

Daniel Jacob Goldberg - Trustee
2 Riverway, Suite 700
Houston, TX 77056-1912
Case No: 04-90150-7

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

In re: § Case No. 04-90150-7
§
Mark D Smith §
§
§
§
Debtor(s) §

TRUSTEE'S FINAL REPORT (TFR)

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

1. The debtor(s) filed a petition under chapter 7 of the United States Bankruptcy Code on 02/24/2004. The undersigned trustee was appointed on 03/10/2004.

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(s) 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 trustee realized gross receipts of \$475,275.91

Funds were disbursed in the following amounts:

Administrative expenses	<u>\$95,314.83</u>
Payments to creditors	<u>\$184,893.76</u>
Non-estate funds paid to 3 rd Parties	<u>\$4,000.00</u>
Payments to the debtor(s)	<u>\$0.00</u>
Leaving a balance on hand of ¹	<u>\$191,067.32</u>

The remaining funds are available for distribution.

¹ 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 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 disbursement of additional interest

5. Attached as **Exhibit B** is a cash receipts and disbursements record for each estate bank account.

6. The deadline for filing claims in this case was 10/19/2004. 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 \$26,813.80. To the extent that additional interest is earned before case closing, the maximum compensation may increase.

The trustee has received \$13,250.00 as interim compensation and now requests the sum of \$13,563.80, for a total compensation of \$26,813.80. In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of \$1,856.24, and now requests reimbursement for expenses of \$1,168.94, for total expenses of \$3,025.18.

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

Date: 06/16/2010

By: /s/ Daniel Jacob Goldberg
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.

FORM 1
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT
ASSET CASES

Page No: 1

Exhibit A

Case No.: 04-90150-7
Case Name: SMITH, MARK D
For the Period Ending: 6/16/2010

Trustee Name: Daniel Jacob Goldberg
Date Filed (f) or Converted (c): 02/24/2004 (f)
§341(a) Meeting Date: 04/19/2004
Claims Bar Date: 10/19/2004

1	2	3	4	5	6	
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Value	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA =§ 554(a) abandon. DA=§ 554(c) abandon.	Sales/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets	
Ref. #						
1	Homestead: 262 Stone's Throw, Livingston, TX 77351	\$85,385.00	\$0.00	DA	\$0.00	FA
Asset Notes: Exempt						
2	Cash	\$400.00	\$0.00	DA	\$0.00	FA
Asset Notes: Exempt						
3	Checking Acct #2107384, First National Bank	\$104.57	\$0.00	DA	\$0.00	FA
Asset Notes: Exempt						
4	Savings Acct#0229008, First National Bank	\$19.89	\$0.00	DA	\$0.00	FA
Asset Notes: Exempt						
5	World Book Encyclopedia Set	\$50.00	\$0.00	DA	\$0.00	FA
Asset Notes: Exempt						
6	Wedding Ring \$150; Class Ring \$250	\$400.00	\$0.00	DA	\$0.00	FA
Asset Notes: Exempt						
7	Remington 30-60 Model Rifle	\$150.00	\$0.00	DA	\$0.00	FA
Asset Notes: Exempt						
8	1992 Yamaha Timberwolf 4-Wheeler	\$800.00	\$0.00	DA	\$0.00	FA
Asset Notes: Exempt						
9	Utility Trailer-Homemade	\$350.00	\$0.00	DA	\$0.00	FA
Asset Notes: Exempt						
10	55 gallon deer feeder	\$75.00	\$0.00	DA	\$0.00	FA
Asset Notes: Exempt						
11	State Farm Life Insurance	\$1,314.04	\$0.00	DA	\$0.00	FA
Asset Notes: Exempt						
12	1,000 Shares - MDS Concrete, Inc. (in Chapter 7)	Unknown	\$0.00	DA	\$0.00	FA
Asset Notes: Not Exempt						
13	2002 Chevy Avalanche	\$22,000.00	\$0.00	DA	\$0.00	FA
Asset Notes: No Equity						

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

Page No: 2

Exhibit A

Case No.: 04-90150-7
Case Name: SMITH, MARK D
For the Period Ending: 6/16/2010

Trustee Name: Daniel Jacob Goldberg
Date Filed (f) or Converted (c): 02/24/2004 (f)
§341(a) Meeting Date: 04/19/2004
Claims Bar Date: 10/19/2004

1	2	3	4	5	6	
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Value	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA =§ 554(a) abandon. DA=§ 554(c) abandon.	Sales/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets	
14	Wrongful Death Lawsuit-Smith, et al v. Jackson, et al, In the 411th Judicial Dist. of Polk County, TX.	Unknown	\$335,890.79		\$335,890.79	FA
Asset Notes: Not Exempt						
15	1 Yorkie Terrier	\$50.00	\$0.00	DA	\$0.00	FA
Asset Notes: Exempt						
16	Household Goods	\$2,469.00	\$0.00	DA	\$0.00	FA
Asset Notes: Exempt: 25" Zenith TV \$350, Oak glass top coffee table \$125, Couch & Loveseat \$400, Leather recliner \$300, Patio Chair \$10, BBQ Grill \$25, Whirlpool Freezer Chest \$50, Whirlpool Freezer \$100, Tappon Microwave Oven \$15, Misc. Pots, pans & glasses \$20, 3 pocket knives \$15, Oak table & hutch \$350, Craftsman 80 piece tool set \$50, Misc. tools \$250, Kirby vacuum cleaner \$100, Men's clothing.						
17	JPMorgan Chase (Re: Clay Vilt) (u)	\$4,573.61	\$4,573.61		\$119,815.05	FA
INT	Interest Earned (u)	Unknown	Unknown		\$19,570.07	FA

TOTALS (Excluding unknown value)

\$118,141.11

\$340,464.40

\$475,275.91

Gross Value of Remaining Assets

\$0.00

Major Activities affecting case closing:

04/06/2010 -TFR submitted on 04/07/2010.

Initial Projected Date Of Final Report (TFR): 12/31/2006

Current Projected Date Of Final Report (TFR): 12/31/2010

FORM 2

CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No. 04-90150-7
Case Name: SMITH, MARK D
Primary Taxpayer ID #: *****3241
Co-Debtor Taxpayer ID #:
For Period Beginning: 2/24/2004
For Period Ending: 6/16/2010

Trustee Name: Daniel Jacob Goldberg
Bank Name: Sterling Bank
Certificate of Deposits Acct #: *****0742
Account Title: Smith, Mark 04-90150
Blanket bond (per case limit): \$300,000.00
Separate bond (if applicable):

