

UNITED STATES BANKRUPTCY COURT
DISTRICT OF
DIVISION

| | | |
|----------------------|---|-------------------|
| In re: | § | |
| | § | |
| SPENK, FRANK ANTHONY | § | Case No. 09-42880 |
| SPENK, SANTINA D | § | |
| | § | |
| 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 \$ _____.

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.

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
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT
ASSET CASES**

Case No: 09-42880 BTR Judge: BRENDA T. RHOADES
Case Name: SPENK, FRANK ANTHONY
SPENK, SANTINA D
For Period Ending: 12/16/10

Trustee Name: Mark A. Weisbart
Date Filed (f) or Converted (c): 09/14/09 (f)
341(a) Meeting Date: 10/16/09
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. 8340 Barber Oak Dr. Plano, TX 75025 | 397,797.00 | 0.00 | DA | 0.00 | FA |
| 2. Cash Location: In debtor's possession | 74.00 | 0.00 | DA | 0.00 | FA |
| 3. Checking Account Compass Bank Location: In debtor' | 92.31 | 0.00 | DA | 0.00 | FA |
| 4. Money Market Compass Bank Location: In debtor's po | 0.19 | 0.00 | DA | 0.00 | FA |
| 5. Household Furnishings | 5,650.00 | 0.00 | DA | 0.00 | FA |
| 6. Clothing | 800.00 | 0.00 | DA | 0.00 | FA |
| 7. Jewelry | 1,000.00 | 0.00 | DA | 0.00 | FA |
| 8. Firearms 2 rifles Location: In debtor's possession | 300.00 | 0.00 | DA | 0.00 | FA |
| 9. Sporting Equipment golf clubs, bowling balls, soft | 500.00 | 0.00 | DA | 0.00 | FA |
| 10. Life Insurance Policy State Farm Life Location: In | 21,127.54 | 0.00 | DA | 0.00 | FA |
| 11. Annuity Pacific Life Location: In debtor's possess | 51,976.00 | 0.00 | DA | 0.00 | FA |
| 12. IRA Roth - \$10,181 SEP - \$92,040 | 152,498.00 | 0.00 | DA | 0.00 | FA |
| 13. Business Interest 50% ownership in PS Colt, LLC In | 0.00 | 0.00 | DA | 0.00 | FA |
| 14. 2008 Mitsubishi Eclipse mileage 9,205 Location: In | 23,500.00 | 0.00 | DA | 0.00 | FA |
| 15. 2009 Chevy Tahoe mileage 3,644 Location: In debtor | 32,500.00 | 0.00 | DA | 0.00 | FA |
| 16. Settlement Agreement (u) | 0.00 | 40,000.00 | | 40,000.00 | FA |
| INT. Post-Petition Interest Deposits (u) | Unknown | N/A | | 21.67 | Unknown |

| | | | | | |
|-----------------------------------|--------------|-------------|--|-------------|--|
| TOTALS (Excluding Unknown Values) | \$687,815.04 | \$40,000.00 | | \$40,021.67 | 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): 12/31/11

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

FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 09-42880 -BTR
 Case Name: SPENK, FRANK ANTHONY
 SPENK, SANTINA D
 Taxpayer ID No: *****3397
 For Period Ending: 12/16/10

Trustee Name: Mark A. Weisbart
 Bank Name: Union Bank of California
 Account Number / CD #: *****8680 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 |
| 04/16/10 | 16 | Frank Spenk | Settlement Payment - Initial | 1249-000 | 25,000.00 | | 25,000.00 |
| 04/30/10 | INT | Union Bank of California | Interest Rate 0.100 | 1270-000 | 0.75 | | 25,000.75 |
| 05/12/10 | 16 | Frank Spenk | Settlement Payment - May | 1249-000 | 5,000.00 | | 30,000.75 |
| 05/28/10 | INT | Union Bank of California | Interest Rate 0.100 | 1270-000 | 2.11 | | 30,002.86 |
| 06/09/10 | 16 | Frank Spenk | Settlement Payment - June | 1249-000 | 5,000.00 | | 35,002.86 |
| 06/30/10 | INT | Union Bank of California | Interest Rate 0.100 | 1270-000 | 2.97 | | 35,005.83 |
| 07/09/10 | 16 | Frank Spenk | Settlement Payment - Final | 1249-000 | 5,000.00 | | 40,005.83 |
| 07/30/10 | INT | Union Bank of California | Interest Rate 0.100 | 1270-000 | 3.27 | | 40,009.10 |
| 08/31/10 | INT | Union Bank of California | Interest Rate 0.100 | 1270-000 | 3.49 | | 40,012.59 |
| 09/30/10 | INT | Union Bank of California | Interest Rate 0.100 | 1270-000 | 3.27 | | 40,015.86 |
| 10/29/10 | INT | Union Bank of California | Interest Rate 0.100 | 1270-000 | 3.16 | | 40,019.02 |
| 11/30/10 | INT | Union Bank of California | Interest Rate 0.050 | 1270-000 | 1.84 | | 40,020.86 |
| 12/16/10 | INT | Union Bank of California | INTEREST REC'D FROM BANK | 1270-000 | 0.81 | | 40,021.67 |
| 12/16/10 | | Transfer to Acct #*****9753 | Final Posting Transfer | 9999-000 | | 40,021.67 | 0.00 |

