

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF  
DIVISION

In re:	§	
	§	
HOLMES, PAUL KENNETH	§	Case No. 09-42653
HOLMES, LISA BIRD	§	
	§	
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 3<sup>rd</sup> Parties
- Exemptions paid to the debtor
- Other payments to the debtor

Leaving a balance on hand of<sup>1</sup>      \$

The remaining funds are available for distribution.

---

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

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

6. The deadline for filing non-governmental claims in this case was \_\_\_\_\_ 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 \$ \_\_\_\_\_<sup>2</sup>. 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/Mark A. Weisbart  
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.

---

<sup>2</sup> 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**  
**INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT**  
**ASSET CASES**

Case No: 09-42653 BTR Judge: BRENDA T. RHOADES  
Case Name: HOLMES, PAUL KENNETH  
HOLMES, LISA BIRD  
For Period Ending: 12/30/10

Trustee Name: Mark A. Weisbart  
Date Filed (f) or Converted (c): 08/22/09 (f)  
341(a) Meeting Date: 09/25/09  
Claims Bar Date: 02/16/10

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. Home at 6009 Hidden Pine Lane, McKinney, Collin Co Debtor Claimed Exemption	140,000.00	0.00	DA	0.00	FA
2. 17635 Olympic Park, Humble TX - Rental Property	93,000.00	0.00	DA	0.00	FA
3. 17639 Olympic Park, Humble TX - Rental Property	93,000.00	0.00	DA	0.00	FA
4. CASH Debtor Claimed Exemption	20.00	0.00	DA	0.00	FA
5. AmeriTrade Account	0.00	0.00	DA	0.00	FA
6. Bank of America Health Savings Account Debtor Claimed Exemption	400.00	0.00	DA	0.00	FA
7. Checking Account at Bank of America Debtor Claimed Exemption	3,493.00	0.00	DA	0.00	FA
8. Checking Account at Bank of America	0.00	0.00	DA	0.00	FA
9. Money Market Account at ING Debtor Claimed Exemption	560.00	0.00	DA	0.00	FA
10. HOUSEHOLD GOODS Debtor Claimed Exemption	5,685.00	0.00	DA	0.00	FA
11. Books Pictures Debtor Claimed Exemption	300.00	0.00	DA	0.00	FA
12. WEARING APPAREL Debtor Claimed Exemption	450.00	0.00	DA	0.00	FA
13. Jewelry Debtor Claimed Exemption	450.00	0.00	DA	0.00	FA
14. Life Insurance Debtor Claimed Exemption	0.00	0.00	DA	0.00	FA
15. Life Insurance Debtor Claimed Exemption	13,922.00	0.00	DA	0.00	FA

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

Case No: 09-42653 BTR Judge: BRENDA T. RHOADES  
Case Name: HOLMES, PAUL KENNETH  
HOLMES, LISA BIRD

Trustee Name: Mark A. Weisbart  
Date Filed (f) or Converted (c): 08/22/09 (f)  
341(a) Meeting Date: 09/25/09  
Claims Bar Date: 02/16/10

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
16. 401K - Hearst Corporation Debtor Claimed Exemption	23,450.00	0.00	DA	0.00	FA
17. 401K - NCA Services Debtor Claimed Exemption	14,794.00	0.00	DA	0.00	FA
18. IRA - Lisa Debtor Claimed Exemption	2,260.00	0.00	DA	0.00	FA
19. Roth IRA - Lisa Debtor Claimed Exemption	8,819.00	0.00	DA	0.00	FA
20. Roth IRA - Lisa Debtor Claimed Exemption	2,368.00	0.00	DA	0.00	FA
21. Roth IRS - Ken Debtor Claimed Exemption	8,100.00	0.00	DA	0.00	FA
22. Freedom Enterprises, LP & NCA Services, LLC Debtor Claimed Exemption	26,963.00	0.00	DA	0.00	FA
23. Leak Tech, LLP Debtor Claimed Exemption	20,233.00	4,388.00		4,388.00	FA
24. MTA	0.00	0.00	DA	0.00	FA
25. 2001 Acura TL Debtor Claimed Exemption	4,250.00	0.00	DA	0.00	FA
26. 2005 Honda Odyssey Debtor Claimed Exemption	8,575.00	0.00	DA	0.00	FA
27. Dell Desktop Computer Debtor Claimed Exemption	150.00	0.00	DA	0.00	FA
28. Post Petition Rental Proceeds 17639 Olympic Park (u)	0.00	12,500.00		12,500.00	FA
29. Post Petition Rental Proceeds 17635 Olympic Park (u)	0.00	0.00	DA	0.00	FA
INT. Post-Petition Interest Deposits (u)	Unknown	N/A		13.96	Unknown

