



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 \$ \_\_\_\_\_<sup>2</sup>.

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: 10-40243 BTR Judge: BRENDA T. RHOADES  
Case Name: KDL LIFTS & EQUIPMENT, INC.

Trustee Name: Mark A. Weisbart  
Date Filed (f) or Converted (c): 01/27/10 (f)  
341(a) Meeting Date: 02/22/10  
Claims Bar Date: 06/08/10

For Period Ending: 02/06/13

| 1   | 2                                  | 3   | 4   | 5                                       | 6   |
|---|------------------------------------|---|---|---|---|
| Asset Description<br>(Scheduled and Unscheduled (u) Property) | Petition/<br>Unscheduled<br>Values | Estimated Net Value<br>(Value Determined by Trustee,<br>Less Liens, Exemptions,<br>and Other Costs) | Property Formally<br>Abandoned<br>OA=554(a) Abandon | Sale/Funds<br>Received by<br>the Estate | Asset Fully Administered (FA)/<br>Gross Value of Remaining Assets |
| 1. Bank of America Checking account                           | 260.00                             | 0.00  |   | 0.00                                    | FA  |
| 2. Desks 2  | 2,350.00                           | 0.00  |   | 0.00                                    | FA  |
| 3. Accounts Receivable Miller Coors, LLC                      | 864.00                             | 0.00  |   | 0.00                                    | FA  |
| 4. Accounts Receivable Icon Electrical Contractors            | 186.69                             | 186.69  |   | 186.69                                  | FA  |
| 5. Accounts Receivable Davis Specialty                        | 162.00                             | 162.00  |   | 162.00                                  | FA  |
| 6. Accounts Receivable CB Richard Ellis/Cisco System          | 208.60                             | 208.60  |   | 208.60                                  | FA  |
| 7. Accounts Receivable Strong Group, Inc                      | 356.40                             | 0.00  |   | 0.00                                    | FA  |
| 8. Accounts Receivable Southside On Lamar                     | 720.90                             | 720.90  |   | 720.90                                  | FA  |
| 9. Accounts Receivable Slaughter Commercial Interiors         | 2,049.30                           | 0.00  |   | 0.00                                    | FA  |
| 10. Skyjack Scissor Lift                                      | 2,000.00                           | 1,300.00  |   | 1,300.00                                | FA  |
| 11. Snorkel Lift  | 3,000.00                           | 4,200.00  |   | 4,200.00                                | FA  |
| 12. 1993 Peterbilt Rollback                                   | 25,000.00                          | 16,200.00   |   | 16,200.00                               | FA  |
| 13. 1997 Dodge Ram 2500 Van                                   | 1,500.00                           | 1,000.00  |   | 1,000.00                                | FA  |
| 14. Klear View Forklift Manitou                               | 1,500.00                           | 1,851.00  |   | 1,851.00                                | FA  |
| 15. Caterpillar Forklift                                      | 1,000.00                           | 1,100.00  |   | 1,100.00                                | FA  |
| 16. Blue in Color 18ft with ramps, with attached tool         | 2,500.00                           | 959.00  |   | 959.00                                  | FA  |
| 17. Scissor Lift  | 2,000.00                           | 0.00  |   | 0.00                                    | FA  |
| 18. Fax paper and pens  | 0.00                               | 0.00  |   | 0.00                                    | FA  |
| 19. KDL Website (u)   | 0.00                               | 500.00  |   | 500.00                                  | FA  |
| 20. MS Wholesale Preferential Transfer (u)                    | 0.00                               | 0.00  |   | 0.00                                    | FA  |
| 21. Miscellaneous Equipment (u)                               | 0.00                               | 9,836.10  |   | 9,836.10                                | FA  |
| INT. Post-Petition Interest Deposits (u)                      | Unknown                            | N/A   |   | 24.60                                   | Unknown   |

|                                   |             |             |  |                                 |                                   |
|-----------------------------------|-------------|-------------|--|---------------------------------|-----------------------------------|
|                                   |             |             |  | Gross Value of Remaining Assets |                                   |
| TOTALS (Excluding Unknown Values) | \$45,657.89 | \$38,224.29 |  | \$38,248.89                     | \$0.00                            |
|                                   |             |             |  |                                 | (Total Dollar Amount in Column 6) |

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

Page: 2  
Exhibit A

Case No: 10-40243 BTR Judge: BRENDA T. RHOADES  
Case Name: KDL LIFTS & EQUIPMENT, INC.

