

UNITED STATES BANKRUPTCY COURT
DISTRICT OF

In re: §
§
GALUBENSKI, DAVID W § Case No. 05-44572
§
Debtor(s) §

TRUSTEE'S FINAL REPORT (TFR)

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

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

4. The trustee realized gross receipts of \$

Funds were disbursed in the following amounts:

Administrative expenses
Payments to creditors
Non-estate funds paid to 3rd Parties
Payments to the debtor

Leaving a balance on hand of¹ \$

The remaining funds are available for distribution.

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 . All claims of each class which will receive a distribution have been examined and any objections to the allowance of

¹The balance of funds on hand in the estate may continue to earn interest until disbursed. The interest earned prior to disbursement will be distributed pro rata to creditors within each priority category. The trustee may receive additional compensation not to exceed the maximum compensation set forth under 11 U.S.C. §326(a) on account of the disbursement of the additional interest.

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 \$. To the extent that additional interest is earned before case closing, the maximum compensation may increase.

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

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

Date: _____ By: /s/CHRISTOPHER J. MOSER
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

Case No: 05-44572 BTR Judge: BRENDA T. RHOADES
Case Name: GALUBENSKI, DAVID W

Trustee Name: CHRISTOPHER J. MOSER
Date Filed (f) or Converted (c): 08/26/05 (f)
341(a) Meeting Date: 09/29/05
Claims Bar Date: 06/19/06

For Period Ending: 12/09/09

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA=554(a) Abandon DA=554(c) Abandon	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1. ACCOUNTS RECEIVABLE (u) Listed on Amended Schedules Adv. #06-04041 Ceci-Bates Group, Inc. - 3/31/08 Judgment entered.	89,000.00	10,000.00		21,697.34	FA
2. 1021 IMPERIAL, DENTON, TX (u) Debtor Claimed 100% Exemption on Schedule C	85,000.00	0.00	DA	0.00	FA
3. CASH (u)	200.00	0.00	DA	0.00	FA
4. FINANCIAL ACCOUNTS (u)	675.00	0.00	DA	0.00	FA
5. HOUSEHOLD GOODS (u) Debtor Claimed 100% Exemption on Schedule C	1,785.00	0.00	DA	0.00	FA
6. BOOKS/COLLECTIBLES (u) Debtor Claimed 100% Exemption on Schedule C	200.00	0.00	DA	0.00	FA
7. WEARING APPAREL (u) Debtor Claimed 100% Exemption on Schedule C	400.00	0.00	DA	0.00	FA
8. FIREARMS AND HOBBY EQUIPMENT (u) Debtor Claimed 100% Exemption on Schedule C	525.00	0.00	DA	0.00	FA
9. RETIREMENT PLANS (u) Debtor Claimed 100% Exemption on Schedule C	18,687.80	0.00	DA	0.00	FA
10. STOCK - DAVCO ROOFING, INC. (u) Per Order 4/18/06 - Abandon Stock	1.00	0.00	DA	0.00	FA
11. 2003 FORD F150 (u) Debtor Claimed 100% Exemption on Schedule C	0.00	0.00	DA	0.00	FA
12. 2003 FORD WINSTAR (u) Debtor Claimed 100% Exemption on Schedule C	13,000.00	0.00	DA	0.00	FA
13. LONG BED TRAILER (u) Debtor Claimed 100% Exemption on Schedule C	250.00	0.00	DA	0.00	FA
14. OFFICE EQUIPMENT (u)	130.00	0.00	DA	0.00	FA

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

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1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA=554(a) Abandon DA=554(c) Abandon	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
Debtor Claimed 100% Exemption on Schedule C 15. MACHINERY AND SUPPLIES (u)	375.00	0.00	DA	0.00	FA
Debtor Claimed 100% Exemption on Schedule C INT. Post-Petition Interest Deposits (u)	Unknown	N/A		1.27	Unknown

	\$210,228.80	\$10,000.00		Gross Value of Remaining Assets
TOTALS (Excluding Unknown Values)			\$21,698.61	\$0.00
				(Total Dollar Amount in Column 6)

