

UNITED STATES BANKRUPTCY COURT
DISTRICT OF
DIVISION

In re: §
BURKS, JOANN § Case No. 09-10208 BP1
Debtor(s) §

TRUSTEE'S FINAL REPORT (TFR)

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

1. A petition under chapter of the United States Bankruptcy Code was filed 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:

Payments made under an interim
disbursement
Administrative expenses
Other payments to creditors
Non-estate funds paid to 3rd Parties
Exemptions paid to the debtor
Other payments to the debtor

Leaving a balance on hand of¹ \$

The remaining funds are available for distribution.

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.

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

6. The deadline for filing non-governmental claims in this case was _____ and the deadline for filing governmental claims was _____. 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 \$ _____. 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 \$ _____². 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 \$ _____².

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/Stephen J. Zayler
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.

² If the estate is administratively insolvent, the dollar amounts reflected in this paragraph may be higher than the amounts listed in the Trustee's Proposed Distribution (Exhibit D).

FORM 1- EXHIBIT A
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT
ASSET CASES

Case No: 09-10208 BP1 Judge: BILL PARKER
Case Name: BURKS, JOANN

Trustee Name: Stephen J. Zayler
Date Filed (f) or Converted (c): 04/23/09 (f)
341(a) Meeting Date: 06/01/09
Claims Bar Date: 09/03/09

For Period Ending: 08/29/11

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA=554(a) Abandon DA=554(c) Abandon	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1. HOMESTEAD Debtor Claimed Exemption	50,000.00	0.00	DA	0.00	FA
2. CASH ON HAND	42.00	42.00	DA	0.00	FA
3. LIVINGROOM Debtor Claimed Exemption	2,000.00	0.00	DA	0.00	FA
4. WEARING APPAREL Debtor Claimed Exemption	1,000.00	0.00	DA	0.00	FA
5. FURS & JEWELRY Debtor Claimed Exemption	500.00	0.00	DA	0.00	FA
6. FIREARMS Debtor Claimed Exemption	250.00	250.00	DA	0.00	FA
7. SOCIAL SECURITY Debtor Claimed Exemption	1,767.00	0.00	DA	0.00	FA
8. LAWSUIT Columns 2 and 6 have been given a value for reporting requirements. The Trustee value may or may not be accurate.	0.00	25,000.00		58,201.66	0.00
9. 1987 HOMEMADE LOWBOY	50.00	50.00	DA	0.00	FA
10. 1988 TRACTOR & MOWER Debtor Claimed Exemption	500.00	0.00	DA	0.00	FA
11. ALUMINUM BOAT W/7.5 MERCURY MOROT	200.00	200.00	DA	0.00	FA
12. 2007 HONDA FIT	14,325.00	0.00	DA	0.00	FA
13. COMPUTER	500.00	0.00	DA	0.00	FA
14. DOG Debtor Claimed Exemption	1.00	0.00	DA	0.00	FA
15. FARMING EQUIPMENT-Roto Tiller/Sweeper/Blade/Packer Debtor Claimed Exemption	450.00	0.00	DA	0.00	FA

**FORM 1- EXHIBIT A
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16. DINING ROOM Debtor Claimed Exemption	500.00	0.00	DA	0.00	FA
17. BEDROOM SUITE Debtor Claimed Exemption	500.00	0.00	DA	0.00	FA
18. 3 TELEVISIONS Debtor Claimed Exemption	1,500.00	0.00	DA	0.00	FA
19. STEREO Debtor Claimed Exemption	50.00	0.00	DA	0.00	FA
20. WASHER/DRYER Debtor Claimed Exemption	400.00	0.00	DA	0.00	FA
21. REFRIGERATOR Debtor Claimed Exemption	700.00	0.00	DA	0.00	FA
22. STOVE/OVEN Debtor Claimed Exemption	700.00	0.00	DA	0.00	FA
23. MISCELLANEOUS APPLIANCES Debtor Claimed Exemption	2,000.00	0.00	DA	0.00	FA
24. MICROWAVE Debtor Claimed Exemption	100.00	0.00	DA	0.00	FA
25. TOASTER Debtor Claimed Exemption	20.00	0.00	DA	0.00	FA
26. TOASTER OVEN Debtor Claimed Exemption	50.00	0.00	DA	0.00	FA
27. Post-Petition Interest Deposits (u)	Unknown	N/A		6.06	Unknown