1	2	3	4	5	6	7	
Transaction Date	Check / Ref. #	Paid to/ Received From	Description of Transaction	Uniform Tran Code	Deposit \$	Disbursement \$	Balance
01/05/2007		Transfer From Acct#*****0150		9999-000	\$330,000.00		\$330,000.00
07/02/2007	(INT)	Sterling Bank	Interest Earned For July	1270-000	\$5,126.30		\$335,126.30
12/29/2007	(INT)	Sterling Bank	Interest Earned For December	1270-000	\$6,197.54		\$341,323.84
05/29/2008		Transfer From: # *****0150	Transfer to Close Account	9999-000	\$244.75		\$341,568.59
06/26/2008	(INT)	Sterling Bank	Interest Earned For June	1270-000	\$4,868.82		\$346,437.41
10/13/2008		International Sureties, Ltd.	Bond#016034507 Insurance Term: 12/26/08 to 12/26/09 Case No. 04-90150; Ch. 7 Bond re: Mark D. Smith	2420-750		\$888.00	\$345,549.41
10/14/2008		VOID: International Sureties, Ltd.		2420-753		(\$888.00)	\$346,437.41
10/14/2008		Transfer To Acct#*****0150	Insurance Premium	9999-000		\$888.00	\$345,549.41
12/23/2008	(INT)	Sterling Bank	Interest Earned For December	1270-000	\$1,792.09		\$347,341.50
01/28/2009		Transfer To Acct#*****0150	Per Order EOD 1/08/09 to disburse Interim Distribution of \$200,000.	9999-000		\$200,000.00	\$147,341.50
03/24/2009		Transfer To Acct#*****0150	Per Order EOD 03/09/2009	9999-000		\$62,559.29	\$84,782.21
04/02/2009	(17)	JPMorgan Chase Bank, NA	Ck 4552164494; Dated 3/23/09 (Case No. 2008-68407-A)	1249-000	\$4,573.61		\$89,355.82
06/11/2009	(17)	Robert C. Vilt	Ck 4624; Dated 6/10/09; Settlement	1249-000	\$2,000.00		\$91,355.82
06/19/2009	(17)	Orlando Sanches Treasurer of Harris County, Texas	Ck 01031561; Dated 6/15/09; Const. Pct. 5 Fee Officer; re Payment made by Vilt returned to estate. (Part of Asset #17)	1249-000	\$1,965.50		\$93,321.32
06/21/2009	(INT)	Sterling Bank	Interest Earned For June	1270-000	\$820.86		\$94,142.18
07/14/2009		Transfer From Acct#*****0150		9999-000	\$788.00		\$94,930.18
07/14/2009	(17)	Robert C. Vilt	Ck 4663; Dated 7/10/09; Settle	1249-000	\$2,000.00		\$96,930.18
08/20/2009	(17)	Robert C. Vilt	Ck 4669; Dated 08/13/09	1249-000	\$2,000.00		\$98,930.18
09/22/2009		Transfer To Acct#*****0150		9999-000		\$16.00	\$98,914.18
10/21/2009		Transfer To Acct#*****0150	Re: Writ of Execution	9999-000		\$75.00	\$98,839.18
10/22/2009		Transfer To Acct#*****0150	Abstract of Judgment	9999-000		\$16.00	\$98,823.18
11/24/2009	(17)	Robert C. Vilt	Ck 4635; Dated 11/19/09; Judgment against Vilt	1249-002	\$2,000.00		\$100,823.18

SUBTOTALS \$364,377.47 \$263,554.29

FORM 2

CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No. 04-90150-7
 Case Name: SMITH, MARK D
 Primary Taxpayer ID #: *****3241
 Co-Debtor Taxpayer ID #:
 For Period Beginning: 2/24/2004
 For Period Ending: 6/16/2010

Trustee Name: Daniel Jacob Goldberg
 Bank Name: Sterling Bank
 Certificate of Deposits Acct #: *****0742
 Account Title: Smith, Mark 04-90150
 Blanket bond (per case limit): \$300,000.00
 Separate bond (if applicable):

1	2	3	4	5	6	7	
Transaction Date	Check / Ref. #	Paid to/ Received From	Description of Transaction	Uniform Tran Code	Deposit \$	Disbursement \$	Balance
12/04/2009	(17)	Orlando Sanchez, Treasurer of Harris County, Texas, Fee Officer	Ck 01041403; Dated 11/30/09; Settlement	1249-000	\$103,275.94		\$204,099.12
12/07/2009		Transfer To Acct#*****0150	Release of Judgment (TD Ameritrade)	9999-000		\$16.00	\$204,083.12
12/18/2009	(17)	Robert C. Vilt	Ck 4642; Judgment against Vilt	1249-002	\$2,000.00		\$206,083.12
12/18/2009	(INT)	Sterling Bank	Interest Earned For December	1270-000	\$235.56		\$206,318.68
02/24/2010		Transfer To Acct#*****0150	Per Order EOD 2/19/10	9999-000		\$7,977.27	\$198,341.41
04/05/2010		Transfer To Acct#*****0150	Per Order EOD 3/24/10	9999-000		\$3,607.97	\$194,733.44
04/06/2010	(INT)	Sterling Bank	Account Closing Interest As Of 4/6/2010	1270-000	\$333.88		\$195,067.32
04/06/2010		Transfer To: 04-*0150 Mark Smith # 80304*0150	Transfer to Close Account	9999-000		\$195,067.32	\$0.00

TOTALS:	\$470,222.85	\$470,222.85	\$0.00
Less: Bank transfers/CDs	\$331,032.75	\$470,222.85	
Subtotal	\$139,190.10	\$0.00	
Less: Payments to debtors	\$0.00	\$0.00	
Net	\$139,190.10	\$0.00	

For the period of 2/24/2004 to 6/16/2010

Total Compensable Receipts:	\$135,190.10
Total Non-Compensable Receipts:	\$4,000.00
Total Comp/Non Comp Receipts:	\$139,190.10
Total Internal/Transfer Receipts:	\$331,032.75

Total Compensable Disbursements:	\$0.00
Total Non-Compensable Disbursements:	\$0.00
Total Comp/Non Comp Disbursements:	\$0.00
Total Internal/Transfer Disbursements:	\$470,222.85

For the entire history of the account between 01/05/2007 to 6/16/2010

Total Compensable Receipts:	\$135,190.10
Total Non-Compensable Receipts:	\$4,000.00
Total Comp/Non Comp Receipts:	\$139,190.10
Total Internal/Transfer Receipts:	\$331,032.75

Total Compensable Disbursements:	\$0.00
Total Non-Compensable Disbursements:	\$0.00
Total Comp/Non Comp Disbursements:	\$0.00
Total Internal/Transfer Disbursements:	\$470,222.85

FORM 2

CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No. 04-90150-7
Case Name: SMITH, MARK D
Primary Taxpayer ID #: *****3241
Co-Debtor Taxpayer ID #:
For Period Beginning: 2/24/2004
For Period Ending: 6/16/2010

Trustee Name: Daniel Jacob Goldberg
Bank Name: Sterling Bank
Checking Acct #: *****0150
Account Title: Smith, Mark D. 04-90150
Blanket bond (per case limit): \$300,000.00
Separate bond (if applicable):

