000.00
 Separate bond (if applicable):

1 Transaction Date	2 Check or Ref. #	3 Paid to/ Received From	4 Description of Transaction	Uniform Tran Code	7 Deposit \$	8 Disbursement \$	9 Balance

TOTAL - ALL ACCOUNTS		NET DEPOSITS	DISBURSEMENTS	NET	ACCOUNT
		\$241,321.25	\$88,618.25	\$169,972.25	BALANCES
					\$81,354.00

For the period of 10/18/2001 to 12/17/2003

For the entire history of the case between 10/18/2001 to 12/17/2003

Total Compensable Receipts: \$169,972.25
 Total Non-Compensable Receipts: \$71,349.00
 Total Comp/Non Comp Receipts: \$241,321.25
 Total Internal/Transfer Receipts: \$242,218.25

Total Compensable Receipts: \$169,972.25
 Total Non-Compensable Receipts: \$71,349.00
 Total Comp/Non Comp Receipts: \$241,321.25
 Total Internal/Transfer Receipts: \$242,218.25

Total Compensable Disbursements: \$88,618.25
 Total Non-Compensable Disbursements: \$70,452.00
 Total Comp/Non Comp Disbursements: \$159,070.25
 Total Internal/Transfer Disbursements: \$242,218.25

Total Compensable Disbursements: \$88,618.25
 Total Non-Compensable Disbursements: \$70,452.00
 Total Comp/Non Comp Disbursements: \$159,070.25
 Total Internal/Transfer Disbursements: \$242,218.25

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION**

IN RE:

**VERNON KEITH IVY *and*
CANDACE JOY IVY
DEBTORS**

§
§
§
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CASE NO. 01-92246

Chapter 7

EOD

07/30/2003

**ORDER APPROVING COMPROMISE AND SETTLEMENT WITH
HEMPHILL TIRE STORE AND PAYMENT OF ATTORNEYS FEES AND COSTS**

ON THIS DATE, came on to be considered the Motion of Daniel Jacob Goldberg, Chapter 7 Trustee of the Estate of Vernon Keith Ivy and Candace Joy Ivy To Approve Settlement and Compromise with Hemphill Tire Store on a Personal Injury Case and Payment of Attorneys Fees and Costs (the "Motion") The Court, after considering the Motion and the record before it makes the following findings:

1. Notice of the Motion is appropriate under Federal and Local Rules of Bankruptcy Procedure;
2. The Court has evaluated the applicable standards for approving a compromise of controversy under Fed. R. Civ.P. 9019 as set forth within *Protective Committee v. Anderson*, 390 U.S. 414, 424-425 and *Connecticut General Life Ins. Co. v. United Cos. Fin. Corp.*, 68 F.3d 914, 917 (5th Cir. 1994) and has determined that the Trustee's probability of success is uncertain. Litigation would be expensive and time consuming considering the amount in controversy, and the settlement of the action against Hemphill Tire Store in the total settlement amount of \$241,200.00 is in the best interest of the Estate of Vernon Keith Ivy and Candace Joy Ivy and its creditors.
3. Based upon the foregoing, it is hereby ORDERED that the settlement and compromise between Daniel Jacob Goldberg, Chapter 7 Trustee of the Estate of Vernon Keith Ivy

and Candace Joy Ivy, and Hemphill Tire Store is APPROVED, for a gross settlement of \$241,200.00.

4. It is further Ordered that the Application for Compensation of Mr. Reich Chandler be **Granted**, and that Mr. Reich Chandler is hereby Awarded Attorney's Fees in the amount of \$72,600.00 and Expenses in the amount of \$31,911.38 for a total of \$104,511.38. The Trustee is authorized to pay Mr. Chandler from estate funds attorneys fees in the amount of \$61,659.18 and costs of \$27,102.33 for a total sum of \$88,761.51.

5. The Trustee is further authorized to turn over to the Debtors, Vernon Keith Ivy and Candace Joy Ivy, and their attorney of record, Reich Chandler of the Chandler Law Offices the sum of \$36,349.00, the amount claimed as exempt by the Debtors under 11 U.S.C. 522 (d)(5) and 11 U.S.C. (d)(11)(D). From said sum, Reich Chandler is to deduct the advancements to Debtors (the \$5,000.00 Reich Chandler has advanced to the Debtors and the \$3,952.75 advanced to the Debtors by Jimmy Cassels of the law firm of Cassels & Reynolds and the retainer fee in the amount of \$1,632.17 owed to the Debtors' bankruptcy attorney, Stephen J. Zayler). It is Ordered that Reich Chandler's proportionate fees in the amount of \$10,940.82 and costs of \$4,809.05 for a total of \$15,749.87 attributable to the Debtors exempt funds are to be deducted therefrom, as well.

6. It is further Ordered that Daniel Jacob Goldberg, Chapter 7 Trustee of the Estate of Vernon Keith Ivy and Candace Joy Ivy, is hereby authorized to execute all documents necessary to effectuate the terms of this Order.

Signed on 07/30/2003

Signed this ____ Day of _____:



BILL PARKER
UNITED STATES BANKRUPTCY JUDGE

IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

EOD

10/03/2003

IN RE: §
VERNON KEITH IVY and § CASE NUMBER 01-92246
CANDACE JOY IVY §
DEBTORS § CHAPTER 7

**ORDER ON TRUSTEE'S MOTION FOR AUTHORITY TO PAY TO DEBTORS A
PORTION OF POTENTIALLY EXCESS FUNDS**

Came on to be considered, *Trustee's Motion For Authority To Pay To Debtors A Portion of Potentially Excess Funds* filed by Daniel J. Goldberg the Chapter 7 Trustee in the above-referenced case. The Court finds that the Motion was properly served pursuant to the Federal and Local Rules of Bankruptcy Procedure and that it contained the appropriate twenty (20) day negative notice language, pursuant to Local Rule of Bankruptcy procedure 9007, which directed any party opposed to the granting of the relief sought by the Motion to file a written response within twenty days or the Motion would be deemed by the court to be unopposed. The Court finds that no objection or other written response to the Motion has been timely filed by any party. Due to the failure of any party to file a timely written response, the allegations contained in the Motion stand unopposed and, therefore, the Court finds that good cause exists for the entry of the following order. It is, therefore,