				Gross Value of Remaining Assets	
TOTALS (Excluding Unknown Values)	\$78,105.00	\$25,542.00		\$58,207.72	\$0.00

**FORM 1- EXHIBIT A
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT
ASSET CASES**

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(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:

Trustee has received settlements in connection with asbestos related claim of Debtor's deceased husband; approval is currently pending. Per report of Special Counsel, several settlements remain outstanding, which should be paid. Case is considered wrongful death.

Initial Projected Date of Final Report (TFR): 11/23/11 Current Projected Date of Final Report (TFR): 12/31/12

/s/ Stephen J. Zayler

Date: 08/29/11

STEPHEN J. ZAYLER

FORM 2 - EXHIBIT B
ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 09-10208 -BP1
Case Name: BURKS, JOANN

Trustee Name: Stephen J. Zayler
Bank Name: BANK OF AMERICA
Account Number / CD #: *****2320 Money Market Account (Interest Earn

Taxpayer ID No: *****1189
For Period Ending: 08/29/11

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
12/09/09	8	FOSTER & SEAR, LLP 817 Greenview Drive Grand Prairie, TX 75050	PARTIAL SETTLEMENT PROCEEDS	1142-000	12,748.59		12,748.59
12/31/09	27	BANK OF AMERICA	Interest Rate 0.030	1270-000	0.19		12,748.78
01/29/10	27	BANK OF AMERICA	Interest Rate 0.030	1270-000	0.32		12,749.10
02/26/10	27	BANK OF AMERICA	Interest Rate 0.030	1270-000	0.29		12,749.39
03/31/10	27	BANK OF AMERICA	Interest Rate 0.030	1270-000	0.33		12,749.72
04/15/10	000101	FOSTER & SEAR, LLP 817 GREENVIEW DRIVE GRAND PRAIRIE, TX 75050	SPECIAL COUNSEL FEES & EXPENSES Per Order dtd. 4/14/10			5,116.20	7,633.52
			Fees 5,099.44	3210-000			
			Expenses 16.76	3220-000			
04/30/10	27	BANK OF AMERICA	Interest Rate 0.030	1270-000	0.31		7,633.83
05/28/10	27	BANK OF AMERICA	Interest Rate 0.030	1270-000	0.19		7,634.02
06/30/10	27	BANK OF AMERICA	Interest Rate 0.030	1270-000	0.20		7,634.22
07/30/10	27	BANK OF AMERICA	Interest Rate 0.030	1270-000	0.19		7,634.41
08/31/10	27	BANK OF AMERICA	Interest Rate 0.030	1270-000	0.20		7,634.61
09/30/10	27	BANK OF AMERICA	Interest Rate 0.030	1270-000	0.19		7,634.80
10/14/10	8	FOSTER & SEAR, LLP 817 Greenview Drive Grand Prairie, TX 75050	PARTIAL SETTLEMENT PROCEEDS	1149-000	20,960.37		28,595.17
10/14/10	8	FOSTER & SEAR, LLP 817 Greenview Drive Grand Prairie, TX 75050	PARTIAL SETTLEMENT PROCEEDS	1149-000	1,605.47		30,200.64
* 10/14/10		FOSTER & SEAR, LLP 817 Greenview Drive Grand Prairie, TX 75050	PARTIAL SETTLEMENT PROCEEDS	1149-003	736.51		30,937.15
* 10/14/10		FOSTER & SEAR, LLP	PARTIAL SETTLEMENT PROCEEDS	1149-003	-736.51		30,200.64

Page Subtotals 35,316.84 5,116.20

FORM 2 - EXHIBIT B
ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 09-10208 -BP1
Case Name: BURKS, JOANN

Trustee Name: Stephen J. Zayler
Bank Name: BANK OF AMERICA
Account Number / CD #: *****2320 Money Market Account (Interest Earn