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

Case No: 09-42653 BTR Judge: BRENDA T. RHOADES  
Case Name: HOLMES, PAUL KENNETH  
HOLMES, LISA BIRD

Trustee Name: Mark A. Weisbart  
Date Filed (f) or Converted (c): 08/22/09 (f)  
341(a) Meeting Date: 09/25/09  
Claims Bar Date: 02/16/10

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

TOTALS (Excluding Unknown Values)	\$471,242.00	\$16,888.00		\$16,901.96	Gross Value of Remaining Assets \$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:

Initial Projected Date of Final Report (TFR): 12/31/10      Current Projected Date of Final Report (TFR): 12/31/11

**FORM 2**

**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Case No: 09-42653 -BTR  
 Case Name: HOLMES, PAUL KENNETH  
 HOLMES, LISA BIRD  
 Taxpayer ID No: \*\*\*\*\*2355  
 For Period Ending: 12/30/10

Trustee Name: Mark A. Weisbart  
 Bank Name: Union Bank of California  
 Account Number / CD #: \*\*\*\*\*7690 Money Market Account

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
09/28/09	28	Tammy Dockett-Wilson	September Rent	1222-000	1,250.00		1,250.00
09/28/09	28	Tammi Dockett-Wilson	October Rent	1222-000	1,250.00		2,500.00
09/30/09	INT	Union Bank of California	INTEREST REC'D FROM BANK	1270-000	0.01		2,500.01
10/30/09	INT	Union Bank of California	Interest Rate 0.150	1270-000	0.30		2,500.31
11/16/09	28	Tammi Dockett-Wilson	November Rent	1222-000	1,250.00		3,750.31
11/30/09	INT	Union Bank of California	Interest Rate 0.150	1270-000	0.38		3,750.69
12/31/09	INT	Union Bank of California	INTEREST REC'D FROM BANK	1270-000	0.47		3,751.16
01/11/10	28	Tammi Dockett-Wilson	December Rent	1222-000	1,250.00		5,001.16
01/11/10	28	Tammi Dockett-Wilson	January Rent	1222-000	1,250.00		6,251.16
01/11/10	23	Leak Tech	Purchase of Leak Tech	1129-000	4,388.00		10,639.16
01/29/10	INT	Union Bank of California	Interest Rate 0.100	1270-000	0.58		10,639.74
02/19/10	28	Tammi Dockett-Wilson	February Rent	1222-000	1,250.00		11,889.74
02/26/10	INT	Union Bank of California	Interest Rate 0.100	1270-000	0.82		11,890.56
03/31/10	INT	Union Bank of California	Interest Rate 0.100	1270-000	1.06		11,891.62
04/12/10	28	Tammi Dockett-Wilson	April Rent	1222-000	1,250.00		13,141.62
04/30/10	INT	Union Bank of California	Interest Rate 0.100	1270-000	1.03		13,142.65
05/07/10	28	Tammi Dockett-Wilson	May Rent	1222-000	1,250.00		14,392.65
05/28/10	INT	Union Bank of California	Interest Rate 0.100	1270-000	1.06		14,393.71
06/04/10	28	Tammi Dockett-Wilson	June Rent	1222-000	1,250.00		15,643.71
06/30/10	INT	Union Bank of California	Interest Rate 0.100	1270-000	1.36		15,645.07
07/09/10	28	Tammi Dockett-Wilson	July Rent - Final	1222-000	1,250.00		16,895.07
07/30/10	INT	Union Bank of California	Interest Rate 0.100	1270-000	1.33		16,896.40
08/31/10	INT	Union Bank of California	Interest Rate 0.100	1270-000	1.47		16,897.87
09/30/10	INT	Union Bank of California	Interest Rate 0.100	1270-000	1.38		16,899.25
10/29/10	INT	Union Bank of California	Interest Rate 0.100	1270-000	1.33		16,900.58
11/30/10	INT	Union Bank of California	Interest Rate 0.050	1270-000	0.78		16,901.36
12/27/10	INT	Union Bank of California	INTEREST REC'D FROM BANK	1270-000	0.60		16,901.96