ORDERED that said payment to the Debtors, Vernon Keith Ivy and Candace Joy Ivy of \$35,000 of funds being held by the Trustee is APPROVED

SIGNED this ____ day of _____, 2003 Signed on 10/02/2003



BILL PARKER
UNITED STATES BANKRUPTCY JUDGE

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

EOD

10/23/2003

IN RE: §
§
VERNON KEITH IVY and § Case No. 01-92246
CANDACE JOY IVY §
§
Debtors § Chapter 7

**ORDER GRANTING IN PART AND DENYING IN PART
FINAL APPLICATION FOR COMPENSATION AND EXPENSES FOR
SMITH & HENAULT, P.C., ACCOUNTANTS FOR CHAPTER 7 ESTATE**

On the 21ST day of October, 2003, came on for hearing the "Motion for Allowance of Compensation to Accountants, Smith & Henault, P.C." filed by Daniel Jacob Goldberg, ("Trustee"), the duly appointed Chapter 7 Trustee in the above-referenced case, on behalf of Smith & Henault, P.C., accountants for the Chapter 7 Estate. The Court finds that appropriate notice of the Motion and the hearing was given according to the Federal and Local Rules of Bankruptcy Procedure. Daniel Goldberg appeared at the hearing on behalf of the Movant. Stephen Zayler appeared at the hearing on behalf of the Debtor. Based upon the Court's consideration of the pleadings, the evidence admitted in the hearing, and the argument of counsel, and for the reasons expressed by the Court on the record in open court pursuant to Fed. R. Civ. P. 52, which is incorporated into contested matters in bankruptcy cases by Fed. R. Bankr. P. 7052 and 9014, the Court finds that good cause exists for the entry of the following order.

IT IS THEREFORE ORDERED that the accounting firm of Smith & Henault, P.C. is hereby awarded the sum of \$750.00 as reasonable compensation for actual and

necessary services rendered to the Chapter 7 Estate and reimbursement for actual and necessary expenses in the amount of \$ 3.74, for a total award of \$753.74 which the Chapter 7 Trustee shall pay from available funds to Smith & Henault, P.C.

Signed on 10/23/2003

A handwritten signature in cursive script, appearing to read "Bill Parker", written in black ink. The signature is positioned above a horizontal line.

BILL PARKER
CHIEF UNITED STATES BANKRUPTCY JUDGE

SCHEDULE B

APPLICATION FOR COMPENSATION

Case Name: **IVY, VERNON KEITH & IVY, CANDACE JOY**

Case Number: **01-92246**

COMPUTATION OF COMMISSIONS

Receipts	\$	106,052.27	25.00% of First \$5,000.00	\$	1,250.00
Less		-\$5,000.00	(\$1,250.00 Max)		
Balance	\$	101,052.27	10.00% of Next \$45,000.00	\$	4,500.00
Less		-\$45,000.00	(\$4,500.00 Max)		
Balance	\$	56,052.27	5.00% of Next \$950,000.00	\$	2,802.61
Less		-\$950,000.00	(\$47,500.00 Max)		
Balance	\$	0.00	3.00% of Balance	\$	0.00
					8,552.61
TOTAL COMPENSATION REQUESTED				\$	8,552.61

TRUSTEE EXPENSES:

Copies		\$429.75
Clerical		\$229.50
Para Legal		\$799.50
Postage		\$94.79
Supplies		\$8.00
Mileage (Hearing in Beaumont: Debtor's Objection to Trustee's Motion of Compensation to Accountants)		\$70.88
Fax		\$20.50

Total Unreimbursed
Expenses: **\$1,652.92**

RECORDS: Trustee did not take possession of business of personal records of Debtor.
Notice given Debtor on _____ to pick up business or personal records in hands of Trustee.

EXPENSE REPORT

Case No: 01-92246

Case Name: IVY, VERNON KEITH & IVY, CANDACE JOY

Trustee Name: Daniel Jacob Goldberg

Date: 12/16/2003

Date	Quantity	Rate	Total	Uniform Tran Code	Description
Copies					
11/27/2001	12.00	\$0.25	\$3.00	2200-000	341 Reports
12/03/2001	15.00	\$0.25	\$3.75	2200-000	Trustee's Motion to Confirm Amounts Over Those Claimed as Exempt are Property of the Ch. 7 Estate
04/02/2002	2.00	\$0.25	\$0.50	2200-000	Letter Reich Chandler-Initial Lawsuit Letter; cc: S. Zayler
06/26/2002	1.00	\$0.25	\$0.25	2200-000	Letter Reich Chandler
07/15/2002	5.00	\$0.25	\$1.25	2200-000	Docket and Matrix.
07/18/2002	2.00	\$0.25	\$0.50	2200-000	Affidavit/Letter to Reich Chandler.
10/09/2002	2.00	\$0.25	\$0.50	2200-000	Docket.
10/16/2002	32.00	\$0.25	\$8.00	2200-000	Application Employ Reich Chandler
02/04/2003	3.00	\$0.25	\$0.75	2200-000	Letter Reich Chandler w/Order Employ; cc: SZayler.
03/20/2003	1.00	\$0.25	\$0.25	2200-000	Letter Reich Chandler status update
05/15/2003	1.00	\$0.25	\$0.25	2200-000	Letter Reich Chandler re status update
06/12/2003	5.00	\$0.25	\$1.25	2200-000	Docket and Claims Register
07/02/2003	581.00	\$0.25	\$145.25	2200-000	Mtn Settle & Pay - Reich Chandler
07/14/2003	3.00	\$0.25	\$0.75	2200-000	Correspondence SZayler
07/22/2003	49.00	\$0.25	\$12.25	2200-000	Employ Accountant
07/25/2003	3.00	\$0.25	\$0.75	2200-000	Pacer Docket
07/25/2003	22.00	\$0.25	\$5.50	2200-000	Letter Roger Marting with 2000 & 2001 Tax Returns.
08/11/2003	1.00	\$0.25	\$0.25	2200-000	Reich Chandler Letter
09/03/2003	3.00	\$0.25	\$0.75	2200-000	Claims Register Report
09/08/2003	135.00	\$0.25	\$33.75	2200-000	Mtn Auth Pay D Portion of Excess Funds
09/12/2003	194.00	\$0.25	\$48.50	2200-000	Mtn Pay Accountant
10/08/2003	574.00	\$0.25	\$143.50	2200-000	Witness & Exhibit Lists for 10-21-03 Hearing
10/29/2003	11.00	\$0.25	\$2.75	2200-000	Letter: Roger Martin
11/07/2003	3.00	\$0.25	\$0.75	2200-000	Letter Roger Martin, with Order.
12/15/2003	11.00	\$0.25	\$2.75	2200-000	Claims File
12/16/2003	6.00	\$0.25	\$1.50	2200-000	Financial File (Checks/Deposits)
12/16/2003	42.00	\$0.25	\$10.50	2200-000	Financial File
			Copies		
			\$429.75		