Taxpayer ID No: *****1189
For Period Ending: 08/29/11

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 (\$)
10/14/10	8	817 Greenview Drive Grand Prairie, TX 75050 SCOTT W. WERT FOSTER & SEAR, L.L.P. 817 GREENVIEW DRIVE GRAND PRAIRIE, TX 75050	Incorrect Amount PARTIAL SETTLEMENT PROCEEDS	1149-000	746.51		30,947.15
10/29/10	27	BANK OF AMERICA	Interest Rate 0.030	1270-000	0.46		30,947.61
11/15/10	000102	FOSTER & SEAR, LLP 817 GREENVIEW DRIVE GRAND PRAIRIE, TX 75050	SPECIAL COUNSEL FEES & EXPENSES Per Order 10/01/10			9,330.42	21,617.19
			Fees 9,324.94	3210-000			
			Expenses 5.48	3220-000			
11/30/10	27	BANK OF AMERICA	Interest Rate 0.030	1270-000	0.66		21,617.85
12/28/10	8	FOSTER & SEAR, LLP 817 Greenview Dr. Grand Prairie, Texas 75050	PARTIAL SETTLEMENT PROCEEDS	1149-000	4,882.50		26,500.35
12/31/10	27	BANK OF AMERICA	Interest Rate 0.030	1270-000	0.55		26,500.90
01/04/11	000103	FOSTER & SEAR, LLP 817 GREENVIEW DRIVE GRAND PRAIRIE, TX 75050	SPECIAL COUNSEL FEES & EXPENSES Per Order 12/13/2010	3210-000		1,953.00	24,547.90
01/31/11	27	BANK OF AMERICA	Interest Rate 0.030	1270-000	0.63		24,548.53
02/28/11	27	BANK OF AMERICA	Interest Rate 0.010	1270-000	0.19		24,548.72
03/31/11	27	BANK OF AMERICA	Interest Rate 0.010	1270-000	0.21		24,548.93
04/29/11	27	BANK OF AMERICA	Interest Rate 0.010	1270-000	0.20		24,549.13
05/31/11	27	BANK OF AMERICA	Interest Rate 0.010	1270-000	0.22		24,549.35
06/15/11	8	FOSTER & SEAR, LLP 817 GREENVIEW DRIVE GRAND PRAIRIE, TX 75050	LAWSUIT PROCEEDS	1149-000	1,833.47		26,382.82
06/15/11	8	FOSTER & SEAR, LLP	LAWSUIT PROCEEDS	1149-000	15,424.75		41,807.57

Page Subtotals 22,890.35 11,283.42

FORM 2 - EXHIBIT B
ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 09-10208 -BP1
Case Name: BURKS, JOANN

Taxpayer ID No: *****1189
For Period Ending: 08/29/11

Trustee Name: Stephen J. Zayler
Bank Name: BANK OF AMERICA
Account Number / CD #: *****2320 Money Market Account (Interest Earn

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 (\$)
06/15/11	000104	817 GREENVIEW DRIVE GRAND PRAIRIE, TX 75050 FOSTER & SEAR, LLP 817 GREENVIEW DRIVE GRAND PRAIRIE, TX 75050	SPECIAL COUNSEL FEES & EXPENSES Per Order 06-01-2011	3210-000		6,903.29	34,904.28
06/30/11	27	BANK OF AMERICA	Interest Rate 0.010	1270-000	0.24		34,904.52
07/29/11	27	BANK OF AMERICA	Interest Rate 0.010	1270-000	0.29		34,904.81
08/22/11	000105	STEPHEN J. ZAYLER ATTORNEY AT LAW P. O. BOX 150743 LUFKIN, TX 75915	ATTORNEY FEES & EXPENSES Per Order 08/22/2011			2,633.33	32,271.48
			Fees 2,175.00	3110-000			
			Expenses 458.33	3120-000			