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

The Bufkin Law Firm, LP is employed to represent the trustee. Sheldon E. Levy, CPA is employed as an accountant. On Feb. 14, 2006, Adv. #06-04041 was filed, item # 1. On April 18, 2006, Order Approving Settlement Agreement was entered, item # 1 & #10. On March 31, 2008, a judgment was entered against CECI-BATES Group, Inc. Adv. #06-04041, item # 1. On March 25, 2009, Order Authorizing Trustee to Make Settlement Payment to Ceci Bates Group, Inc. was entered, item # 1.

Initial Projected Date of Final Report (TFR): 06/30/08 Current Projected Date of Final Report (TFR): 12/09/09

FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 05-44572 -BTR
Case Name: GALUBENSKI, DAVID W

Trustee Name: CHRISTOPHER J. MOSER
Bank Name: BANK OF AMERICA, N.A.
Account Number / CD #: *****9911 BofA - Money Market Account

Taxpayer ID No: *****6953
For Period Ending: 12/09/09

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

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
			BALANCE FORWARD				0.00
01/22/09	1	CASHIER'S CHECK - INDEPENDENT BANK REMITTER: CECI BATES GROUP, INC	JUDGMENT	1221-000	21,697.34		21,697.34
01/26/09	000301	Richard Bufkin 3811 Turtle Creek Blvd, Ste. 1600 Dallas, TX 75219-4558	Per Order Entered on 6/26/08 Attorney's Fees			11,006.88	10,690.46
			Fees 10,690.46	3210-000			10,690.46
			Expenses 316.42	3220-000			10,690.46
01/30/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.02		10,690.48
02/27/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.08		10,690.56
03/05/09	000302	CeCi Bates Group, Inc. c/o Luke Motley, IV Sanders, Mumm, O'Hanlon & Motley, P.C. 111 South Travis Street Sherman, TX 75090	Per Order Entered on 3/2/09 Garnishment on Judgment	4220-000		5,345.23	5,345.33
03/31/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.07		5,345.40
04/30/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.12		5,345.52
05/29/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.13		5,345.65
06/30/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.14		5,345.79
07/31/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.14		5,345.93
08/31/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.14		5,346.07
09/30/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.13		5,346.20
10/30/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.13		5,346.33
11/30/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.14		5,346.47
12/01/09	000303	Sheldon E. Levy, CPA 6320 Southwest Blvd., Ste. 204 Ft. Worth, TX 76109	Per Order Entered on 11/30/09 Accountant's Fees				750.00
			Fees 665.40	3410-000			4,596.47
			Expenses 84.60	3420-000			4,596.47

Page Subtotals 21,698.58 17,102.11

FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 05-44572 -BTR
Case Name: GALUBENSKI, DAVID W

Trustee Name: CHRISTOPHER J. MOSER
Bank Name: BANK OF AMERICA, N.A.
Account Number / CD #: *****9911 BofA - Money Market Account

Taxpayer ID No: *****6953
For Period Ending: 12/09/09

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

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
12/09/09	INT	BANK OF AMERICA, N.A.	INTEREST REC'D FROM BANK	1270-000	0.03		4,596.50
12/09/09		Transfer to Acct #*****6557	Final Posting Transfer	9999-000		4,596.50	0.00

COLUMN TOTALS	21,698.61	21,698.61	0.00
Less: Bank Transfers/CD's	0.00	4,596.50	
Subtotal	21,698.61	17,102.11	
Less: Payments to Debtors		0.00	
Net	21,698.61	17,102.11	

Page Subtotals 0.03 4,596.50

FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 05-44572 -BTR
Case Name: GALUBENSKI, DAVID W

Trustee Name: CHRISTOPHER J. MOSER
Bank Name: BANK OF AMERICA, N.A.
Account Number / CD #: *****6557 BofA - Checking Account

