

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF  
DIVISION

In re: §  
CALAGNA, MIKE § Case No. 09-43541 BTR  
Debtor(s) §

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**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  
Bank service fees  
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.

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<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.

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<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: 09-43541 BTR Judge: BRENDA T. RHOADES  
Case Name: CALAGNA, MIKE

Trustee Name: Mark A. Weisbart  
Date Filed (f) or Converted (c): 11/03/09 (f)  
341(a) Meeting Date: 12/04/09  
Claims Bar Date: 03/17/10

For Period Ending: 12/02/13

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 Formally Abandoned OA=554(a) Abandon	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1. 903 Creekline Way	650,000.00	0.00		0.00	FA
2. 110 Diamond Point Drive, Maybank Texas	0.00	0.00		0.00	FA
3. 6071 CR 161, McKinney, Texas	650,000.00	275,100.00		275,100.00	FA
4. Compass Bank	0.00	0.00		0.00	FA
5. Chase Bank	0.00	0.00		0.00	FA
6. Household Goods	12,000.00	0.00		0.00	FA
7. books pictures	1,000.00	0.00		0.00	FA
8. clothes	500.00	0.00		0.00	FA
9. watch	1,000.00	0.00		0.00	FA
10. rifle, shotgun	800.00	0.00		0.00	FA
11. 4019k)	320,000.00	0.00		0.00	FA
12. Select Floors, Ltd. (bankrupt)	0.00	0.00		0.00	FA
13. Select Blinds, Ltd. 50% out of busienss	0.00	0.00		0.00	FA
14. College Investments, Inc. 100%	0.00	0.00		0.00	FA
15. 2008 Suburban	20,000.00	0.00		0.00	FA
16. 2008 mercedes Benz	44,000.00	0.00		0.00	FA
17. 2008 Eliminator Boat	100,000.00	79,140.00		79,140.00	FA
18. 26 foot Playcraft	20,000.00	13,700.00		13,700.00	FA
19. 2 head cattle	1,000.00	0.00		0.00	FA
20. 1997 bobcat	5,000.00	0.00		0.00	FA
21. 2004 Tax Refund (u)	0.00	0.00		0.00	FA
22. 2009 Tax Refund (u)	0.00	13,809.62		13,809.62	FA
23. 227 Acres in Red River County (u) Farm Road 412 Clarksville TX 75426	0.00	245,000.00		245,000.00	FA
INT. Post-Petition Interest Deposits (u)	Unknown	N/A		54.43	Unknown

**FORM 1**  
**INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT**  
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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 Formally Abandoned OA=554(a) Abandon	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets

TOTALS (Excluding Unknown Values)	\$1,825,300.00	\$626,749.62		\$626,804.05	Gross Value of Remaining Assets \$0.00 (Total Dollar Amount in Column 6)
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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): 12/31/13

**FORM 2**  
**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Case No: 09-43541 -BTR  
Case Name: CALAGNA, MIKE

Trustee Name: Mark A. Weisbart  
Bank Name: First National Bank of Vinita  
Account Number / CD #: \*\*\*\*\*1297 Checking Account

Taxpayer ID No: \*\*\*\*\*1662  
For Period Ending: 12/02/13

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
08/08/12		Trsf In From Union Bank of Californ	INITIAL WIRE TRANSFER IN	9999-000	125,823.80		125,823.80
03/27/13	23	Gooding Title Company	Sale of Red River Property		91,092.75		216,916.55
			Memo Amount: 245,000.00	1210-000			
			Gross Sale Price				
			Memo Amount: ( 136,302.58 )	4110-000			
			Secured Creditor-1st Mortgage				
			Memo Amount: ( 711.67 )	2820-000			
			Taxes				
			Memo Amount: ( 14,700.00 )	3510-000			
			Realtor Commission				
			Memo Amount: ( 2,193.00 )	2500-000			
			Closing Costs				
04/24/13	010001	Bill Brasch Certified Public Accountant 800 W Airport Frwy, Suite 918 Irving, TX 75062	Secured Claim (Turner accounting fees per order of 04/23/13)	4110-000		575.00	216,341.55
04/24/13	010002	Bill F. Payne 12770 Coit Road, Suite 541 Dallas, TX 75251	Secured Claim (Turner legal fees/expenses per order of 04/23/13)	4110-000		2,578.20	213,763.35
08/15/13	010003	Faye Greiner Donnie Greiner	Secured Claim	4110-000		7,000.00	206,763.35