COLUMN TOTALS	58,207.72	25,936.24	32,271.48
Less: Bank Transfers/CD's	0.00	0.00	
Subtotal	58,207.72	25,936.24	
Less: Payments to Debtors		0.00	
Net	58,207.72	25,936.24	
TOTAL - ALL ACCOUNTS	NET DEPOSITS	NET DISBURSEMENTS	ACCOUNT BALANCE
Money Market Account (Interest Earn - *****2320)	58,207.72	25,936.24	32,271.48
	58,207.72	25,936.24	32,271.48
(Excludes Account Transfers)	(Excludes Payments To Debtors)	Total Funds On Hand	

FORM 2 - EXHIBIT B
ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 09-10208 -BP1
Case Name: BURKS, JOANN

Trustee Name: Stephen J. Zayler
Bank Name: BANK OF AMERICA
Account Number / CD #: *****2320 Money Market Account (Interest Earn

Taxpayer ID No: *****1189
For Period Ending: 08/29/11

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 (\$)

Page Subtotals 0.00 0.00

EXHIBIT C
ANALYSIS OF CLAIMS REGISTER

Case Number: 09-10208 Page 1
 Debtor Name: BURKS, JOANN Date: August 29, 2011
Claim Class Sequence

Code #	Creditor Name & Address	Claim Class	Notes	Amount Allowed	Paid to Date	Claim Balance
025 SAF	FOSTER & SEAR, LLP 817 GREENVIEW DRIVE GRAND PRAIRIE, TX 75050	Administrative		\$23,302.91	\$23,302.91	\$0.00
025 TAF	STEPHEN J. ZAYLER ATTORNEY AT LAW P. O. BOX 150743 LUFKIN, TX 75915	Administrative		\$2,633.33	\$2,633.33	\$0.00
000001 070 UC	DISCOVER BANK DFS Services LLC PO Box 3025 New Albany, Ohio 43054-3025	Unsecured		\$6,981.80	\$0.00	\$6,981.80
000002 070 UC	CHASE BANK USA PO BOX 15145 WILMINGTON, DE 19850	Unsecured		\$8,498.61	\$0.00	\$8,498.61
000003 070 UC	CHASE BANK USA PO BOX 15145 WILMINGTON, DE 19850	Unsecured		\$9,681.11	\$0.00	\$9,681.11
000004 070 UC	Recovery Management Systems Corporation For GE Money Bank dba JCPENNEY CREDIT SERVICES 25 SE 2nd Ave Ste 1120 Miami FL 33131	Unsecured		\$588.09	\$0.00	\$588.09
Case Totals:				\$51,685.85	\$25,936.24	\$25,749.61

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

TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 09-10208 BP1

Case Name: BURKS, JOANN

Trustee Name: Stephen J. Zayler

Balance on hand \$

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	Total Requested	Interim Payments to Date	Proposed Payment
Trustee Fees: Stephen J. Zayler	\$	\$	\$
Trustee Expenses: Stephen J. Zayler	\$	\$	\$
Attorney for Trustee Fees: FOSTER & SEAR, LLP	\$	\$	\$
Attorney for Trustee Expenses: FOSTER & SEAR, LLP	\$	\$	\$
Other: STEPHEN J. ZAYLER	\$	\$	\$
Other: STEPHEN J. ZAYLER	\$	\$	\$

Total to be paid for chapter 7 administrative expenses \$ _____

Remaining Balance \$ _____

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

Allowed priority claims are:

NONE

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, plus interest (if applicable).

Timely allowed general (unsecured) claims are as follows:

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
000001	DISCOVER BANK DFS Services LLC PO Box 3025 New Albany, Ohio 43054-3025	\$ _____	\$ _____	\$ _____
000002	CHASE BANK USA PO BOX 15145 WILMINGTON, DE 19850	\$ _____	\$ _____	\$ _____
000003	CHASE BANK USA PO BOX 15145 WILMINGTON, DE 19850	\$ _____	\$ _____	\$ _____
000004	Recovery Management Systems Corporation For GE Money Bank dba JCPENNEY CREDIT SERVICES 25 SE 2nd Ave Ste 1120 Miami FL 33131	\$ _____	\$ _____	\$ _____

Total to be paid to timely general unsecured creditors \$ _____

Remaining Balance \$ _____

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:

NONE

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:

NONE