Taxpayer ID No: *****6953
For Period Ending: 12/09/09

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

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
12/09/09		Transfer from Acct #*****9911	BALANCE FORWARD Transfer In From MMA Account	9999-000	4,596.50		0.00 4,596.50

COLUMN TOTALS	4,596.50	0.00	4,596.50
Less: Bank Transfers/CD's	4,596.50	0.00	
Subtotal	0.00	0.00	
Less: Payments to Debtors		0.00	
Net	0.00	0.00	

TOTAL - ALL ACCOUNTS	NET DEPOSITS	NET DISBURSEMENTS	ACCOUNT BALANCE
BofA - Money Market Account - *****9911	21,698.61	17,102.11	0.00
BofA - Checking Account - *****6557	0.00	0.00	4,596.50
	-----	-----	-----
	21,698.61	17,102.11	4,596.50
	=====	=====	=====
(Excludes Account Transfers)		(Excludes Payments To Debtors)	Total Funds On Hand

Page Subtotals 4,596.50 0.00

EXHIBIT C
ANALYSIS OF CLAIMS REGISTER

Case Number: 05-44572 Page 1
 Debtor Name: GALUBENSKI, DAVID W Date: December 09, 2009
Claim Class Sequence

Code #	Creditor Name & Address	Claim Class	Notes	Amount Allowed	Paid to Date	Claim Balance
000001 070 7100-00	First State Bank Of Gainseville P O Box 10 Gainesville TX 76241	Unsecured		\$3,215.79	\$0.00	\$3,215.79
000002 070 7100-00	Ceci Bates Group, Inc. c/o William Riley Nix 717 N. Crockett Sherman, Texas 75090	Unsecured		\$126,559.84	\$0.00	\$126,559.84
000003 070 7100-00	Capital Recovery One 25 SE 2nd Avenue, Suite 1120 Miami, FL 33131	Unsecured		\$212.57	\$0.00	\$212.57
000004 070 7100-00	Capital Recovery One 25 SE 2nd Avenue, Suite 1120 Miami, FL 33131	Unsecured		\$1,057.15	\$0.00	\$1,057.15
000005 070 7100-00	Capital Recovery One 25 SE 2nd Avenue, Suite 1120 Miami, FL 33131	Unsecured		\$400.47	\$0.00	\$400.47
000006 070 7100-00	GE Money Bank dba Mobil Cnsmr Prog Recovery Management Systems Corporation 25 S.E. 2nd Avenue, Suite 1120 Miami, FL 33131	Unsecured		\$61.69	\$0.00	\$61.69
000007 070 7100-00	ABC Supply Co., Inc. 4833 Singleton Blvd. Dallas, TX 75212	Unsecured		\$109,716.46	\$0.00	\$109,716.46
000008 070 7100-00	Citibank/ CHOICE Exception Payment Processing P.O. Box 6305 The Lakes, NV 88901-6305	Unsecured		\$5,852.07	\$0.00	\$5,852.07
000009 070 7100-00	Citibank/ CHOICE Exception Payment Processing P.O. Box 6305 The Lakes, NV 88901-6305	Unsecured		\$4,895.62	\$0.00	\$4,895.62
000010 070 7100-00	Citibank/ CHOICE Exception Payment Processing P.O. Box 6305 The Lakes, NV 88901-6305	Unsecured		\$5,852.07	\$0.00	\$5,852.07
000011 090 7400-00	Citibank (USA) N.A. PO Box 182149 Columbus, OH 43218	Unsecured		\$176.26	\$0.00	\$176.26
000012 090 7400-00	Citibank (USA) N.A. PO Box 182149 Columbus, OH 43218	Unsecured		\$537.27	\$0.00	\$537.27

EXHIBIT C
ANALYSIS OF CLAIMS REGISTER

Case Number: 05-44572 Page 2 Date: December 09, 2009
Debtor Name: GALUBENSKI, DAVID W Claim Class Sequence

Code #	Creditor Name & Address	Claim Class	Notes	Amount Allowed	Paid to Date	Claim Balance
Case Totals:				\$258,537.26	\$0.00	\$258,537.26

