

Linda S. Payne  
Chapter 7 Bankruptcy Trustee  
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UNITED STATES BANKRUPTCY COURT  
DISTRICT OF  
DIVISION

In re: §  
BERGT, RICHARD W. § Case No. 09-50063 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. 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 3<sup>rd</sup> Parties  
Payments to the debtor

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

The remaining funds are available for distribution.

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

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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.

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 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/LINDA PAYNE, TRUSTEE  
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.

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS

In Re: )  
BERGT, RICHARD W. ) 09-50063 -BTR  
EIN: 30-6231682 ) Chapter 7  
)  
)  
)  
Debtor(s). )

**TRUSTEE INTERIM REPORT**

The Trustee, hereby files his Individual Estate Property Record and Report (Form 1) for the twelve month reporting period ending 07/08/2010. This report is intended to provide parties in interest with a general accounting of the Trustee's case administration.

Column 1: Asset Description (Scheduled and Unscheduled Property): This is a listing of all the Debtor's interest in assets from the petition, schedules, and statement of financial affairs. Also listed are unscheduled assets discovered by the Trustee, income of the estate (including post-petition interest on bank accounts), and claims which the estate may possess.

Column 2: Petition/Unscheduled Values: Column 2 reflects the dollar value of each asset, as first assigned by Debtor in the filed Schedules, or by the Trustee's initial estimate of values in the case of unscheduled assets. Scheduled values are often unreliable and may change significantly throughout the course of Trustee's investigation and administration.

Column 3: Estimated Net Value(Value Determined by Trustee Less Liens, Exemptions and Other Costs: Column 3 reflects the value of each asset as determined by the Trustee minus any appropriate adjustment. This value represents the Trustee's best initial estimate of **net** sale or liquidation value of the asset. Actual liquidation value may differ as a result of market conditions at the time of sale, costs of recovery, storage, insurance and sale.

Column 4: Property Abandoned: If this column is blank it means either that (1) Trustee intends to administer the asset, (2) Trustee has not decided, or (3) Trustee has already liquidated the asset. An entry of "OA" indicates the property has or will be formally abandoned under 11 U.S.C. 554 (a). An entry of "DA" indicates that the property will be abandoned at closing of the case under 11 U.S.C. 554 (c).

Column 5: Sales/Funds Received by the Estate: Column 5 indicates the **gross** amount of proceeds received from the liquidation of each asset regardless of amounts paid out to secured creditors or for expenses.

Column 6: Asset Fully Administered/Gross Value of Remaining Assets: When an asset has been fully administered either by liquidation, formal abandonment, or the Trustee has reached a decision to abandon at closing of the estate, the entry "FA" will be listed in Column 6. For assets still being administered, column 6 reflects the Trustee's current best estimate of the **gross** value. Actual liquidation value may differ as a result of market conditions at the time of sale. Note: The difference between Columns 3 and 5 does not necessarily equal the figure in Column 6.

Other Information: Note that the Trustee has provided information about matters pending in the case and projected date for filing the Trustee's Final Report (TFR).

Dated: \_\_\_\_\_

Respectfully Submitted,

\_\_\_\_\_  
LINDA PAYNE, TRUSTEE, Chapter 7 Trustee  
12770 Coit Road  
Suite 541 Banner Place  
Dallas, TX 75251  
972-628-3695

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

Case No: 09-50063 BTR Judge: Brenda T. Rhoades  
Case Name: BERGT, RICHARD W.

Trustee Name: LINDA PAYNE, TRUSTEE  
Date Filed (f) or Converted (c): 03/28/09 (f)  
341(a) Meeting Date: 04/20/09  
Claims Bar Date: 07/22/09

For Period Ending: 07/08/10

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. 0.72 acres rural at 101 Alan St., Texarkana, TX	8,500.00	0.00	DA	0.00	FA
2. 1 lot in Harlington, Texas on Lake, Deerwood Tried to sell. No buyers	1,500.00	1,500.00	OA	0.00	FA
3. 4.3 acres rural on Buchanan Loop, Road	18,000.00	10,000.00		10,000.00	FA
4. Mobile Home	56,000.00	0.00	DA	0.00	FA
5. Cash and bank accounts	1,187.00	0.00	DA	0.00	FA
6. Household Goods	1,950.00	0.00	DA	0.00	FA
7. Clothing	330.00	0.00	DA	0.00	FA
8. Jewelry	250.00	0.00	DA	0.00	FA
9. 2008 tax refund	413.00	0.00	DA	0.00	FA
10. '06 Ford Taurus0	6,775.00	0.00	DA	0.00	FA
11. '08 Ford truck financed at Ford	28,000.00	0.00	DA	0.00	FA
12. '89 F-150	500.00	0.00	DA	0.00	FA
13. Pontoon Barge Boat	8,000.00	0.00	DA	0.00	FA

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

Case No: 09-50063 BTR Judge: Brenda T. Rhoades  
Case Name: BERGT, RICHARD W.

Trustee Name: LINDA PAYNE, TRUSTEE  
Date Filed (f) or Converted (c): 03/28/09 (f)  
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Claims Bar Date: 07/22/09

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
INT. Post-Petition Interest Deposits (u)	Unknown	N/A		1.25	Unknown

					Gross Value of Remaining Assets
TOTALS (Excluding Unknown Values)	\$131,405.00	\$11,500.00		\$10,001.25	\$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:

Object to claims and close

Initial Projected Date of Final Report (TFR): 05/01/11      Current Projected Date of Final Report (TFR): 05/01/11

FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 09-50063 -BTR  
Case Name: BERGT, RICHARD W.