EXPENSE REPORT

Case No: 01-92246

Case Name: IVY, VERNON KEITH & IVY, CANDACE JOY

Trustee Name Daniel Jacob Goldberg

Date: 12/16/2003

Date	Quantity	Rate	Total	Uniform Tran Code	Description
Clerical					
12/16/2003	15.30	\$15.00	\$229.50	2200-000	Teresa M. Diez
		Clerical	\$229.50		
Para Legal					
12/16/2003	12.30	\$65.00	\$799.50	2200-000	Teresa M. Diez
		Para Legal	\$799.50		
Postage					
11/27/2001	2.00	\$0.37	\$0.74	2200-000	341 Reports
12/03/2001	4.00	\$0.60	\$2.40	2200-000	Trustee's Motion to Confirm Amounts Over Those Claimed as Exempt are Property of the Ch. 7 Estate
04/02/2002	2.00	\$0.37	\$0.74	2200-000	Letter Reich Chandler-Initial Lawsuit Letter; cc: S. Zayler
06/26/2002	1.00	\$0.37	\$0.37	2200-000	Letter Reich Chandler
07/18/2002	1.00	\$0.37	\$0.37	2200-000	Affidavit/Letter to Reich Chandler.
10/16/2002	4.00	\$0.60	\$2.40	2200-000	Application Employ Reich Chandler
02/04/2003	2.00	\$0.37	\$0.74	2200-000	Letter Reich Chandler w/Order Employ; cc: SZayler.
03/20/2003	1.00	\$0.37	\$0.37	2200-000	Letter Reich Chandler re status update.
05/15/2003	1.00	\$0.37	\$0.37	2200-000	Letter Reich Chandler re status update
07/02/2003	25.00	\$0.84	\$21.00	2200-000	Mtn Settle & Pay - Reich Chandler
07/22/2003	5.00	\$0.84	\$4.20	2200-000	Employ Accountant
07/25/2003	1.00	\$0.83	\$0.83	2200-000	Roger Martin & Tax Returns
08/11/2003	1.00	\$0.37	\$0.37	2200-000	Reich Chandler Letter and Checks.
09/08/2003	25.00	\$0.83	\$20.75	2200-000	Mtn Auth Pay D Portion of Excess Funds
09/12/2003	25.00	\$0.83	\$20.75	2200-000	Mtn Pay Accountant
10/08/2003	5.00	\$3.53	\$17.65	2200-000	Witness & Exhibit Lists for 10-21-03 Hearing
10/29/2003	1.00	\$0.37	\$0.37	2200-000	Letter: Roger Martin
11/07/2003	1.00	\$0.37	\$0.37	2200-000	Letter, Check, Order to Roger Martin.
		Postage	\$94.79		
Supplies					
12/15/2003	8.00	\$1.00	\$8.00	2200-000	7 Folders / 1 Red Robe
		Supplies	\$8.00		
Mileage					

EXPENSE REPORT

Case No: 01-92246

Case Name: IVY, VERNON KEITH & IVY, CANDACE JOY

Trustee Name Daniel Jacob Goldberg

Date: 12/16/2003

Date	Quantity	Rate	Total	Uniform Tran Code	Description
10/21/2003	189.00	\$0.38	\$70.88	2200-000	Hearing: Obj D's Mtn Allowance of Compensation to Accountants.
Fax					
07/08/2002	3.00	\$0.25	\$0.75	2200-000	Reich Chandler.
06/11/2003	4.00	\$0.25	\$1.00	2200-000	Reich Chandler
06/12/2003	1.00	\$0.25	\$0.25	2200-000	Reich Chandler re preparing application.
06/16/2003	3.00	\$0.25	\$0.75	2200-000	Reich Chandler
06/20/2003	2.00	\$0.25	\$0.50	2200-000	Reich Chandler
06/23/2003	7.00	\$0.25	\$1.75	2200-000	Reich Chandler-Letter & Settlement Sheets
06/25/2003	13.00	\$0.25	\$3.25	2200-000	Reich Chandler-Copy of Mtn Settle.
06/30/2003	2.00	\$0.25	\$0.50	2200-000	Reich Chandler
07/03/2003	2.00	\$0.25	\$0.50	2200-000	S. Zayler
07/07/2003	2.00	\$0.25	\$0.50	2200-000	S. Zayler
07/16/2003	5.00	\$0.25	\$1.25	2200-000	Reich Chandler
07/16/2003	3.00	\$0.25	\$0.75	2200-000	Reich Chandler
07/16/2003	5.00	\$0.25	\$1.25	2200-000	Reich Chandler
07/16/2003	3.00	\$0.25	\$0.75	2200-000	Reich Chandler re: NeuroCare Network
07/17/2003	1.00	\$0.25	\$0.25	2200-000	Reich Chandler letter.
07/17/2003	2.00	\$0.25	\$0.50	2200-000	Reich Chandler
07/25/2003	2.00	\$0.25	\$0.50	2200-000	S. Zayler
07/25/2003	2.00	\$0.25	\$0.50	2200-000	SZayler
08/06/2003	3.00	\$0.25	\$0.75	2200-000	Reich Chandler
08/14/2003	2.00	\$0.25	\$0.50	2200-000	Reich Chandler
08/22/2003	2.00	\$0.25	\$0.50	2200-000	Letter to Reich Chandler.
08/26/2003	6.00	\$0.25	\$1.50	2200-000	Tim O'Neal fax
08/26/2003	2.00	\$0.25	\$0.50	2200-000	S. Zayler
08/29/2003	2.00	\$0.25	\$0.50	2200-000	Fax from Roger Martin.
09/24/2003	3.00	\$0.25	\$0.75	2200-000	Roger Martin, CPA
				Fax	\$20.50
				Case Total:	\$1,652.92