Page Subtotals                      216,916.55                      10,153.20

**FORM 2**

**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Case No: 09-43541 -BTR  
Case Name: CALAGNA, MIKE

Trustee Name: Mark A. Weisbart  
Bank Name: First National Bank of Vinita  
Account Number / CD #: \*\*\*\*\*1297 Checking Account

Taxpayer ID No: \*\*\*\*\*1662  
For Period Ending: 12/02/13

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 (\$)
		Memo Allocation Receipts:	245,000.00				
		Memo Allocation Disbursements:	153,907.25				
		Memo Allocation Net:	91,092.75				
				COLUMN TOTALS	216,916.55	10,153.20	206,763.35
				Less: Bank Transfers/CD's	125,823.80	0.00	
				Subtotal	91,092.75	10,153.20	
				Less: Payments to Debtors		0.00	
				Net	91,092.75	10,153.20	

Page Subtotals 0.00 0.00

FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 09-43541 -BTR  
Case Name: CALAGNA, MIKE

Trustee Name: Mark A. Weisbart  
Bank Name: Union Bank of California  
Account Number / CD #: \*\*\*\*\*8581 Checking Account

Taxpayer ID No: \*\*\*\*\*1662  
For Period Ending: 12/02/13

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
03/22/10	17	Legend Marine Group	Sale of 2008 Eliminator Boat	1129-000	79,140.00		79,140.00
03/22/10	000101	Legend Marine Group 1835 Forms Drive, Suite 100 Carrollton, TX 75006	Broker Fees	3610-000		6,800.00	72,340.00
03/31/10	INT	Union Bank of California	Interest Rate 0.150	1270-000	2.40		72,342.40
04/30/10	INT	Union Bank of California	Interest Rate 0.100	1270-000	5.94		72,348.34
05/28/10	INT	Union Bank of California	Interest Rate 0.100	1270-000	5.54		72,353.88
06/30/10	INT	Union Bank of California	Interest Rate 0.100	1270-000	6.53		72,360.41
07/30/10	INT	Union Bank of California	Interest Rate 0.100	1270-000	6.24		72,366.65
08/31/10	INT	Union Bank of California	Interest Rate 0.100	1270-000	6.34		72,372.99
09/28/10	18	Allegro, Inc.	Sale of Playcraft Boat	1129-000	5,000.00		77,372.99
09/28/10	18	Allegro, Inc.	Sale of Playcraft Boat	1129-000	8,700.00		86,072.99
09/30/10	INT	Union Bank of California	Interest Rate 0.100	1270-000	5.98		86,078.97
10/29/10	INT	Union Bank of California	Interest Rate 0.100	1270-000	6.82		86,085.79
11/30/10	INT	Union Bank of California	Interest Rate 0.050	1270-000	3.98		86,089.77
12/08/10	000102	Mulloy & Co 530 East Corporate Drive, Suite 100 Lewisville, TX 75057	Accountant Fees	3410-000		660.00	85,429.77
12/08/10	000103	Mulloy & Co 530 East Corporate Drive, Suite 100 Lewisville, TX 75057	Accountant Expenses	3420-000		100.00	85,329.77
12/31/10	INT	Union Bank of California	Interest Rate 0.050	1270-000	3.61		85,333.38
01/05/11	3	McWilliams and Thompson	Option Fee - 6071 CR 161	1110-000	100.00		85,433.38
01/31/11	INT	Union Bank of California	Interest Rate 0.000	1270-000	1.05		85,434.43
02/24/11		United States Treasury	2009 Tax Refund		14,912.76		100,347.19
	22		Memo Amount: 13,809.62	1224-000			
			2009 Tax Refund				
			Memo Amount: 1,103.14	1280-002			

Page Subtotals 107,907.19 7,560.00

**FORM 2**

**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Case No: 09-43541 -BTR  
Case Name: CALAGNA, MIKE

Trustee Name: Mark A. Weisbart  
Bank Name: Union Bank of California  
Account Number / CD #: \*\*\*\*\*8581 Checking Account