| | | | |
|---------------------------|-----------|-----------|------|
| COLUMN TOTALS | 40,021.67 | 40,021.67 | 0.00 |
| Less: Bank Transfers/CD's | 0.00 | 40,021.67 | |
| Subtotal | 40,021.67 | 0.00 | |
| Less: Payments to Debtors | | 0.00 | |
| Net | 40,021.67 | 0.00 | |

FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 09-42880 -BTR
 Case Name: SPENK, FRANK ANTHONY
 SPENK, SANTINA D
 Taxpayer ID No: *****3397
 For Period Ending: 12/16/10

Trustee Name: Mark A. Weisbart
 Bank Name: Union Bank of California
 Account Number / CD #: *****9753 Checking Account (Non-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 (\$) |
| 12/16/10 | | Transfer from Acct #*****8680 | BALANCE FORWARD Transfer In From MMA Account | 9999-000 | 40,021.67 | | 0.00 40,021.67 |

| | | | |
|---------------------------|-----------|------|-----------|
| COLUMN TOTALS | 40,021.67 | 0.00 | 40,021.67 |
| Less: Bank Transfers/CD's | 40,021.67 | 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 - *****8680 | 40,021.67 | 0.00 | 0.00 |
| Checking Account (Non-Interest Earn - *****9753 | 0.00 | 0.00 | 40,021.67 |
| | 40,021.67 | 0.00 | 40,021.67 |
| | (Excludes Account Transfers) | (Excludes Payments To Debtors) | Total Funds On Hand |

Page Subtotals 40,021.67 0.00

EXHIBIT C
ANALYSIS OF CLAIMS REGISTER

Case Number: 09-42880 Page 1
 Debtor Name: SPENK, FRANK ANTHONY Date: December 16, 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 | | \$8,969.00 | \$0.00 | \$8,969.00 |
| 001 3120-00 | MARK A. WEISBART 12770 Coit Road Dallas, TX 75251 | Administrative | | \$295.60 | \$0.00 | \$295.60 |
| 000001 070 7100-00 | Wachovia Bank, National Association c/o Marsha L. Dekan SettlePou 3333 Lee Parkway, Eighth Floor Dallas, Texas 75219 | Unsecured | | \$764,832.44 | \$0.00 | \$764,832.44 |
| 000002 070 7100-00 | Benchmark Bank c/o Joe Weis, Attorney PO Box 765 Greenville, TX 75403-0765 | Unsecured | | \$109,032.37 | \$0.00 | \$109,032.37 |
| 000003 070 7100-00 | Benchmark Bank c/o Joe Weis, Attorney PO Box 765 Greenville, TX 75403-0765 | Unsecured | | \$34,553.10 | \$0.00 | \$34,553.10 |
| 000004 070 7100-00 | First National Bank of Trenton c/o William Riley Nix 717 N. Crockett St. Sherman, TX 75090-4979 | Unsecured | | \$82,604.77 | \$0.00 | \$82,604.77 |
| Case Totals: | | | | \$1,000,287.28 | \$0.00 | \$1,000,287.28 |

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

TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 09-42880

Case Name: SPENK, FRANK ANTHONY

SPENK, SANTINA D

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 |
|-----------|-------------------------------------|-------------------------|--------------------------|------------------|
| 000001 | Wachovia Bank, National Association | \$ _____ | \$ _____ | \$ _____ |
| 000002 | Benchmark Bank | \$ _____ | \$ _____ | \$ _____ |
| 000003 | Benchmark Bank | \$ _____ | \$ _____ | \$ _____ |
| 000004 | First National Bank of Trenton | \$ _____ | \$ _____ | \$ _____ |

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