Ross, Banks, May, Cron & Cavin, P.C.
Secretarial / Paralegal Time Entries

CH. 7 TRUSTEE - DANIEL J. GOLDBERG

December 16, 2003
File #: B01-92246

Re: IVY, VERNON KEITH & IVY, CANDANCE JOY

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Oct-25-01	Open bankruptcy file and enter information in bankruptcy system and firm system.	0.30	4.50	TMD
Nov-20-01	Organize file for 341 meeting; print reports for meeting.	0.20	3.00	TMD
Nov-27-01	Make copies of 341 reports for filing and forwarding to UST office.	0.20	3.00	TMD
Dec-03-01	Letter to Court to file Trustee's Motion to Confirm Amounts Over Those Claimed as Exempt are Property of the Ch. 7 Estate; copies made of Motion for file records and parties on the service list; mailed to parties on service list.	0.30	4.50	TMD
Dec-03-01	Draft Trustee's Motion to Confirm Amounts Over Those Claimed as Exempt are Property of the Ch. 7 Estate; and Order thereon for filing with Court.	0.70	45.50	TMD
Dec-03-01	Receive Order on claims bar date, and enter in system for monitoring.	0.20	3.00	TMD
Apr-02-02	Letter to Reich Chandler advising debtor is in bankruptcy, DJG is trustee, and settlement funds are part of the Ch. 7 Estate.	0.20	3.00	TMD
Jun-26-02	Letter to Reich Chandler advising we still need a copy of their fee contract.	0.20	3.00	TMD
Jul-18-02	Letter to Reich Chandler forwarding affidavit for his execution.	0.30	4.50	TMD
Jul-18-02	Draft Affidavit for Special Counsel, for filing with Court on Motion to Employ.	0.50	32.50	TMD

Oct-09-02	Call to Reich Chandler's office re letter received from him dated 10-8-02; Reich wants an Order on the Motion to Employ him; advised them that we are still waiting on the executed affidavit from their office to file said motion.	0.20	3.00	TMD
Oct-10-02	Call from Reich Chandler advising he will send affidavit.	0.20	3.00	TMD
Oct-14-02	Draft Application to Employ Special Counsel; Affidavit; and Order thereon for filing with Court.	1.00	65.00	TMD
Oct-16-02	Copies made of the Application to Employ Special Counsel; Affidavit; Fee Contract, and Order for file records and parties on service list; mail copy of application to parties on service list.	0.20	3.00	TMD
Feb-04-03	Letter to Reich Chandler requesting status update on lawsuit and forwarding Order Approving his Employment.	0.20	3.00	TMD
Mar-20-03	Letter to Chandler Law Office to request status of mediation on PI claim.	0.20	3.00	TMD
May-15-03	Letter to Chandler requesting status update on mediation Cause: Vernon Keith Ivy v. Hemphill Tire Store; Sabine County, Texas.	0.30	4.50	TMD
Jun-20-03	Fax letter with requests to Reich Chandler.	0.20	3.00	TMD
Jun-25-03	Fax letter and draft copy of Motion to Approve Settlement and Compromise Controversy with Hemphill Tire Store on a Claim for Personal Injury; and Application for Compensation for Attorney, for his review.	0.20	3.00	TMD
Jul-01-03	Draft Motion to Approve Settlement and Compromise Controversy with Hemphill Tire Store; And Application for Compensation for Attorney Reich Chandler for filing with the Court.	1.60	104.00	TMD
Jul-02-03	Copies made of Motion to Approve Settlement and Compromise Controversy with Hemphill Tire Store; And	0.40	6.00	TMD

	Application for Compensation for Attorney Reich Chandler for file records and parties on service list; mail to parties on service list.			
Jul-02-03	Letter to Court on filing Motion to Approve Settlement and Compromise Controversy with Hemphill Tire Store and payment of attorney fees.	0.20	3.00	TMD
Jul-07-03	Forward trustee's fax to S. Zayler.	0.10	1.50	TMD
Jul-09-03	Correspondence with Roger Martin re employing Smith & Henault as accountants, sending him Forms 1 and 2, and Affidavit.	0.20	3.00	TMD
Jul-11-03	Call from Keith Ivy, advised him we are waiting on Order from Court and he should contact his attorney.	0.20	3.00	TMD
Jul-15-03	Call from Keith Ivy.	0.30	4.50	TMD
Jul-16-03	Call from Keith Ivy.	0.30	4.50	TMD
Jul-17-03	Forward trustee's fax to Reich Chandler	0.10	1.50	TMD
Jul-17-03	Fax letters dated July 16, 2003 to Reich Chandler.(2nd fax)	0.20	3.00	TMD
Jul-21-03	Draft Application to Employ Accountant; Affidavit and Order thereon for filing with the Court.	1.00	65.00	TMD
Jul-22-03	Copies of Application to Employ Accountant made for file records and parties on service list; mailed copies of application to parties on service list.	0.20	3.00	TMD
Jul-23-03	Letter to Court filing Application to Employ Accountant, copies of motion made for file and parties on service list; mailed copies of motion to parties on service list.	0.40	6.00	TMD
Jul-25-03	Forward trustee's fax to S. Zayler.	0.10	1.50	TMD
Jul-25-03	Letter to Roger Martin; Copies made of Debtor's 2000 and 2001 tax returns; forward tax returns to CPA.	0.30	4.50	TMD
Aug-04-03	#1 Call from Keith Ivy asking about settlement check.	0.20	3.00	TMD