1	2	3	4	5	6	7	
Transaction Date	Check / Ref. #	Paid to/ Received From	Description of Transaction	Uniform Tran Code	Deposit \$	Disbursement \$	Balance
12/20/2006		Transfer From Acct#*****0150	Record DOT in Polk County	9999-000	\$112.00		\$112.00
12/20/2006	1	POLK COUNTY CLERK	RECORD DEED OF TRUST IN REAL PROPERTY RECORDS DANIEL J. GOLDBERG, CH. 7 TRUSTEE CASE NO. 04-90150, MARK SMITH, DEBTOR	2990-000		\$112.00	\$0.00
01/05/2007		Transfer From Acct#*****0150	Bond Premium	9999-000	\$888.00		\$888.00
01/05/2007	2	INTERNATIONAL SURETIES, LTD.	BOND NO. 016034507 CASE NO. 04-90150; CH. 7 BOND - RE: MARK D. SMITH SURETY CO. LIBERTY MUTUAL INSURANCE COMPANY BOND AMOUNT: \$355,000.00 / TERM: 12/26/06 TO 12/26/07	2300-000		\$888.00	\$0.00
01/23/2007		Transfer From Acct#*****0150	Deposition of Mark Smith and Robert Clayton Vilt on 1/22/2007--Sunbelt Reporting & Litigation Services	9999-000	\$1,001.00		\$1,001.00
01/23/2007	3	Sunbelt Reporting & Litigation Services	Depositions on: Mark D. Smith \$495.50 and Robert Clayton Vilt \$505.50; Invoice No. 118772/Job No. 61274/ Job Date: 1/11/07 In Re: Mark D. Smith/Bankruptcy	2990-000		\$1,001.00	\$0.00
02/26/2007		Transfer From Acct#*****0150	Invoice **8866; Video Service charge on Oral Deposition of Mark D. Smith and Robert Clay Vilt	9999-000	\$430.00		\$430.00
02/26/2007	4	Sunbelt Reporting & Litigation Services	Invoice 11886; Job Date: 1/11/07; Charge for Video Services for the Oral Deposition of: Mark D. Smith and Robert Clay Vilt.	2990-000		\$430.00	\$0.00
04/03/2007	3	STOP PAYMENT: Sunbelt Reporting & Litigation Services	Depositions on: Mark D. Smith \$495.50 and Robert Clayton Vilt \$505.50; Invoice No. 118772/Job No. 61274/ Job Date: 1/11/07 In Re: Mark D. Smith/Bankruptcy	2990-004		(\$1,001.00)	\$1,001.00

SUBTOTALS

\$2,431.00

\$1,430.00

FORM 2

CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No. 04-90150-7
 Case Name: SMITH, MARK D
 Primary Taxpayer ID #: *****3241
 Co-Debtor Taxpayer ID #:
 For Period Beginning: 2/24/2004
 For Period Ending: 6/16/2010

Trustee Name: Daniel Jacob Goldberg
 Bank Name: Sterling Bank
 Checking Acct #: *****0150
 Account Title: Smith, Mark D. 04-90150
 Blanket bond (per case limit): \$300,000.00
 Separate bond (if applicable):

1	2	3	4	5	6	7	
Transaction Date	Check / Ref. #	Paid to/ Received From	Description of Transaction	Uniform Tran Code	Deposit \$	Disbursement \$	Balance
04/03/2007	5	Sunbelt Reporting & Litigation Services	Depositions on: Mark D. Smith \$495.50 and Robert Clayton Vilt \$505.50; Invoice No. 118772/Job No. 61274/ Job Date: 1/11/07 In Re: Mark D. Smith/Bankruptcy	2990-000		\$1,001.00	\$0.00
04/24/2007		Transfer From Acct#*****0150	Court Costs/Filing Fee Adv Complaint against Robert Clay Vilt	9999-000	\$250.00		\$250.00
04/24/2007	6	John Mayer	Reimbursement-Court Costs/ Filing Fee-Adv. Complaint: Robert Clay Vilt	2700-000		\$250.00	\$0.00
10/09/2007		Transfer From Acct#*****0150	Bond Payment	9999-000	\$888.00		\$888.00
10/09/2007	7	INTERNATIONAL SURETIES, LTD.	BOND # 016034507; CH 7 BOND RE: CASE NO. 04-90150, MARK D. SMITH, DEBTOR; TERM: 12/26/07 TO 12/26/08	2300-000		\$888.00	\$0.00
11/26/2007		Transfer From Acct#*****0150	Filing Fee Refunded to John Mayer (Adversary Complaint to Revoke Debtor's Discharge).	9999-000	\$250.00		\$250.00
11/26/2007	8	John Mayer	Filing Fee on Adversary case 07-09005. (41 (Objection / revocation of discharge - 727(c),(d),(e)): filed by John Mayer	2700-000		\$250.00	\$0.00
01/02/2008		Transfer From Acct#*****0150	Per Order EOD 12/12/07	9999-000	\$1,850.50		\$1,850.50
01/02/2008	9	James P. Smith & Associates, P.C.	Per Order EOD 12/12/07 Fees: \$1,837.50 Expenses: \$13.00	*		\$1,850.50	\$0.00
			Accountant Fees \$(1,837.50)	3410-000			\$0.00
			Accountant Expenses \$(13.00)	3420-000			\$0.00
05/19/2008		Transfer From Acct#*****0150	Subpoena mark Smith to attend trial.	9999-000	\$171.56		\$171.56
05/19/2008	10	Professional Civil Process	Process Server's Fee Mark D. Smith, Case No. 04-90150 Hearing: May 28, 2008	2990-000		\$85.00	\$86.56
05/19/2008	11	Mark D. Smith	Hearing: May 28, 2008; Witness Fee Mark Smith to Attend Trial	2990-000		\$86.56	\$0.00
07/14/2009		Transfer To Acct#**0742		9999-000		\$788.00	(\$788.00)

SUBTOTALS

\$3,410.06

\$5,199.06

FORM 2

CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No. 04-90150-7
 Case Name: SMITH, MARK D
 Primary Taxpayer ID #: *****3241
 Co-Debtor Taxpayer ID #:
 For Period Beginning: 2/24/2004
 For Period Ending: 6/16/2010

Trustee Name: Daniel Jacob Goldberg
 Bank Name: Sterling Bank
 Checking Acct #: *****0150
 Account Title: Smith, Mark D. 04-90150
 Blanket bond (per case limit): \$300,000.00
 Separate bond (if applicable):

1	2	3	4	5	6	7	
Transaction Date	Check / Ref. #	Paid to/ Received From	Description of Transaction	Uniform Tran Code	Deposit \$	Disbursement \$	Balance
07/14/2009		INTERNATIONAL SURETIES, LTD.	Partial Refund on Check# 7 Ck 7847 from Global Surety, LLC Ph: 504-581-6404	2300-002		(\$788.00)	\$0.00

TOTALS:	\$5,841.06	\$5,841.06	\$0.00
Less: Bank transfers/CDs	\$5,841.06	\$788.00	
Subtotal	\$0.00	\$5,053.06	
Less: Payments to debtors	\$0.00	\$0.00	
Net	\$0.00	\$5,053.06	