Code #: Trustee's Claim Number, Priority Code, Claim Type

TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 05-44572

Case Name: GALUBENSKI, DAVID W

Trustee Name: CHRISTOPHER J. MOSER

Claims of secured creditors will be paid as follows:

<i>Claimant</i>	<i>Proposed Payment</i>
	\$ _____
	\$ _____
	\$ _____

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

<i>Reason/Applicant</i>	<i>Fees</i>	<i>Expenses</i>
<i>Trustee: CHRISTOPHER J. MOSER</i>	\$ _____	\$ _____
<i>Attorney for trustee:</i>	\$ _____	\$ _____
<i>Appraiser:</i>	\$ _____	\$ _____
<i>Auctioneer:</i>	\$ _____	\$ _____
<i>Accountant:</i>	\$ _____	\$ _____
<i>Special Attorney for trustee:</i>	\$ _____	\$ _____
<i>Charges:</i>	\$ _____	\$ _____
<i>Fees:</i>	\$ _____	\$ _____
<i>Other:</i>	\$ _____	\$ _____
<i>Other:</i>	\$ _____	\$ _____

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

<i>Reason/Applicant</i>	<i>Fees</i>	<i>Expenses</i>
<u>Attorney for debtor:</u>	\$ _____	\$ _____
<u>Attorney for:</u>	\$ _____	\$ _____
<u>Accountant for:</u>	\$ _____	\$ _____
<u>Appraiser for:</u>	\$ _____	\$ _____
<u>Other:</u>	\$ _____	\$ _____

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

Allowed priority claims are:

<i>Claim Number</i>	<i>Claimant</i>	<i>Allowed Amt. of Claim</i>	<i>Proposed Payment</i>
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____

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 \$ _____ 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 _____ percent.

Timely allowed general (unsecured) claims are as follows:

<i>Claim Number</i>	<i>Claimant</i>	<i>Allowed Amt. of Claim</i>	<i>Proposed Payment</i>
<u>000001</u>	<u>First State Bank Of Gainseville</u>	\$ _____	\$ _____
<u>000002</u>	<u>Ceci Bates Group, Inc.</u>	\$ _____	\$ _____
<u>000003</u>	<u>Capital Recovery One</u>	\$ _____	\$ _____
<u>000004</u>	<u>Capital Recovery One</u>	\$ _____	\$ _____
<u>000005</u>	<u>Capital Recovery One</u>	\$ _____	\$ _____

<i>Claim Number</i>	<i>Claimant</i>	<i>Allowed Amt. of Claim</i>	<i>Proposed Payment</i>
	<i>GE Money Bank dba Mobil</i>		
<u>000006</u>	<u>Cnsmr Prog</u>	<u>\$</u>	<u>\$</u>
<u>000007</u>	<u>ABC Supply Co., Inc.</u>	<u>\$</u>	<u>\$</u>
<u>000010</u>	<u>Citibank/ CHOICE</u>	<u>\$</u>	<u>\$</u>

Tardily filed claims of general (unsecured) creditors totaling \$ _____ 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 _____ percent.

Tardily filed general (unsecured) claims are as follows:

<i>Claim Number</i>	<i>Claimant</i>	<i>Allowed Amt. of Claim</i>	<i>Proposed Payment</i>
_____	_____	<u>\$</u>	<u>\$</u>
_____	_____	<u>\$</u>	<u>\$</u>
_____	_____	<u>\$</u>	<u>\$</u>

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling \$ _____ 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 _____ percent.

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

<i>Claim Number</i>	<i>Claimant</i>	<i>Allowed Amt. of Claim</i>	<i>Proposed Payment</i>
<u>000011</u>	<u>Citibank (USA) N.A.</u>	<u>\$</u>	<u>\$</u>
<u>000012</u>	<u>Citibank (USA) N.A.</u>	<u>\$</u>	<u>\$</u>
_____	_____	<u>\$</u>	<u>\$</u>

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