Taxpayer ID No: \*\*\*\*\*1662  
For Period Ending: 12/02/13

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 (\$)
03/15/11	3	McWilliams and Thompson	Funds Back to Debtor Sale of Real Property Memo Amount: 275,000.00	1110-000	27,509.00		127,856.19
			Gross Receipts Memo Amount: ( 210,346.83 )	4110-000			
			Secured Creditor Memo Amount: ( 16,541.72 )	2820-000			
			Taxes Memo Amount: ( 16,500.00 )	3510-000			
			Realtor Commission Memo Amount: ( 4,102.45 )	2500-000			
			Closing Costs				
04/05/11	000104	Mike Calagna 903 Creeklane Way McKinney, TX 75070	2009 Pro rata Tax Refund	8500-002		1,103.14	126,753.05
09/26/11		Union Bank of California	BANK SERVICE FEE	2600-000		309.75	126,443.30
10/25/11		Union Bank of California	BANK SERVICE FEE	2600-000		309.75	126,133.55
11/25/11		Union Bank of California	BANK SERVICE FEE	2600-000		309.75	125,823.80
08/08/12		Trsf To First National Bank of Vini	FINAL TRANSFER	9999-000		125,823.80	0.00

Memo Allocation Receipts: 289,912.76  
Memo Allocation Disbursements: 247,491.00  

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Memo Allocation Net: 42,421.76

COLUMN TOTALS 135,416.19 135,416.19 0.00  
Less: Bank Transfers/CD's 0.00 125,823.80  
Subtotal 135,416.19 9,592.39  
Less: Payments to Debtors 1,103.14  
Net 135,416.19 8,489.25

Total Allocation Receipts: 534,912.76  
Total Allocation Disbursements: 401,398.25  

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Total Memo Allocation Net: 133,514.51

TOTAL - ALL ACCOUNTS NET DEPOSITS NET DISBURSEMENTS ACCOUNT BALANCE  
Checking Account - \*\*\*\*\*1297 91,092.75 10,153.20 206,763.35  
Checking Account - \*\*\*\*\*8581 135,416.19 8,489.25 0.00

Page Subtotals 27,509.00 127,856.19



EXHIBIT C  
ANALYSIS OF CLAIMS REGISTER

Case Number: 09-43541  
Debtor Name: CALAGNA, MIKE

Claim Class Sequence

Code #	Creditor Name & Address	Claim Class	Notes	Amount Allowed	Paid to Date	Claim Balance
001 3610-00	Legend Marine Group 1835 Forms Drive, Suite 100 Carrollton, TX 75006	Administrative		\$6,800.00	\$6,800.00	\$0.00
001 3410-00	Mulloy & Co 530 East Corporate Drive, Suite 100 Lewisville, TX 75057	Administrative		\$660.00	\$660.00	\$0.00
001 3420-00	Mulloy & Co 530 East Corporate Drive, Suite 100 Lewisville, TX 75057	Administrative		\$100.00	\$100.00	\$0.00
001 3110-00	MARK A. WEISBART 12770 Coit Road, Suite 541 Dallas, TX 75251	Administrative		\$55,360.32	\$0.00	\$55,360.32
000007 040 5300-00	Willard C. Blake 19020 CR #3302 Brownsboro, TX 75756	Priority		\$0.00	\$0.00	\$0.00
000009 040 5300-00	Kelly B. Mai 2105 Midway Court League City, TX 77573	Priority		\$0.00	\$0.00	\$0.00
000011 040 5800-00	Woodlands R.U.D. #1 c/o Perdue, Brandon, Fielder, Collins 1235 North Loop West, Suite 600 Houston, TX 77008	Priority		\$0.00	\$0.00	\$0.00
000012 040 5800-00	Montgomery County MUD #6 c/o Perdue, Brandon, Fielder, Collins 1235 North Loop West, Suite 600 Houston, TX 77008	Priority		\$0.00	\$0.00	\$0.00
000013 040 5800-00	Collin County c/o Gay McCall Isaacks et al 777 East 15th Street Plano, TX 75074	Priority		\$0.00	\$0.00	\$0.00
999 8500-00	Mike Calagna 903 Creeklane Way McKinney, TX 75070	Unsecured		\$1,103.14	\$1,103.14	\$0.00
000001 070 7100-00	Shaw Industries Inc. Attn: Chip Beville PO Box 40 Dalton, GA 30722	Unsecured		\$1,467,936.05	\$0.00	\$1,467,936.05
000002 070 7100-00	Swift Train 2500 Agnes St Corpus Christi, TX 78405-1618	Unsecured		\$3,834.40	\$0.00	\$3,834.40