For the period of 2/24/2004 to 6/16/2010

Total Compensable Receipts:	\$0.00
Total Non-Compensable Receipts:	\$0.00
Total Comp/Non Comp Receipts:	\$0.00
Total Internal/Transfer Receipts:	\$5,841.06

Total Compensable Disbursements:	\$5,053.06
Total Non-Compensable Disbursements:	\$0.00
Total Comp/Non Comp Disbursements:	\$5,053.06
Total Internal/Transfer Disbursements:	\$788.00

For the entire history of the account between 12/20/2006 to 6/16/2010

Total Compensable Receipts:	\$0.00
Total Non-Compensable Receipts:	\$0.00
Total Comp/Non Comp Receipts:	\$0.00
Total Internal/Transfer Receipts:	\$5,841.06

Total Compensable Disbursements:	\$5,053.06
Total Non-Compensable Disbursements:	\$0.00
Total Comp/Non Comp Disbursements:	\$5,053.06
Total Internal/Transfer Disbursements:	\$788.00

FORM 2

CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No. 04-90150-7
Case Name: SMITH, MARK D
Primary Taxpayer ID #: *****3241
Co-Debtor Taxpayer ID #:
For Period Beginning: 2/24/2004
For Period Ending: 6/16/2010

Trustee Name: Daniel Jacob Goldberg
Bank Name: Sterling Bank
Money Market Acct #: *****0150
Account Title:
Blanket bond (per case limit): \$300,000.00
Separate bond (if applicable):

1	2	3	4	5	6	7	
Transaction Date	Check / Ref. #	Paid to/ Received From	Description of Transaction	Uniform Tran Code	Deposit \$	Disbursement \$	Balance
11/15/2006	(14)	Mark Smith	Cashier's Check for in partial repayment of money previously delivered to Smith	1142-000	\$92,000.00		\$92,000.00
11/30/2006	(INT)	Sterling Bank	Interest Earned For November	1270-000	\$26.47		\$92,026.47
12/01/2006	(14)	Robert C. Vilt	Ock 047161190; Wrongful Death Suit	1142-000	\$20,000.00		\$112,026.47
12/01/2006	(14)	Abbie Smith	Ck 601 Re Mark Smith	1142-000	\$25,000.00		\$137,026.47
12/11/2006	(14)	Mark Smith	CCk 169839; Settlement	1142-000	\$54,000.00		\$191,026.47
12/14/2006	(14)	J.C. Smith & Sons Sand & Gravel, Inc.	Ck 13751; From Abbie Smith-Reimbursement for Trailer Purchase '94 Fruehauf-VIN 2P04223RW078102	1142-000	\$5,000.00		\$196,026.47
12/14/2006	(14)	Mark Smith	Ck 169	1142-000	\$10,068.86		\$206,095.33
12/20/2006		Transfer To Acct#*****0150	Record DOT in Polk County	9999-000		\$112.00	\$205,983.33
12/26/2006	(14)	Klitsas & Vercher, P.C.	Ck 2930; Settlement	1142-000	\$129,821.93		\$335,805.26
12/29/2006	(INT)	Sterling Bank	Interest Earned For December	1270-000	\$124.49		\$335,929.75
01/05/2007		Transfer To Acct##*0742		9999-000		\$330,000.00	\$5,929.75
01/05/2007		Transfer To Acct#*****0150	Bond Premium	9999-000		\$888.00	\$5,041.75
01/23/2007		Transfer To Acct#*****0150	Deposition of Mark Smith and Robert Clayton Vilt on 1/22/2007--Sunbelt Reporting & Litigation Services	9999-000		\$1,001.00	\$4,040.75
01/31/2007	(INT)	Sterling Bank	Interest Earned For January	1270-000	\$23.26		\$4,064.01
02/26/2007		Transfer To Acct#*****0150	Invoice **8866; Video Service charge on Oral Deposition of Mark D. Smith and Robert Clay Vilt	9999-000		\$430.00	\$3,634.01
02/28/2007	(INT)	Sterling Bank	Interest Earned For February	1270-000	\$2.16		\$3,636.17
03/30/2007	(INT)	Sterling Bank	Interest Earned For March	1270-000	\$2.16		\$3,638.33
04/24/2007		Transfer To Acct#*****0150	Court Costs/Filing Fee Adv Complaint against Robert Clay Vilt	9999-000		\$250.00	\$3,388.33
04/30/2007	(INT)	Sterling Bank	Interest Earned For April	1270-000	\$2.06		\$3,390.39
05/31/2007	(INT)	Sterling Bank	Interest Earned For May	1270-000	\$2.02		\$3,392.41
06/29/2007	(INT)	Sterling Bank	Interest Earned For June	1270-000	\$1.95		\$3,394.36
07/31/2007	(INT)	Sterling Bank	Interest Earned For July	1270-000	\$2.02		\$3,396.38
08/31/2007	(INT)	Sterling Bank	Interest Earned For August	1270-000	\$2.02		\$3,398.40
09/28/2007	(INT)	Sterling Bank	Interest Earned For September	1270-000	\$1.84		\$3,400.24
SUBTOTALS					\$336,081.24	\$332,681.00	

FORM 2

CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No. 04-90150-7
 Case Name: SMITH, MARK D
 Primary Taxpayer ID #: *****3241
 Co-Debtor Taxpayer ID #:
 For Period Beginning: 2/24/2004
 For Period Ending: 6/16/2010

Trustee Name: Daniel Jacob Goldberg
 Bank Name: Sterling Bank
 Money Market Acct #: *****0150
 Account Title:
 Blanket bond (per case limit): \$300,000.00
 Separate bond (if applicable):

1	2	3	4	5	6	7	
Transaction Date	Check / Ref. #	Paid to/ Received From	Description of Transaction	Uniform Tran Code	Deposit \$	Disbursement \$	Balance
10/09/2007		Transfer To Acct#*****0150	Bond Payment	9999-000		\$888.00	\$2,512.24
10/31/2007	(INT)	Sterling Bank	Interest Earned For October	1270-000	\$1.40		\$2,513.64
11/26/2007		Transfer To Acct#*****0150	Filing Fee Refunded to John Mayer (Adversary Complaint to Revoke Debtor's Discharge).	9999-000		\$250.00	\$2,263.64
11/30/2007	(INT)	Sterling Bank	Interest Earned For November	1270-000	\$1.22		\$2,264.86
12/31/2007	(INT)	Sterling Bank	Interest Earned For December	1270-000	\$1.15		\$2,266.01
01/02/2008		Transfer To Acct#*****0150	Per Order EOD 12/12/07	9999-000		\$1,850.50	\$415.51
01/31/2008	(INT)	Sterling Bank	Interest Earned For January	1270-000	\$0.23		\$415.74
02/29/2008	(INT)	Sterling Bank	Interest Earned For February	1270-000	\$0.16		\$415.90
03/31/2008	(INT)	Sterling Bank	Interest Earned For March	1270-000	\$0.16		\$416.06
04/30/2008	(INT)	Sterling Bank	Interest Earned For April	1270-000	\$0.14		\$416.20
05/19/2008		Transfer To Acct#*****0150	Subpoena Mark Smith to attend trial.	9999-000		\$171.56	\$244.64
05/29/2008	(INT)	Sterling Bank	Account Closing Interest As Of 5/29/2008	1270-000	\$0.11		\$244.75
05/29/2008		Transfer To: Smith, Mark 04-*0150 #**0742	Transfer to Close Account	9999-000		\$244.75	\$0.00