Aug-05-03	#2 Call from Keith Ivy asking about settlement check.	0.20	3.00	TMD
Aug-06-03	#3 Call from Keith Ivy asking about settlement check.	0.20	3.00	TMD
Aug-06-03	Correspondence to Reich Chandler forwarding Order on the Motion to Approve Settlement and Compromise, and advising we will be issuing a check within 10 days of the Order date.	0.20	3.00	TMD
Aug-07-03	#4 Call from Keith Ivy asking about settlement check.	0.20	3.00	TMD
Aug-11-03	Correspondence to Reich Chandler forwarding checks for settlement, attorney fees, and costs.	0.20	3.00	TMD
Aug-22-03	Fax trustee's letter to Reich Chandler.	0.10	1.50	TMD
Aug-26-03	Forward trustee's fax to S. Zayler.	0.10	1.50	TMD
Aug-26-03	Forward Trustee's fax to UST office.	0.10	1.50	TMD
Aug-26-03	Returned call of Roger Martin, CPA, regarding debtors call to Jim Smith and Roger. Ivy told them P.I. Claim is non taxable, and Steve Zayler told Ivy that since this is a P.I. suit, Ivy did not need to file tax returns. Ivy told Roger he is expecting \$100,000, plus. Roger explained the trustee's liabilities.	0.50	7.50	TMD
Aug-26-03	Returned call of Ann at S. Zayler's office; gave her the exemption amount (\$36,349); she said Ivy wants to know when he will get the rest of his money.	0.20	3.00	TMD
Aug-27-03	Correspondence with Roger Martin, forwarding Form 2 Report and advising on separate tax ID# for Mrs. Ivy.	0.20	3.00	TMD
Sep-03-03	Draft Motion to Pay Excess Fund to Debtor; for filing with the Court.	1.00	65.00	TMD
Sep-03-03	Run Claims Register Report for Trustee.	0.20	3.00	TMD
Sep-04-03	Copies of tax returns made for file records; mailed to two IRS locations, Certified Mail Return Receipt Requested.	0.30	4.50	TMD

Sep-08-03	Call from B. Campbell of UST office requesting status on case; Ivy has been calling him. Advised Bruce that our office has filed all necessary forms with court to settle and that we told debtor we did not have funds from Chandler's office; advised Bruce that estate tax returns were mailed to IRS last week and we're waiting the standard 60-days for a reply from IRS; advised that S.Zayler and DJG were discussing fact that the Motion regarding Excess Funds was mailed today and we are not waiting on Judge Parker to sign Order.	0.20	3.00	TMD
Sep-09-03	Copies of Trustee's Motion For Authority To Pay to Debtors a Portion of Potentially Excess Funds made for file records and service list; mail to parties on service list.	0.40	6.00	TMD
Sep-11-03	Receive and review accountant's application for fees and expenses.	0.20	3.00	TMD
Sep-12-03	Copies made of Motion to Approve Accountant Fees for file records and parties on service list; letter to clerk; mail to parties on service list.	0.40	6.00	TMD
Sep-16-03	Scan tax returns; Correspondence with Steve Zayler regarding forwarding estate tax returns (2001-2003).	0.40	6.00	TMD
Sep-24-03	Forward 10-21-03 hearing information to Roger Martin, CPA.	0.20	3.00	TMD
Sep-24-03	Correspondence to Roger Martin, forwarding Form 2, and Debtors Objection to Trustee's Motion For Allowance of Compensation.	0.20	3.00	TMD
Oct-02-03	Draft Witness and Exhibit List and Designation List and prepare 7 exhibits for 10-21-03 hearing in Beaumont.	2.00	130.00	TMD
Oct-08-03	Prepare Exhibit and Witness list for filing with court; letter to clerk; copies for file records, and forward to applicable parties.	0.40	6.00	TMD
Oct-14-03	Prepare Receipt Letter for Debtors to	0.20	3.00	TMD

	sign when funds get picked up by Debtors.			
Oct-20-03	Prepare file for hearing on Application for Compensation for Accountants.	0.20	3.00	TMD
Oct-29-03	Copies of mail from IRS made for file records; Letter to CPA, Roger Martin, with original information.	0.20	3.00	TMD
Nov-07-03	Correspondence with Roger Martin regarding the forwarding of check on fees.	0.20	3.00	TMD
Dec-15-03	Begin preparation for Trustee's Final Report; Enter Claims information, etc.	2.00	130.00	TMD
Dec-16-03	Enter Paralegal and Secretarial Times; enter copy and faxing expenses, etc.	2.50	162.50	TMD
Dec-16-03	Finance File: Time consisting of 3 Transfer of funds, 4 checks written, 2 deposits posted, 5 postings of Interest to account.	2.60	39.00	TMD
	Totals	50.40	<u>\$7,869.00</u>	

FEE SUMMARY:

	Hours	Rate	Amount
Teresa M. Diez (Legal Asst)	15.30	\$15.00	\$229.50
Teresa M. Diez (Legal Asst)	12.30	\$65.00	\$799.50

RESUME OF THE PARALEGAL ASSISTANT TO THE TRUSTEE

Teresa M. Diez

Employed by the Trustee on September 17, 2001 to Present. Having 7+ years experience in Chapter 13 Trustee offices in Houston and Corpus Christi, Texas and bankruptcy law for a creditor law firm in Houston, Texas.

Her duties performed for the Trustee are as follows: the loading of information into the case management system when files are received. Setting up of files and financial files, filing, and document filing with the court. Preparing of Trustee's Report of No Distribution and various correspondence between Trustee and interested parties. Answer telephone calls regarding routine questions. Assisting with the location, collection and disposition of assets. Assisting in the collection of sale proceeds and accounts receivable. Answering questions from creditors, opening bank accounts, securing Tax Identification numbers, preparing deposits and disbursement checks, posting deposits and disbursements into the computer, reconciling monthly bank statements, verifying receipts against bank statements, organizing files in preparation of creditor meetings. Preparing objections to claims and other legal documents. Mailing notices. Preparing of Semi-Annual reports, Trustee's Final Reports, Requests for Compensation, and Trustee's Supplemental Final Reports. Assisting the Trustee with filing motions on litigation settlements and fee applications for special counsel. Filing of Motions to employ accountants, attorney's, and special counsel.