Trustee Name: Mark A. Weisbart  
Date Filed (f) or Converted (c): 01/27/10 (f)  
341(a) Meeting Date: 02/22/10  
Claims Bar Date: 06/08/10

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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): 12/31/12

**FORM 2**

**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Case No: 10-40243 -BTR  
Case Name: KDL LIFTS & EQUIPMENT, INC.

Trustee Name: Mark A. Weisbart  
Bank Name: First National Bank of Vinita  
Account Number / CD #: \*\*\*\*\*1341 Checking Account

Taxpayer ID No: \*\*\*\*\*6183  
For Period Ending: 02/06/13

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 (\$) |
| 08/08/12         |                    | Trsf In From Union Bank of Califom | BALANCE FORWARD<br>INITIAL WIRE TRANSFER IN | 9999-000           | 34,204.34     |                    | 0.00<br>34,204.34         |

|                           |           |      |           |
|---------------------------|-----------|------|-----------|
| COLUMN TOTALS             | 34,204.34 | 0.00 | 34,204.34 |
| Less: Bank Transfers/CD's | 34,204.34 | 0.00 |           |
| Subtotal                  | 0.00      | 0.00 |           |
| Less: Payments to Debtors |           | 0.00 |           |
| Net                       | 0.00      | 0.00 |           |

Page Subtotals 34,204.34 0.00

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

Case No: 10-40243 -BTR  
Case Name: KDL LIFTS & EQUIPMENT, INC.

Trustee Name: Mark A. Weisbart  
Bank Name: Union Bank of California  
Account Number / CD #: \*\*\*\*\*8474 Checking Account

Taxpayer ID No: \*\*\*\*\*6183  
For Period Ending: 02/06/13

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                      |
| 03/02/10         | 8                  | South Side Plaza 455 LTD   | Accounts Receivable                                | 1121-000           | 208.98        |                    | 208.98                    |
| 03/02/10         | 8                  | South Side Plaza 455 LTD   | Accounts Receivable                                | 1121-000           | 511.92        |                    | 720.90                    |
| 03/08/10         | 6                  | CB Richard Ellis   | Accounts Receivable                                | 1121-000           | 208.60        |                    | 929.50                    |
| 03/22/10         | * NOTE *           | Rosen Systems  | Sale of Equipment                                  | 1129-000           | 36,446.10     |                    | 37,375.60                 |
|                  |                    |  | * NOTE * Properties 10, 11, 12, 13, 14, 15, 16, 21 |                    |               |                    |                           |
| 03/31/10         | INT                | Union Bank of California   | Interest Rate 0.100                                | 1270-000           | 0.84          |                    | 37,376.44                 |
| 04/19/10         | 5                  | Canlex LLC   | Accounts Receivable                                | 1121-000           | 162.00        |                    | 37,538.44                 |
| 04/30/10         | 4                  | Icon Electrical Contractors  | Accounts Receivable                                | 1121-000           | 186.69        |                    | 37,725.13                 |
| 04/30/10         | INT                | Union Bank of California   | Interest Rate 0.100                                | 1270-000           | 3.06          |                    | 37,728.19                 |
| 05/14/10         | 000101             | Rosen Systems, Inc.<br>17744 Preston Rd, Suite 100<br>Dallas, TX 75252 | Auctioneer Expenses                                | 3620-000           |               | 3,793.81           | 33,934.38                 |
| 05/28/10         | INT                | Union Bank of California   | Interest Rate 0.100                                | 1270-000           | 2.78          |                    | 33,937.16                 |
| 06/30/10         | INT                | Union Bank of California   | Interest Rate 0.100                                | 1270-000           | 3.07          |                    | 33,940.23                 |
| 07/30/10         | INT                | Union Bank of California   | Interest Rate 0.100                                | 1270-000           | 2.93          |                    | 33,943.16                 |
| 08/31/10         | INT                | Union Bank of California   | Interest Rate 0.100                                | 1270-000           | 2.98          |                    | 33,946.14                 |
| 09/30/10         | INT                | Union Bank of California   | Interest Rate 0.100                                | 1270-000           | 2.79          |                    | 33,948.93                 |
| 10/29/10         | INT                | Union Bank of California   | Interest Rate 0.100                                | 1270-000           | 2.70          |                    | 33,951.63                 |
| 11/23/10         | 19                 | Gerald Fonzo   | Sale of Website                                    | 1229-000           | 500.00        |                    | 34,451.63                 |
| 11/30/10         | INT                | Union Bank of California   | Interest Rate 0.050                                | 1270-000           | 1.57          |                    | 34,453.20                 |
| 12/31/10         | INT                | Union Bank of California   | Interest Rate 0.050                                | 1270-000           | 1.46          |                    | 34,454.66                 |
| 01/31/11         | INT                | Union Bank of California   | Interest Rate 0.000                                | 1270-000           | 0.42          |                    | 34,455.08                 |
| 09/26/11         |                    | Union Bank of California   | BANK SERVICE FEE                                   | 2600-000           |               | 83.58              | 34,371.50                 |
| 10/25/11         |                    | Union Bank of California   | BANK SERVICE FEE                                   | 2600-000           |               | 83.58              | 34,287.92                 |
| 11/25/11         |                    | Union Bank of California   | BANK SERVICE FEE                                   | 2600-000           |               | 83.58              | 34,204.34                 |
| 08/08/12         |                    | Trsf To First National Bank of Vini                                    | FINAL TRANSFER                                     | 9999-000           |               | 34,204.34          | 0.00                      |