SUBTOTALS

\$4.57

\$3,404.81

FORM 2

CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No. 04-90150-7
 Case Name: SMITH, MARK D
 Primary Taxpayer ID #: *****3241
 Co-Debtor Taxpayer ID #:
 For Period Beginning: 2/24/2004
 For Period Ending: 6/16/2010

Trustee Name: Daniel Jacob Goldberg
 Bank Name: Sterling Bank
 Money Market Acct #: *****0150
 Account Title:
 Blanket bond (per case limit): \$300,000.00
 Separate bond (if applicable):

1	2	3	4	5	6	7	
Transaction Date	Check / Ref. #	Paid to/ Received From	Description of Transaction	Uniform Tran Code	Deposit \$	Disbursement \$	Balance

TOTALS:	\$336,085.81	\$336,085.81	\$0.00
Less: Bank transfers/CDs	\$0.00	\$336,085.81	
Subtotal	\$336,085.81	\$0.00	
Less: Payments to debtors	\$0.00	\$0.00	
Net	\$336,085.81	\$0.00	

For the period of 2/24/2004 to 6/16/2010

Total Compensable Receipts:	\$336,085.81
Total Non-Compensable Receipts:	\$0.00
Total Comp/Non Comp Receipts:	\$336,085.81
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:	\$336,085.81

For the entire history of the account between 11/15/2006 to 6/16/2010

Total Compensable Receipts:	\$336,085.81
Total Non-Compensable Receipts:	\$0.00
Total Comp/Non Comp Receipts:	\$336,085.81
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:	\$336,085.81

FORM 2

CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No. 04-90150-7
Case Name: SMITH, MARK D
Primary Taxpayer ID #: *****3241
Co-Debtor Taxpayer ID #:
For Period Beginning: 2/24/2004
For Period Ending: 6/16/2010

Trustee Name: Daniel Jacob Goldberg
Bank Name: Sterling Bank
Checking Acct #: *****0150
Account Title: 04-90150 Mark Smith
Blanket bond (per case limit): \$300,000.00
Separate bond (if applicable):

1	2	3	4	5	6	7	
Transaction Date	Check / Ref. #	Paid to/ Received From	Description of Transaction	Uniform Tran Code	Deposit \$	Disbursement \$	Balance
10/14/2008		Transfer From Acct#**0742	Insurance Premium	9999-000	\$888.00		\$888.00
10/14/2008	12	International Sureties, Ltd.	Bond#016034507 Insurance Term: 12/26/08 to 12/26/09 Case No. 04-90150; Ch. 7 Bond re: Mark D. Smith	2420-750		\$888.00	\$0.00
01/28/2009		Transfer From Acct#**0742	Per Order EOD 1/08/09 to disburse Interim Distribution of \$200,000.	9999-000	\$200,000.00		\$200,000.00
01/28/2009	13	Daniel Jacob Goldberg	INTERIM DIST. Trustee Expenses CMRRR \$10.00, Copies \$311.20, Fax 22.00, Mileage \$151.50, Misc. DOT Recording, Transcribing, Court Appearance for trial \$1,001.00, Postage 102.04, TD-Clerical 137.50)	2200-000		\$1,856.24	\$198,143.76
01/28/2009	14	DJ Goldberg	INTERIM DIST. Trustee Compensation	2100-000		\$13,250.00	\$184,893.76
01/28/2009	15	Internal Revenue Service	INTERIM DISTRIBUTION; Claim # 4 Re: Mark D. Smith; Tax ID No. 469-39-2258, Tax Period: 3/31/02, 6/30/02, 9/30/02, 12/31/02. PER ORDER EOD 1/08/09.	5800-000		\$79,946.90	\$104,946.86
01/28/2009	16	Fleet Credit Card Services, L.P.	INTERIM DISTRIBUTION Claim # 1; ACCT NO. 5447180313158818, Re: Mark D. Smith, Sr., PER ORDER EOD 1/08/09.	7100-000		\$4,301.47	\$100,645.39
01/28/2009	17	Capitol Aggregates, Ltd.	INTERIM DISTRIBUTION Claim # 2 Re: Judgment/Mark D. Smith; PER ORDER EOD 1/08/09.	7100-000		\$92,949.05	\$7,696.34
01/28/2009	18	The CIT Group/Equipment Financing, Inc.	INTERIM DISTRIBUTION Claim # 3 Acct No. 00114333/Mark D. Smith; PER ORDER EOD 1/08/09.	7100-000		\$7,696.34	\$0.00
02/16/2009	16	VOID: Fleet Credit Card Services, L.P.	Check was returned by postal service as undeliverable.	7100-000		(\$4,301.47)	\$4,301.47
03/06/2009	19	CLERK, U.S. BANKRUPTCY COURT	UNCLAIMED FUNDS-FLEET CREDIT CARD SERVICES, L.P. PER ORDER EOD 2/18/09	7100-001		\$4,301.47	\$0.00
03/24/2009		Transfer From Acct#**0742	Per Order EOD 03/09/2009	9999-000	\$62,559.29		\$62,559.29

SUBTOTALS \$263,447.29 \$200,888.00

FORM 2

CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No. 04-90150-7
Case Name: SMITH, MARK D
Primary Taxpayer ID #: *****3241
Co-Debtor Taxpayer ID #:
For Period Beginning: 2/24/2004
For Period Ending: 6/16/2010

Trustee Name: Daniel Jacob Goldberg
Bank Name: Sterling Bank
Checking Acct #: *****0150
Account Title: 04-90150 Mark Smith
Blanket bond (per case limit): \$300,000.00
Separate bond (if applicable):