Trustee Name: LINDA PAYNE, TRUSTEE  
Bank Name: Union Bank  
Account Number / CD #: \*\*\*\*\*3201 Money Market Account

Taxpayer ID No: \*\*\*\*\*1682  
For Period Ending: 07/08/10

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
C 03/22/10	3	Stewart Title of Texarkana	Sale of Real Proeprty Memo Amount: 10,000.00 Sale of Real Property Memo Amount: ( 375.00 ) Closing Costs Memo Amount: ( 516.65 ) Property Taxes	1110-000 2500-000 5800-000	9,108.35		9,108.35
C 03/31/10	INT	Union Bank	Interest Rate 0.050	1270-000	0.10		9,108.45
C 04/30/10	INT	Union Bank	Interest Rate 0.050	1270-000	0.36		9,108.81
C 05/28/10	INT	Union Bank	Interest Rate 0.050	1270-000	0.34		9,109.15
C 06/10/10	000101	BILL PAYNE 12770 Coit Road Suite 541 Banner Place Dallas, TX 75251	Attorney fees and expenses  Fees 800.00 Expenses 5.51	3210-000 3220-000		805.51	8,303.64 8,303.64 8,303.64
C 06/30/10	INT	Union Bank	Interest Rate 0.050	1270-000	0.38		8,304.02
C 07/07/10	INT	Union Bank	INTEREST REC'D FROM BANK	1270-000	0.07		8,304.09
C 07/07/10		Transfer to Acct #*****3557	Final Posting Transfer	9999-000		8,304.09	0.00

Page Subtotals 9,109.60 9,109.60

FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 09-50063 -BTR  
Case Name: BERGT, RICHARD W.

Trustee Name: LINDA PAYNE, TRUSTEE  
Bank Name: Union Bank  
Account Number / CD #: \*\*\*\*\*3201 Money Market Account

Taxpayer ID No: \*\*\*\*\*1682  
For Period Ending: 07/08/10

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:	10,000.00				
		Memo Allocation Disbursements:	891.65				
		Memo Allocation Net:	9,108.35				
			COLUMN TOTALS		9,109.60	9,109.60	0.00
			Less: Bank Transfers/CD's		0.00	8,304.09	
			Subtotal		9,109.60	805.51	
			Less: Payments to Debtors			0.00	
			Net		9,109.60	805.51	

Page Subtotals 0.00 0.00

FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 09-50063 -BTR  
Case Name: BERGT, RICHARD W.

Trustee Name: LINDA PAYNE, TRUSTEE  
Bank Name: Union Bank  
Account Number / CD #: \*\*\*\*\*3557 Checking Account

Taxpayer ID No: \*\*\*\*\*1682  
For Period Ending: 07/08/10

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
C 07/07/10		Transfer from Acct #*****3201	Transfer In From MMA Account	9999-000	8,304.09		8,304.09

Memo Allocation Receipts:	0.00	COLUMN TOTALS	8,304.09	0.00	8,304.09
Memo Allocation Disbursements:	0.00	Less: Bank Transfers/CD's	8,304.09	0.00	
		Subtotal	0.00	0.00	
Memo Allocation Net:	0.00	Less: Payments to Debtors		0.00	
		Net	0.00	0.00	

Total Allocation Receipts: 10,000.00  
Total Allocation Disbursements: 891.65  
Total Memo Allocation Net: 9,108.35

TOTAL - ALL ACCOUNTS	NET DEPOSITS	NET DISBURSEMENTS	ACCOUNT BALANCE
Money Market Account - *****3201	9,109.60	805.51	0.00
Checking Account - *****3557	0.00	0.00	8,304.09
	9,109.60	805.51	8,304.09
	(Excludes Account Transfers)	(Excludes Payments To Debtors)	Total Funds On Hand

Page Subtotals 8,304.09 0.00

EXHIBIT C  
ANALYSIS OF CLAIMS REGISTER

Case Number: 09-50063 Page 1  
 Debtor Name: BERGT, RICHARD W. Date: July 07, 2010  
Claim Class Sequence

Code #	Creditor Name & Address	Claim Class	Notes	Amount Allowed	Paid to Date	Claim Balance
001 3210-00	BILL PAYNE 12770 Coit Road Suite 541 Banner Place Dallas, TX 75251	Administrative		\$805.51	\$805.51	\$0.00
000003 070 7100-00	PYOD LLC its successors and assigns as assignee of Citibank c/o Resurgent Capital Services PO Box 19008 Greenville, SC 29602-	Unsecured		\$31,242.19	\$0.00	\$31,242.19
000001 050 4210-00	Ford Motor Credit Company LLC PO Box 537901 Livonia MI 48153-9905	Secured		\$0.00	\$0.00	\$0.00
000002A 050 4210-00	Milway Federal Credit Union 2000 Ark. Blvd Texarkana, AR 71854	Secured		\$0.00	\$0.00	\$0.00
000002B 050 4210-00	Milway Federal Credit Union 2000 Ark. Blvd Texarkana, AR 71854	Secured		\$0.00	\$0.00	\$0.00
Case Totals:				\$32,047.70	\$805.51	\$31,242.19

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

**TRUSTEE'S PROPOSED DISTRIBUTION**

Exhibit D

Case No.: 09-50063 BTR  
 Case Name: BERGT, RICHARD W.  
 Trustee Name: LINDA PAYNE, TRUSTEE

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: LINDA PAYNE, TRUSTEE</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>
	<i>PYOD LLC its successors and</i>		
<u>000003</u>	<u>assigns as assignee of</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>
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____

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>
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____

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