SCHEDULE C
EXPENSES OF ADMINISTRATION

Case Name: **IVY, VERNON KEITH & IVY, CANDACE JOY**

Case Number: **01-92246**

Description	Amount Claimed	Amount Allowed	Previously Paid	Due
1. 11 U.S.C. § 507(a)(1) Court Costs and Fees				
2. 11 U.S.C. § 503(b)(1)(A) Preservation of estate (Trustee operated Debtor's business)				
3. 11 U.S.C. § 503(b)(1)(B),(C) Post Petition taxes and related penalties				
4. 11 U.S.C. § 503(b)(2) Compensation and Reimbursement				
Special Counsel for Trustee Fees	\$0.00	\$0.00	\$87,864.51	\$0.00
Accountant for Trustee Fees (Other Firm)	\$1,581.65	\$750.00	\$750.00	\$0.00
Accountant for Trustee Expenses (Other Firm)	\$3.74	\$3.74	\$3.74	\$0.00
Trustee Compensation	\$8,552.61	\$8,552.61	\$0.00	\$8,552.61
Trustee Expenses	\$1,652.30	\$1,652.30	\$0.00	\$1,652.30
5. U.S. Trustee Fees				
6. Other (list)				
Totals	\$11,790.30	\$10,958.65	\$88,618.25	\$10,204.91

Priority Claims are listed in Schedule E _____
There are no Priority Claims X

SCHEDULE D
SECURED CLAIMS

Case Name: **IVY, VERNON KEITH & IVY, CANDACE JOY**
Case Number: **01-92246**

Claim No.	Claimant Name	Amount Claimed	Amount Allowed	Amount Disallowed	Previously Paid	Due
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* = Includes Interest in amount Due

SCHEDULE E

PRIORITY CLAIMS OTHER THAN ADMINISTRATIVE EXPENSES
IN THE FOLLOWING ORDER OF PRIORITY

Case Name: **IVY, VERNON KEITH & IVY, CANDACE JOY**

Case Number: **01-92246**

Priority Description	Claimant Name	Amount Claimed	Amount Allowed	Amount Paid	Due
None					

Unsecured Total: * \$7,229.11

* = Includes Interest in amount Due

Eastern District of Texas Claims Register

01-92246 Vernon Keith Ivy and Candace Joy Ivy
Bankruptcy Judge Bill Parker
Debtor Name: IVY, VERNON KEITH

Claim No: 1	<i>Creditor Name:</i> Commercial One [Sears] PO Box 450627 Atlanta GA 31145	<i>Last Date to File Claims:</i> 03/04/2002 <i>Last Date to File (Govt):</i> <i>Filing Status:</i> Disallow <i>Docket Status:</i> <i>Late:</i>
<i>Claim Date:</i> 12/26/2001	<i>Amends Claim No:</i> 0 <i>Amended By Claim No:</i>	<i>Duplicates Claim No:</i> 0 <i>Duplicated By Claim No:</i>
Class	Amount Claimed	Amount Allowed
Unsecured	\$884.04	
Secured	\$0.00	
Priority	\$0.00	
Unknown	\$0.00	
Admin	\$0.00	
Total	\$884.04	
<i>Description:</i>		
<i>Remarks:</i> Converted from BANCAP.		

Claim No: 2	<i>Creditor Name:</i> CACV, Inc. c/o Collect America 1999 Broadway, Ste. 2150 Denver, CO 80202	<i>Last Date to File Claims:</i> 03/04/2002 <i>Last Date to File (Govt):</i> <i>Filing Status:</i> Disallow <i>Docket Status:</i> <i>Late:</i>
<i>Claim Date:</i> 02/04/2002	<i>Amends Claim No:</i> 0 <i>Amended By Claim No:</i>	<i>Duplicates Claim No:</i> 0 <i>Duplicated By Claim No:</i>
Class	Amount Claimed	Amount Allowed
Unsecured	\$4400.00	
Secured	\$0.00	
Priority	\$0.00	
Unknown	\$0.00	
Admin	\$0.00	
Total	\$4400.00	
<i>Description:</i>		
<i>Remarks:</i> Converted from BANCAP.		

		<i>Last Date to File Claims:</i> 03/04/2002
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Claim No: 3	<i>Creditor Name:</i> First Consumers Nat'l Bank PO Box 2650 Portland, OR 97208	<i>Last Date to File (Govt):</i> <i>Filing Status:</i> Disallow <i>Docket Status:</i> <i>Late:</i>
<i>Claim Date:</i> 02/15/2002	<i>Amends Claim No:</i> 0 <i>Amended By Claim No:</i>	<i>Duplicates Claim No:</i> 0 <i>Duplicated By Claim No:</i>
Class	Amount Claimed	Amount Allowed
Unsecured	\$1108.30	
Secured	\$0.00	
Priority	\$0.00	
Unknown	\$0.00	
Admin	\$0.00	
Total	\$1108.30	
<i>Description:</i>		
<i>Remarks:</i> Converted from BANCAP.		

Claims Register Summary

Case Name: Vernon Keith Ivy and Candace Joy Ivy
Case Number: 2001-92246
Chapter: 7
Date Filed: 10/18/2001
Total Number Of Claims: 3

	Total Amount Claimed	Total Amount Allowed
Unsecured	\$6392.34	
Secured	\$0.00	
Priority	\$0.00	
Unknown	\$0.00	
Administrative	\$0.00	
Total	\$6392.34	

PACER Service Center			
Transaction Receipt			
12/17/2003 11:54:57			
PACER Login:	rb0382	Client Code:	
Description:	SearchClaims	Case Number:	01-92246
Billable Pages:	1	Cost:	0.07

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE Eastern District of Texas
Beaumont Division**

IN RE:

**IVY, VERNON KEITH
IVY, CANDACE JOY**

DEBTOR

§
§
§
§
§
§

CASE NO. 01-92246

CHAPTER 7

TRUSTEE'S REPORT OF PROPOSED FINAL DISTRIBUTION

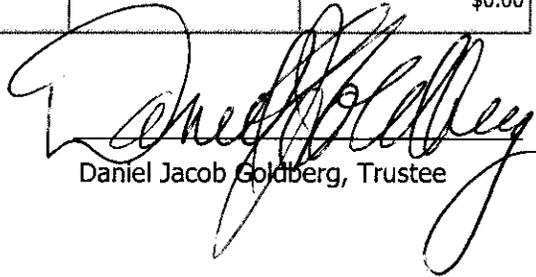
The undersigned Trustee of the bankruptcy estate hereby submits to the Court and to the United States Trustee this Report of Proposed Final Distribution.