1	2	3	4	5	6	7	
Transaction Date	Check / Ref. #	Paid to/ Received From	Description of Transaction	Uniform Tran Code	Deposit \$	Disbursement \$	Balance
03/24/2009	20	Daniel J. Goldberg	Per Order EOD 03/09/2009 Total Attorney Fees: \$60,118.00 / Total Expenses: \$2,441.29 DJG Fees: \$18,100 / DJG Expenses: \$1,718.74 JM Fees: \$42,000 / JM Expenses: \$722.55	*		\$62,559.29	\$0.00
			DJG-Attorney Fees	\$(18,100.00)	3110-000		\$0.00
			DJG - Attorney Expenses	\$(1,718.74)	3120-000		\$0.00
			JM-Attorney Fees	\$(42,000.00)	3110-000		\$0.00
			JM-Attorney Expenses	\$(740.55)	3120-000		\$0.00
09/22/2009		Transfer From Acct#**0742		9999-000	\$16.00		\$16.00
09/22/2009	21	Loren Jackson District Clerk	Request Abstract of Judgment; In Re: Mark D. Smith, Case No. 04-90150-BP-7; Adversary No. 07-09002; Daniel J. Goldberg, Trustee vs. Robert Clay Vilt; U.S. Bankruptcy Court, Eastern District of Texas, Lufkin Division	2700-000		\$8.00	\$8.00
09/22/2009	22	Loren Jackson District Clerk	Request Writ of Execution; In Re: Mark D. Smith, Case No. 04-90150-BP-7; Adversary No. 07-09002; Daniel J. Goldberg, Trustee vs. Robert Clay Vilt; U.S. Bankruptcy Court, Eastern District of Texas, Lufkin Division	2700-000		\$8.00	\$0.00
10/21/2009		Transfer From Acct#**0742	Re: Writ of Execution	9999-000	\$75.00		\$75.00
10/21/2009	23	Constable Phil Camus, Pct. 5	Writ of Execution - Money Judgment Plaintiff, Daniel J. Goldberg, Ch 7 Trustee, Bankruptcy Estate of Mark D. Smith against Garnishee, TD Ameritrade, Inc.	2420-000		\$75.00	\$0.00
10/22/2009		Transfer From Acct#**0742	Abstract of Judgment	9999-000	\$16.00		\$16.00
10/22/2009	24	Beverly Kauffman, Clerk of Court	Abstract of Judgment Against TD Ameritrade, Inc.	2700-000		\$16.00	\$0.00
12/07/2009		Transfer From Acct#**0742	Release of Judgment (TD Ameritrade)	9999-000	\$16.00		\$16.00
12/07/2009	25	Beverly Kaufmann, County Clerk	Release of Judgment (Mark D. Smith, Plaintiff v. TD Ameritrade, Inc. Garnishee; Cause No. 2008-68407-B; In The 165th Judicial District Court of Harris County, Texas.	2700-000		\$16.00	\$0.00

SUBTOTALS

\$123.00

\$62,682.29

FORM 2

CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No. 04-90150-7
Case Name: SMITH, MARK D
Primary Taxpayer ID #: *****3241
Co-Debtor Taxpayer ID #:
For Period Beginning: 2/24/2004
For Period Ending: 6/16/2010

Trustee Name: Daniel Jacob Goldberg
Bank Name: Sterling Bank
Checking Acct #: *****0150
Account Title: 04-90150 Mark Smith
Blanket bond (per case limit): \$300,000.00
Separate bond (if applicable):

1	2	3	4	5	6	7	
Transaction Date	Check / Ref. #	Paid to/ Received From	Description of Transaction	Uniform Tran Code	Deposit \$	Disbursement \$	Balance
02/24/2010		Transfer From Acct#**0742	Per Order EOD 2/19/10	9999-000	\$7,977.27		\$7,977.27
02/24/2010	26	Daniel J. Goldberg, Attorney	Per Order EOD 2/19/2010 DJG Fees: \$2,995 JM Fees: \$4,800 JM Expenses: \$96.77 Don Spencer: \$85.50	*		\$7,977.27	\$0.00
			DJG Fees-Attorney	\$(2,995.00)	3110-000		\$0.00
			JM-Attorney Fees	\$(4,800.00)	3110-000		\$0.00
			JM-Attorney Expenses	\$(182.27)	3120-000		\$0.00
04/05/2010		Transfer From Acct#**0742	Per Order EOD 3/24/10	9999-000	\$3,607.97		\$3,607.97
04/05/2010	27	William G. West, P.C., C.P.A.	Per Order EOD 3/24/10 Fees: \$3594.17 Expenses: \$13.80	*		\$3,607.97	\$0.00
			Accountant Fees	\$(3,594.17)	3410-000		\$0.00
			Accountant Expenses	\$(13.80)	3420-000		\$0.00
04/06/2010		Transfer From: Smith, Mark 04-*0150 #**0742	Transfer to Close Account	9999-000	\$195,067.32		\$195,067.32
06/14/2010	28	Robert Clay Vilt	REFUND EXCESS PAYMENT	8500-002		\$4,000.00	\$191,067.32

SUBTOTALS \$206,652.56 \$15,585.24

FORM 2

CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No. 04-90150-7
 Case Name: SMITH, MARK D
 Primary Taxpayer ID #: *****3241
 Co-Debtor Taxpayer ID #:
 For Period Beginning: 2/24/2004
 For Period Ending: 6/16/2010

Trustee Name: Daniel Jacob Goldberg
 Bank Name: Sterling Bank
 Checking Acct #: *****0150
 Account Title: 04-90150 Mark Smith
 Blanket bond (per case limit): \$300,000.00
 Separate bond (if applicable):

1	2	3	4	5	6	7	
Transaction Date	Check / Ref. #	Paid to/ Received From	Description of Transaction	Uniform Tran Code	Deposit \$	Disbursement \$	Balance

TOTALS:	\$470,222.85	\$279,155.53	\$191,067.32
Less: Bank transfers/CDs	\$470,222.85	\$0.00	
Subtotal	\$0.00	\$279,155.53	
Less: Payments to debtors	\$0.00	\$0.00	
Net	\$0.00	\$279,155.53	

For the period of 2/24/2004 to 6/16/2010

Total Compensable Receipts:	\$0.00
Total Non-Compensable Receipts:	\$0.00
Total Comp/Non Comp Receipts:	\$0.00
Total Internal/Transfer Receipts:	\$470,222.85
Total Compensable Disbursements:	\$275,155.53
Total Non-Compensable Disbursements:	\$4,000.00
Total Comp/Non Comp Disbursements:	\$279,155.53
Total Internal/Transfer Disbursements:	\$0.00

For the entire history of the account between 10/14/2008 to 6/16/2010

Total Compensable Receipts:	\$0.00
Total Non-Compensable Receipts:	\$0.00
Total Comp/Non Comp Receipts:	\$0.00
Total Internal/Transfer Receipts:	\$470,222.85
Total Compensable Disbursements:	\$275,155.53
Total Non-Compensable Disbursements:	\$4,000.00
Total Comp/Non Comp Disbursements:	\$279,155.53
Total Internal/Transfer Disbursements:	\$0.00

FORM 2

CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No. 04-90150-7
 Case Name: SMITH, MARK D
 Primary Taxpayer ID #: *****3241
 Co-Debtor Taxpayer ID #:
 For Period Beginning: 2/24/2004
 For Period Ending: 6/16/2010

Trustee Name: Daniel Jacob Goldberg
 Bank Name: Sterling Bank
 Checking Acct #: *****0150
 Account Title: 04-90150 Mark Smith
 Blanket bond (per case limit): \$300,000.00
 Separate bond (if applicable):

1	2	3	4	5	6	7	
Transaction Date	Check / Ref. #	Paid to/ Received From	Description of Transaction	Uniform Tran Code	Deposit \$	Disbursement \$	Balance