EXHIBIT C  
ANALYSIS OF CLAIMS REGISTER

Date: December 02, 2013

Case Number: 09-43541  
Debtor Name: CALAGNA, MIKE

Claim Class Sequence

Code #	Creditor Name & Address	Claim Class	Notes	Amount Allowed	Paid to Date	Claim Balance
000003 070 7100-00	AICCO, Inc. Imperial A.I. Credit Companies, Inc. 101 Hudson Street, 34th Floor Jersey City, New Jersey 07302	Unsecured		\$9,113.30	\$0.00	\$9,113.30
000004 070 7100-00	ITEX Computer Services 1600 10th St, Suite B Plano, TX 75074	Unsecured		\$9,389.51	\$0.00	\$9,389.51
000005 070 7100-00	ITEX Computer Services 1600 10th St, Suite B Plano, TX 75074	Unsecured		\$2,435.67	\$0.00	\$2,435.67
000006 070 7100-00	Building Plastics Inc. 3263 Sharp Avenue Memphis, TN 38111	Unsecured		\$35,414.84	\$0.00	\$35,414.84
000008 070 7100-00	Comerica Bank c/o Richard G. Dafoe Vincent, Lopez, Serafino & Jenevein, PC 2001 Bryan Street, Suite 2000 Dallas, TX 75201	Unsecured		\$2,580,360.20	\$0.00	\$2,580,360.20
000010 070 7100-00	American Marazzi Tile, Inc. Heather H. Jobe Bell Nunnally & Martin LLP 3232 McKinney Avenue, Suite 1400 Dallas, Texas 75204	Unsecured		\$49,450.18	\$0.00	\$49,450.18
050 4110-00	Bill Brasch Certified Public Accountant 800 W Airport Frwy, Suite 918 Irving, TX 75062	Secured		\$575.00	\$575.00	\$0.00
050 4110-00	Bill F. Payne 12770 Coit Road, Suite 541 Dallas, TX 75251	Secured		\$2,578.20	\$2,578.20	\$0.00
050 4110-00	Faye Greiner Donnie Greiner	Secured		\$7,000.00	\$7,000.00	\$0.00
Case Totals:				\$4,232,110.81	\$18,816.34	\$4,213,294.47

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

## TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 09-43541 BTR

Case Name: CALAGNA, MIKE

Trustee Name: Mark A. Weisbart

Balance on hand \$

Claims of secured creditors will be paid as follows:

Claim No.	Claimant	Claim Asserted	Allowed Amount of Claim	Interim Payment to Date	Proposed Payment
	Bill Brasch	\$	\$	\$	\$
	Bill F. Payne	\$	\$	\$	\$
	Faye Greiner	\$	\$	\$	\$

Total to be paid to secured creditors \$ \_\_\_\_\_

Remaining Balance \$ \_\_\_\_\_

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	\$	\$	\$
Accountant for Trustee Fees: Mulloy & Co	\$	\$	\$
Accountant for Trustee Expenses: Mulloy & Co	\$	\$	\$
Auctioneer Fees: Legend Marine Group	\$	\$	\$

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	Shaw Industries Inc.	\$	\$	\$
000002	Swiff Train	\$	\$	\$
000003	AICCO, Inc.	\$	\$	\$
000004	ITEX Computer Services	\$	\$	\$
000005	ITEX Computer Services	\$	\$	\$
000006	Building Plastics Inc.	\$	\$	\$
000008	Comerica Bank	\$	\$	\$

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
000010	American Marazzi Tile, Inc.	\$	\$	\$

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