1. Court has entered Orders which have become final, and which dispose of all objections to proofs of claim, all objections to the Trustee's Final Report, all applications for compensation, and all other matters which must be determined by the Court before final distribution can be made.

2. The Trustee proposes the following final distribution of the funds of the bankruptcy estate, and will make the distribution unless written objection thereto is filed with the Court and served upon the Trustee and upon The States Trustee.

1. Balance on Hand		\$81,354.00
2. Administrative Expenses to Be Paid Includes Trustee Fee & Expense	\$10,204.91	
3. Secured Claims To Be Paid	\$0.00	
4. Priority Claims To Be Paid	\$0.00	
5. Unsecured Claims To Be Paid	\$7,229.11	
6. Other Distributions To Be Paid	\$63,919.98	
7. Total Distributions To Be Made (Sum of Lines 2 through 6)		\$81,354.00
8. Zero Balance After All Distributions (Line 1 less Line 7)		\$0.00

*See attached schedule of payees and amounts


Daniel Jacob Goldberg, Trustee

COMPUTING TRUSTEE'S COMMISSION WHEN A SURPLUS IS RETURNED TO DEBTOR

In calculating the trustee's maximum compensation for those cases in which surplus is returned to the debtor, the amount of the surplus must be excluded from the base figure to which the allowable percentage rate is applied. Refer to 11 U.S.C. §326(a) which specifically excludes monies turned over to the debtor from being used as an element in the calculation of the maximum amount of compensation to which a trustee is entitled.

X= Trustee's Compensation (maximum possible)

Y= Costs of Administration (less trustee's maximum compensation) + amount paid or payable to creditors and others (except the debtor) (Includes trustee's expenses)

= **\$97,499.66**

S= Surplus to be returned to debtor

$$\begin{array}{l} \text{When Y is over } \$44,250.00 \\ \text{but not more than } \$946,750.00 : \end{array} \quad X = \frac{5,750 + .05(Y - 50,000)}{0.95}$$

= \$8,552.61

Once the maximum amount of the trustee's compensation has been calculated, add this to the expenses of administration and other disbursements. Subtract this amount from the total estate monies available to determine the surplus to be returned to the debtor.

$$\begin{array}{l} S = \text{Total monies} - (X + Y) \\ = \$169,972.25 - (\$8,552.61 + \$97,499.66) \\ = \mathbf{\$63,919.98} \end{array}$$

CLAIM ANALYSIS REPORT

Case No. 01-92246
 Case Name: IVY, VERNON KEITH & IVY, CANDACE JOY
 Taxpayer ID #: 76-6188784
 Claims Bar Date: 03/04/2002

Trustee Name: Daniel Jacob Goldberg
 Date: 12/17/2003

Claim No.:	Creditor Name	Claim Date	Claim Class	Uniform Tran Code	Scheduled Amount	Claim Amount	Amount Allowed	Amount Paid	Interest	Tax	Net Remaining Balance
ACCT 1	DANIEL JACOB GOLDBERG 2 Riverway, Ste 700 Houston TX 77056-1912	12/16/2003	507(a) 1 -- 503(b) ADMINISTRATIVE -- TRUSTEE COMPENSATION	2100-000	\$0.00	\$8,552.61	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
ACCT 1	SMITH & HENAULT, P.C. 5851 SAN FELIPE SUITE 925 HOUSTON TX 77057	10/24/2003	507(a) 1 -- 503(b) ADMINISTRATIVE OTHER PROFESSIONAL FEES	3410-000	\$1,581.65	\$1,581.65	\$750.00	\$750.00	\$0.00	\$0.00	\$0.00

Claim Notes: Per Order signed on 10-23-03.

ACCT	SMITH & HENAULT, P.C.	10/24/2003	507(a) 1 -- 503(b) ADMINISTRATIVE OTHER PROFESSIONAL EXPENSES	3420-000	\$3.74	\$3.74	\$3.74	\$3.74	\$0.00	\$0.00	\$0.00
1	5851 SAN FELIPE SUITE 925 HOUSTON TX 77057										
ACCT 1	DANIEL J. GOLDBERG	09/19/2003	507(a) 1 -- 503(b) ADMINISTRATIVE -- TRUSTEE EXPENSES	2200-000	\$0.00	\$1,652.30	\$1,652.30	\$0.00	\$0.00	\$0.00	\$1,652.30
1	COMMERCIAL ONE [SEARS] PO Box 450627 Atlanta GA 31145	12/26/2001	UNSECURED	7100-000	\$0.00	\$884.04	\$884.04	\$0.00	\$115.72	\$0.00	\$884.04

Claim Notes: Per Order signed on 10-23-03.

Claim Notes: Account #4000010596

CLAIM ANALYSIS REPORT

Case No: 01-92246
 Case Name: IVY, VERNON KEITH & IVY, CANDACE JOY
 Taxpayer ID #: 76-6188784
 Claims Bar Date: 03/04/2002

Trustee Name: Daniel Jacob Goldberg
 Date: 12/17/2003

Claim No.:	Creditor Name	Claim Date	Claim Class	Uniform Tran Code	Scheduled Amount	Claim Amount	Amount Allowed	Amount Paid	Interest	Tax	Net Remaining Balance
2	CACY, INC. c/o Collect America, Ltd. 1999 Broadway, Ste. 2150 Denver CO 80202	02/04/2002	UNSECURED	7100-000	\$0.00	\$4,400.00	\$4,400.00	\$0.00	\$575.97	\$0.00	\$4,400.00
Claim Notes: Account #12296008010500409, Orig Creditor Acct #5260360601322444.											
3	FIRST CONSUMERS NATL BANK PO Box 2650 Portland OR 97208	02/15/2002	UNSECURED	7100-000	\$0.00	\$1,108.30	\$1,108.30	\$0.00	\$145.08	\$0.00	\$1,108.30
Claim Notes: Account #5317995636.											
4	VERNON KEITH IVY & CANDACE JOY IVY c/o Stephen J. Zayler, Attorney PO Box 150743 Lufkin TX 759150743	12/17/2003	Excess Funds	8200-002	\$63,919.98	\$63,919.98	\$63,919.98	\$0.00	\$0.00	\$0.00	\$63,919.98
						\$82,102.62	\$72,718.36	\$753.74	\$836.77	\$0.00	\$71,964.62