Page Subtotals 16,901.96 0.00

**FORM 2**

**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Case No: 09-42653 -BTR  
 Case Name: HOLMES, PAUL KENNETH  
 HOLMES, LISA BIRD  
 Taxpayer ID No: \*\*\*\*\*2355  
 For Period Ending: 12/30/10

Trustee Name: Mark A. Weisbart  
 Bank Name: Union Bank of California  
 Account Number / CD #: \*\*\*\*\*7690 Money Market Account

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 (\$)
12/27/10		Transfer to Acct #*****9860	Final Posting Transfer	9999-000		16,901.96	0.00

COLUMN TOTALS	16,901.96	16,901.96	0.00
Less: Bank Transfers/CD's	0.00	16,901.96	
Subtotal	16,901.96	0.00	
Less: Payments to Debtors		0.00	
Net	16,901.96	0.00	

Page Subtotals                      0.00                      16,901.96

FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 09-42653 -BTR  
 Case Name: HOLMES, PAUL KENNETH  
 HOLMES, LISA BIRD  
 Taxpayer ID No: \*\*\*\*\*2355  
 For Period Ending: 12/30/10

Trustee Name: Mark A. Weisbart  
 Bank Name: Union Bank of California  
 Account Number / CD #: \*\*\*\*\*9860 Checking Account

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 (\$)
12/27/10		Transfer from Acct #*****7690	BALANCE FORWARD Transfer In From MMA Account	9999-000	16,901.96		0.00 16,901.96

COLUMN TOTALS	16,901.96	0.00	16,901.96
Less: Bank Transfers/CD's	16,901.96	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
Money Market Account - *****7690	16,901.96	0.00	0.00
Checking Account - *****9860	0.00	0.00	16,901.96
	16,901.96	0.00	16,901.96
(Excludes Account Transfers)		(Excludes Payments To Debtors)	Total Funds On Hand

Page Subtotals 16,901.96 0.00

EXHIBIT C  
ANALYSIS OF CLAIMS REGISTER

Case Number: 09-42653 Page 1  
 Debtor Name: HOLMES, PAUL KENNETH Date: December 30, 2010  
Claim Class Sequence

Code #	Creditor Name & Address	Claim Class	Notes	Amount Allowed	Paid to Date	Claim Balance
001 3110-00	MARK A. WEISBART 12770 Coit Road Dallas, TX 75251	Administrative		\$3,147.00	\$0.00	\$3,147.00
001 3120-00	MARK A. WEISBART 12770 Coit Road Dallas, TX 75251	Administrative		\$65.70	\$0.00	\$65.70
0000001 070 7100-00	DISCOVER BANK DFS Services LLC PO Box 3025 New Albany, Ohio 43054-3025	Unsecured		\$3,385.29	\$0.00	\$3,385.29
0000002A 070 7100-00	POM College Station, LLC CBL & Associates Mgmt. Agent CBL Center, suite 500 2030 Hamilton Place Blvd. Chattanooga, TN 37221-6000	Unsecured		\$0.00	\$0.00	\$0.00
0000002B 070 7100-00	POM College Station, LLC CBL & Associates Mgmt. Agent CBL Center, suite 500 2030 Hamilton Place Blvd. Chattanooga, TN 37221-6000	Unsecured		\$0.00	\$0.00	\$0.00
0000003 070 7100-00	POM College Station, LLC CBL & Associates Mgmt. Agent CBL Center, suite 500 2030 Hamilton Place Blvd. Chattanooga, TN 37221-6000	Unsecured		\$36,000.00	\$0.00	\$36,000.00
Case Totals:				\$42,597.99	\$0.00	\$42,597.99

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

**TRUSTEE'S PROPOSED DISTRIBUTION**

Exhibit D

Case No.: 09-42653

Case Name: HOLMES, PAUL KENNETH

HOLMES, LISA BIRD

Trustee Name: Mark A. Weisbart

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: Mark A. Weisbart	\$	\$	\$
Trustee Expenses: Mark A. Weisbart	\$	\$	\$
Attorney for Trustee Fees: MARK A. WEISBART	\$	\$	\$
Attorney for Trustee Expenses: MARK A. WEISBART	\$	\$	\$

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
0000001	DISCOVER BANK	\$ _____	\$ _____	\$ _____
0000003	POM College Station, LLC	\$ _____	\$ _____	\$ _____

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