Page Subtotals 38,248.89 38,248.89

FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 10-40243 -BTR  
Case Name: KDL LIFTS & EQUIPMENT, INC.

Trustee Name: Mark A. Weisbart  
Bank Name: Union Bank of California  
Account Number / CD #: \*\*\*\*\*8474 Checking Account

Taxpayer ID No: \*\*\*\*\*6183  
For Period Ending: 02/06/13

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 (\$) |
| COLUMN TOTALS                |                    |                         |                            |                    | 38,248.89                    | 38,248.89                      | 0.00                      |
| Less: Bank Transfers/CD's    |                    |                         |                            |                    | 0.00                         | <u>34,204.34</u>               |                           |
| Subtotal                     |                    |                         |                            |                    | 38,248.89                    | 4,044.55                       |                           |
| Less: Payments to Debtors    |                    |                         |                            |                    |                              | <u>0.00</u>                    |                           |
| Net                          |                    |                         |                            |                    | 38,248.89                    | 4,044.55                       |                           |
| TOTAL - ALL ACCOUNTS         |                    |                         |                            |                    | NET DEPOSITS                 | NET DISBURSEMENTS              | ACCOUNT BALANCE           |
| Checking Account - *****1341 |                    |                         |                            |                    | 0.00                         | 0.00                           | 34,204.34                 |
| Checking Account - *****8474 |                    |                         |                            |                    | 38,248.89                    | 4,044.55                       | 0.00                      |
|                              |                    |                         |                            |                    | <u>38,248.89</u>             | <u>4,044.55</u>                | <u>34,204.34</u>          |
|                              |                    |                         |                            |                    | (Excludes Account Transfers) | (Excludes Payments To Debtors) | Total Funds On Hand       |

Page Subtotals 0.00 0.00

EXHIBIT C  
ANALYSIS OF CLAIMS REGISTER

Case Number: 10-40243 Claim Class Sequence  
Debtor Name: KDL LIFTS & EQUIPMENT, INC.