CLAIM ANALYSIS REPORT

Case No: 01-92246
 Case Name: IVY, VERNON KEITH & IVY, CANDACE JOY
 Taxpayer ID #: 76-6188784
 Clatms Bar Date: 03/04/2002

Trustee Name: Daniel Jacob Goldberg
 Date: 12/17/2003

CLAIM CLASS SUMMARY TOTALS

Claim Class	Claim Amount	Amount Allowed	Amount Paid	Interest	Tax	Net Remaining Balance
507(a) 1 -- 503(b) ADMINISTRATIVE -- TRUSTEE COMPENSATION	\$8,552.61	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
507(a) 1 -- 503(b) ADMINISTRATIVE -- TRUSTEE EXPENSES	\$1,652.30	\$1,652.30	\$0.00	\$0.00	\$0.00	\$1,652.30
507(a) 1 -- 503(b) ADMINISTRATIVE OTHER PROFESSIONAL EXPENSES	\$3.74	\$3.74	\$3.74	\$0.00	\$0.00	\$0.00
507(a) 1 -- 503(b) ADMINISTRATIVE OTHER PROFESSIONAL FEES	\$1,581.65	\$750.00	\$750.00	\$0.00	\$0.00	\$0.00
Excess Funds	\$63,919.98	\$63,919.98	\$0.00	\$0.00	\$0.00	\$63,919.98
UNSECURED	\$6,392.34	\$6,392.34	\$0.00	\$836.77	\$0.00	\$6,392.34

PROPOSED CLAIM DISTRIBUTION REPORT

Trustee Name: Daniel Jacob Goldberg
 Case Number: 01-92246
 Case Name: IVY, VERNON KEITH & IVY, CANDACE JOY
 Claims Bar Date: 03/04/2002

Distribution Date: 12/17/2003
 Distribution Amt: \$81354.00
 Tax ID: 76-6188784
 Date: 12/17/2003

Claim No	Creditor Name:	Claim Date:	Claim Class	Transaction Category	Proposed Distribution					
					Amount Allowed	Gross Amount	Deduction	Net Paid	Percentage	Interest
1	DANIEL JACOB GOLDBERG 2 Riverway, Ste 700 Houston TX 77056-1912	12/16/2003	507(a) 1 -- 503(b) ADMINISTRATIVE -- TRUSTEE	2100-000	\$0.00	\$8552.61	\$0.00	\$8552.61	100.00%	\$0.00
Notes: COMPENSATION										
Notes:										
2	DANIEL J. GOLDBERG COMMERCIAL ONE [SEARS] PO Box 450627 Atlanta GA 31145	09/19/2003	507(a) 1 -- 503(b) ADMINISTRATIVE -- TRUSTEE EXPENSES	2200-000	\$1652.30	\$1652.30	\$0.00	\$1652.30	100.00%	\$0.00
Notes: Account #4000010596										
3	CACY, INC. c/o Collect America, Ltd. 1999 Broadway, Ste. 2150 Denver CO 80202	02/04/2002	UNSECURED	7100-000	\$4400.00	\$4400.00	\$0.00	\$4400.00	100.00%	\$575.97
Notes: Account #12296008010500409; Orig Creditor Acct #5260360601322444.										
3	FIRST CONSUMERS NATL BANK PO Box 2650 Portland OR 97208	02/15/2002	UNSECURED	7100-000	\$1108.30	\$1108.30	\$0.00	\$1108.30	100.00%	\$145.08
Notes: Account #5317995636.										
TOTALS:					\$8044.64	\$16597.25	\$0.00	\$16597.25		\$836.77

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

IN RE: Vernon & Candace Ivy / BANKRUPTCY CASE: 01-92246
/
/ CHAPTER 7

**NOTICE OF FILING OF FINAL REPORT OF TRUSTEE.
APPLICATION FOR COMPENSATION AND PROPOSED DISTRIBUTIONS**

NOTICE IS GIVEN that the Trustee's Final Report and Account, report of Proposed Final Distribution and Applications for Compensation have been filed. These documents are available for public inspection at the office of the Bankruptcy Clerk, 200 E. Ferguson, Tyler, Texas 75702, or at the trustee's office whose name and address is as follows:

DAN GOLDBERG 2 RIVERWAY, SUITE 700 HOUSTON, TX 77056

The following Applications for Compensation have been filed:

<u>Applicants</u>	<u>Fees Requested</u>	<u>Expenses Requested</u>
<u>DAN GOLDBERG</u> Trustee	<u>8552.61</u>	<u>1652.30</u>
Attorney for Trustee		
<u>U. S. Bankruptcy Court</u>	<u>0.00</u>	

The trustee's account shows:

Total Receipts	Total Disbursements	Balance
<u>\$ 241321.25</u>	<u>\$ 159967.25</u>	<u>\$ 81354.00</u>

In addition to the commissions and fees that may be allowed by the Court, liens and priority claims which must be paid in advance of general creditors have been allowed in the total amount of \$ 0.00 ; general unsecured claims have been allowed in the amount of \$ 6392.34 .
The debtor has/has not been discharged.

Written objections to the Final Report, Application for Compensation and/or proposed Distributions must be filed with the Clerk of the Court and served on the trustee at the above mentioned address within 30 days from the date of this notice. If no objections are filed, the Court may consider the Report and Applications without hearing. If objections are filed, a hearing will be held on

at _____ .

Date: _____

JAMES D. TOKOPH, Clerk of Court

By: _____
Deputy Clerk