TOTAL - ALL ACCOUNTS	NET DEPOSITS	NET DISBURSE	ACCOUNT BALANCES
	\$475,275.91	\$284,208.59	\$191,067.32
	\$475,275.91	\$284,208.59	\$191,067.32

For the period of 2/24/2004 to 6/16/2010

Total Compensable Receipts:	\$471,275.91
Total Non-Compensable Receipts:	\$4,000.00
Total Comp/Non Comp Receipts:	\$475,275.91
Total Internal/Transfer Receipts:	\$807,096.66
Total Compensable Disbursements:	\$280,208.59
Total Non-Compensable Disbursements:	\$4,000.00
Total Comp/Non Comp Disbursements:	\$284,208.59
Total Internal/Transfer Disbursements:	\$807,096.66

For the entire history of the case between 02/24/2004 to 6/16/2010

Total Compensable Receipts:	\$471,275.91
Total Non-Compensable Receipts:	\$4,000.00
Total Comp/Non Comp Receipts:	\$475,275.91
Total Internal/Transfer Receipts:	\$807,096.66
Total Compensable Disbursements:	\$280,208.59
Total Non-Compensable Disbursements:	\$4,000.00
Total Comp/Non Comp Disbursements:	\$284,208.59
Total Internal/Transfer Disbursements:	\$807,096.66

CLAIM ANALYSIS REPORT

Page No: 1

Exhibit C

Case No. 04-90150-7
Case Name: SMITH, MARK D
Claims Bar Date: 10/19/2004

Trustee Name: Daniel Jacob Goldberg
Date: 6/16/2010

Claim No.:	Creditor Name	Claim Date	Claim Class	Claim Status	Uniform Tran Code	Scheduled Amount	Claim Amount	Amount Allowed	Amount Paid	Interest	Tax	Net Remaining Balance
BW	WILLIAM G. WEST, P.C., C.P.A. 12345 Jones Rd., Ste. 120 Houston TX 77070	03/03/2010	507(a) 1 -- 503(b) ADMINISTRATIVE OTHER PROFESSIONAL FEES	Allowed	3410-000	\$3,594.17	\$3,594.17	\$3,594.17	\$3,594.17	\$0.00	\$0.00	\$0.00
BWe	WILLIAM G. WEST, P.C., C.P.A. 12345 Jones Rd., Ste. 120 Houston TX 77070	03/03/2010	507(a) 1 -- 503(b) ADMINISTRATIVE OTHER PROFESSIONAL EXPENSES	Allowed	3420-000	\$13.80	\$13.80	\$13.80	\$13.80	\$0.00	\$0.00	\$0.00
CC	JOHN MAYER 2 Riverway, Suite 700 Houston TX 77056	04/24/2007	507(A) 1 -- Court Cost	Allowed	2700-000	\$250.00	\$250.00	\$250.00	\$250.00	\$0.00	\$0.00	\$0.00

Claim Notes: Reimbursement of Court Costs on charge for filing fee for adversary complaint against Robert Clay Vilt.

DG1	DANIEL GOLDBERG, ATTORNEY	12/21/2009	507(a) 1 -- 503(b) ADMINISTRATIVE OTHER PROFESSIONAL FEES	Allowed	3110-000	\$18,100.00	\$18,100.00	\$18,100.00	\$18,100.00	\$0.00	\$0.00	\$0.00
DG1e	DANIEL JACOB GOLDBERG Attorney 2 Riverway, Suite 700 Houston TX 77056-1912	04/06/2010	507(a) 1 -- 503(b) ADMINISTRATIVE OTHER PROFESSIONAL EXPENSES	Allowed	3120-000	\$1,718.74	\$1,718.74	\$1,718.74	\$1,718.74	\$0.00	\$0.00	\$0.00
DG2	DANIEL JACOB GOLDBERG Attorney for Trustee 2 Riverway, Suite 700 Houston TX 77056-1912	04/06/2010	507(a) 1 -- 503(b) ADMINISTRATIVE OTHER PROFESSIONAL FEES	Allowed	3110-000	\$2,995.00	\$2,995.00	\$2,995.00	\$2,995.00	\$0.00	\$0.00	\$0.00

CLAIM ANALYSIS REPORT

Page No: 2

Exhibit C

Case No. 04-90150-7
Case Name: SMITH, MARK D
Claims Bar Date: 10/19/2004

Trustee Name: Daniel Jacob Goldberg
Date: 6/16/2010

Claim No.:	Creditor Name	Claim Date	Claim Class	Claim Status	Uniform Tran Code	Scheduled Amount	Claim Amount	Amount Allowed	Amount Paid	Interest	Tax	Net Remaining Balance
JM1	JOHN MAYER, ATTORNEY FOR TRUSTEE	04/06/2010	507(a) 1 -- 503(b) ADMINISTRATIVE OTHER PROFESSIONAL FEES	Allowed	3110-000	\$4,800.00	\$4,800.00	\$4,800.00	\$4,800.00	\$0.00	\$0.00	\$0.00
JM1e	JOHN MAYER, ATTORNEY FOR TRUSTEE	04/06/2010	507(a) 1 -- 503(b) ADMINISTRATIVE OTHER PROFESSIONAL EXPENSES	Allowed	3120-000	\$182.27	\$182.27	\$182.27	\$182.27	\$0.00	\$0.00	\$0.00
JM2	JOHN MAYER Attorney for Trustee	04/06/2010	507(a) 1 -- 503(b) ADMINISTRATIVE OTHER PROFESSIONAL FEES	Allowed	3110-000	\$42,000.00	\$42,000.00	\$42,000.00	\$42,000.00	\$0.00	\$0.00	\$0.00
JM2e	JOHN MAYER Attorney for Trustee	04/06/2010	507(a) 1 -- 503(b) ADMINISTRATIVE OTHER PROFESSIONAL EXPENSES	Allowed	3120-000	\$722.55	\$722.55	\$722.55	\$740.55	\$0.00	\$0.00	\$0.00
JPS1	JAMES P. SMITH & ASSOCIATES	04/06/2010	507(a) 1 -- 503(b) ADMINISTRATIVE OTHER PROFESSIONAL FEES	Allowed	3410-000	\$1,837.50	\$1,837.50	\$1,837.50	\$1,837.50	\$0.00	\$0.00	\$0.00
JPS1e	JAMES P. SMITH & ASSOCIATES	04/06/2010	507(a) 1 -- 503(b) ADMINISTRATIVE OTHER PROFESSIONAL EXPENSES	Allowed	3420-000	\$13.00	\$13.00	\$13.00	\$13.00	\$0.00	\$0.00	\$0.00
	DANIEL J. GOLDBERG Chapter 7 Trustee 2 Riverway, Suite 700 Houston TX 77056-1912	04/15/2005	507(a) 1 -- 503(b) ADMINISTRATIVE -- TRUSTEE COMPENSATION	Allowed	2100-000	\$0.00	\$26,813.80	\$26,813.80	\$13,250.00	\$0.00	\$0.00	\$13,563.80