| Code #                    | Creditor Name & Address   | Claim Class    | Notes | Amount Allowed | Paid to Date | Claim Balance |
|---------------------------|---|----------------|-------|----------------|--------------|---------------|
| 001<br>3620-00            | Rosen Systems, Inc.<br>17744 Preston Rd, Suite 100<br>Dallas, TX 75252  | Administrative |       | \$3,793.81     | \$3,793.81   | \$0.00        |
| 001<br>3110-00            | Mark Weisbart<br>12770 Coit Road<br>Dallas, TX 75251  | Administrative |       | \$7,549.94     | \$0.00       | \$7,549.94    |
| 000009<br>040<br>5800-00  | Texas Workforce Commission<br>Regulatory Integrity Division - SAU<br>101 E 15th Street, Room 556<br>Austin TX 78778-0001                          | Priority       |       | \$157.94       | \$0.00       | \$157.94      |
| 000010C<br>040<br>5800-00 | Internal Revenue Service<br>P. O. Box 21126<br>Philadelphia, PA 19114   | Priority       |       | \$4,085.25     | \$0.00       | \$4,085.25    |
| 000012<br>040<br>5800-00  | Comptroller of Public Accounts<br>c/o Office of the Attorney General<br>Bankruptcy - Collections Division<br>PO Box 12548<br>Austin TX 78711-2548 | Priority       |       | \$1,171.48     | \$0.00       | \$1,171.48    |
| 000001<br>070<br>7100-00  | Tanfield Engineering Systems (US), Inc.<br>2686 S. Maple Ave.<br>Fresno CA 93725  | Unsecured      |       | \$4,500.00     | \$0.00       | \$4,500.00    |
| 000002<br>070<br>7100-00  | H&E Equipment Services, Inc.<br>c/o Gwen I. Walraven<br>Bell, Nunnally & Martin<br>3232 McKinney Avenue, Suite 1400<br>Dallas, TX 75204           | Unsecured      |       | \$153,233.56   | \$0.00       | \$153,233.56  |
| 000003<br>070<br>7100-00  | Gerald E. Fonzo<br>3803 Cemetary Hill Road<br>Carrollton TX 75007   | Unsecured      |       | \$14,400.00    | \$0.00       | \$14,400.00   |
| 000005<br>070<br>7100-00  | Mark Worley<br>1845 School Road<br>Carrollton TX 75006  | Unsecured      |       | \$12,441.79    | \$0.00       | \$12,441.79   |
| 000006<br>070<br>7100-00  | David Worley<br>200 Muleta<br>Oak Point TX 75068  | Unsecured      |       | \$8,573.31     | \$0.00       | \$8,573.31    |
| 000010A<br>070<br>7100-00 | Internal Revenue Service<br>P. O. Box 21126<br>Philadelphia, PA 19114   | Unsecured      |       | \$815.85       | \$0.00       | \$815.85      |
| 000013<br>080<br>7200-00  | Compass Bank<br>P.O. Box 201347<br>Arlington, TX 76006  | Unsecured      |       | \$24,316.67    | \$0.00       | \$24,316.67   |



**TRUSTEE'S PROPOSED DISTRIBUTION**

Exhibit D

Case No.: 10-40243 BTR

Case Name: KDL LIFTS & EQUIPMENT, INC.

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 |
|-----------|--|----------------|-------------------------|-------------------------|------------------|
| 000004    | Dallas County                          | \$ _____       | \$ _____                | \$ _____                | \$ _____         |
| 000010B   | Internal Revenue Service               | \$ _____       | \$ _____                | \$ _____                | \$ _____         |
| 000011    | Lewisville Independent School District | \$ _____       | \$ _____                | \$ _____                | \$ _____         |

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 Weisbart     | \$ _____        | \$ _____                 | \$ _____         |
| Attorney for Trustee Expenses: Mark Weisbart | \$ _____        | \$ _____                 | \$ _____         |
| Auctioneer Expenses: Rosen Systems, Inc.     | \$ _____        | \$ _____                 | \$ _____         |

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:

| Claim No. | Claimant                       | Allowed Amount of Claim | Interim Payments to Date | Proposed Payment |
|-----------|--------------------------------|-------------------------|--------------------------|------------------|
| 000009    | Texas Workforce Commission     | \$ _____                | \$ _____                 | \$ _____         |
| 000010C   | Internal Revenue Service       | \$ _____                | \$ _____                 | \$ _____         |
| 000012    | Comptroller of Public Accounts | \$ _____                | \$ _____                 | \$ _____         |

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

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

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    | Tanfield Engineering Systems (US), Inc. | \$ _____                | \$ _____                 | \$ _____         |

| Claim No. | Claimant                     | Allowed Amount of Claim | Interim Payments to Date | Proposed Payment |
|-----------|------------------------------|-------------------------|--------------------------|------------------|
| 000002    | H&E Equipment Services, Inc. | \$                      | \$                       | \$               |
| 000003    | Gerald E. Fonzo              | \$                      | \$                       | \$               |
| 000005    | Mark Worley                  | \$                      | \$                       | \$               |
| 000006    | David Worley                 | \$                      | \$                       | \$               |
| 000010A   | Internal Revenue Service     | \$                      | \$                       | \$               |

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:

| Claim No. | Claimant     | Allowed Amount of Claim | Interim Payments to Date | Proposed Payment |
|-----------|--------------|-------------------------|--------------------------|------------------|
| 000013    | Compass Bank | \$                      | \$                       | \$               |

Total to be paid to tardy general unsecured creditors \$ \_\_\_\_\_

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

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