CLAIM ANALYSIS REPORT

Case No. 04-90150-7
 Case Name: SMITH, MARK D
 Claims Bar Date: 10/19/2004

Trustee Name: Daniel Jacob Goldberg
 Date: 6/16/2010

Claim No.:	Creditor Name	Claim Date	Claim Class	Claim Status	Uniform Tran Code	Scheduled Amount	Claim Amount	Amount Allowed	Amount Paid	Interest	Tax	Net Remaining Balance
	DANIEL JACOB GOLDBERG Chapter 7 Trustee 2 Riverway, Suite 700 Houston TX 77056-1912	04/06/2010	507(a) 1 -- 503(b) ADMINISTRATIVE -- TRUSTEE EXPENSES	Allowed	2200-000	\$1,168.94	\$1,168.94	\$1,168.94	\$0.00	\$0.00	\$0.00	\$1,168.94
	DANIEL JACOB GOLDBERG 2 Riverway, Ste 700 Houston TX 77056-1912	06/10/2004	507(a) 1 -- 503(b) ADMINISTRATIVE -- TRUSTEE EXPENSES	Allowed	2200-000	\$0.00	\$1,876.96	\$1,876.96	\$1,856.24	\$0.00	\$0.00	\$0.00
Vilt	ROBERT C. VILT 5177 Richmond Ave., Ste. 1230 Houston TX 77056-6763	05/04/2010	JUDGMENT LIENHOLDERS	Allowed	8500-002	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$0.00	\$0.00	\$0.00

Claim Notes: Funds returned to Vilt re: Judgment against Vilt (Payments were made on 11/24/09 and 12/18/09 by Vilt which are over the amount of the Judgment against him and which was collected from TD Ameritrade)

1	FLEET CREDIT CARD SERVICES, L.P. PO Box 1016 Horsham PA 19044	05/04/2004	UNSECURED	Allowed	7100-000	\$0.00	\$12,424.22	\$12,424.22	\$4,301.47	\$0.00	\$0.00	\$8,122.75
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Claim Notes: ACCT NO. 5447180313158818, Re: Mark D. Smith, Sr.

2	CAPITOL AGGREGATES, LTD. c/o Robert L. Barrows Warren, Drugan & Barrows, P.C. 800 Broadway San Antonio TX 78215	05/19/2004	UNSECURED	Allowed	7100-000	\$0.00	\$268,470.42	\$268,470.42	\$92,949.05	\$0.00	\$0.00	\$175,521.37
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Claim Notes: Re: Judgment/Mark D. Smith

3	THE CIT GROUP/EQUIPMENT FINANCING, INC. Attn: Janine Reader 1540 West Fountainhead Parkway Tempe AZ 85282	07/09/2004	UNSECURED	Allowed	7100-000	\$0.00	\$22,229.80	\$22,229.80	\$7,696.34	\$0.00	\$0.00	\$14,533.46
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Claim Notes: Acct No. 00114333/Mark D. Smith

CLAIM ANALYSIS REPORT

Case No. 04-90150-7
 Case Name: SMITH, MARK D
 Claims Bar Date: 10/19/2004

Trustee Name: Daniel Jacob Goldberg
 Date: 6/16/2010

Claim No.:	Creditor Name	Claim Date	Claim Class	Claim Status	Uniform Tran Code	Scheduled Amount	Claim Amount	Amount Allowed	Amount Paid	Interest	Tax	Net Remaining Balance
4	INTERNAL REVENUE SERVICE P. O. Box 21126 Philadelphia PA 19114	07/23/2004	OTHER PRIORITY	Allowed	5800-000	\$0.00	\$79,946.90	\$79,946.90	\$79,946.90	\$0.00	\$0.00	\$0.00

Claim Notes: Re: Mark D. Smith
 Tax ID No. 469-39-2258
 Tax Period: 3/31/02, 6/30/02, 9/30/02, 12/31/02

\$493,158.07 \$493,158.07 \$280,245.03 \$0.00 \$0.00 \$212,910.32

CLAIM ANALYSIS REPORT

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Exhibit C

Case No. 04-90150-7
Case Name: SMITH, MARK D
Claims Bar Date: 10/19/2004

Trustee Name: Daniel Jacob Goldberg
Date: 6/16/2010

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	\$26,813.80	\$26,813.80	\$13,250.00	\$0.00	\$0.00	\$13,563.80
507(a) 1 -- 503(b) ADMINISTRATIVE -- TRUSTEE EXPENSES	\$3,045.90	\$3,045.90	\$1,856.24	\$0.00	\$0.00	\$1,168.94
507(a) 1 -- 503(b) ADMINISTRATIVE OTHER PROFESSIONAL EXPENSES	\$2,650.36	\$2,650.36	\$2,668.36	\$0.00	\$0.00	\$0.00
507(a) 1 -- 503(b) ADMINISTRATIVE OTHER PROFESSIONAL FEES	\$73,326.67	\$73,326.67	\$73,326.67	\$0.00	\$0.00	\$0.00
507(A) 1 -- Court Cost	\$250.00	\$250.00	\$250.00	\$0.00	\$0.00	\$0.00
JUDGMENT LIENHOLDERS	\$4,000.00	\$4,000.00	\$4,000.00	\$0.00	\$0.00	\$0.00
OTHER PRIORITY	\$79,946.90	\$79,946.90	\$79,946.90	\$0.00	\$0.00	\$0.00
UNSECURED	\$303,124.44	\$303,124.44	\$104,946.86	\$0.00	\$0.00	\$198,177.58

TRUSTEE'S PROPOSED DISTRIBUTION

Case No.: 04-90150-7
Case Name: Mark D Smith
Trustee Name: Daniel Jacob Goldberg

Claims of secured creditors will be paid as follows: NONE

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

Reason/Applicant	Fees	Expenses
Trustee, Daniel J. Goldberg	\$13,563.80	\$0.00
Other Trustee, Daniel Jacob Goldberg	\$0.00	\$1,168.94

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 \$0.00 must be paid in advance of any dividend to general (unsecured) creditors.

Allowed priority claims are:

Claim No.	Claimant	Allowed Amt. of Claim	Proposed Payment
4	Internal Revenue Service	\$79,946.90	\$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 \$303,124.44 have been allowed and will be paid *pro rata* only after all allowed administrative and priority claims have been paid in full. The timely allowed general (unsecured) dividend is anticipated to be 92.8%.

Timely allowed general (unsecured) claims are as follows:

Claim No.	Claimant	Allowed Amt. of Claim	Proposed Amount
1	Fleet Credit Card Services, L.P.	\$12,424.22	\$7,227.47
2	Capitol Aggregates, Ltd.	\$268,470.42	\$156,175.52
3	The CIT Group/Equipment Financing, Inc.	\$22,229.80	\$12,931.59

Tardily filed claims of general (unsecured) creditors totaling \$0.00 have been allowed and will be paid *pro rata* 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%.

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%.

Subordinated unsecured claims for fines, penalties, forfeitures or damages and claims ordered subordinated by the Court are as follows: NONE

The amount of surplus returned to the debtor(s) after payment of all claims and interest is \$0.00.