

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

IN RE:	§	CASE NO. 10-41675-BTR
MILLS SR., CLEAYTON JOHN	§	
MILLS, JANICE CAWMAN	§	
	§	CHAPTER 7
DEBTORS	§	

**APPLICATION FOR TRUSTEE'S COMPENSATION AND EXPENSES**

**THE DEADLINE FOR OBJECTING TO THIS APPLICATION IS GOVERNED BY THE "NOTICE OF TRUSTEE'S FINAL REPORT AND APPLICATION FOR COMPENSATION AND DEADLINE TO OBJECT TO TFR" WHICH SHALL BE ISSUED TO YOU BY THE COURT AS A SEPARATE DOCUMENT.**

TO THE HONORABLE BRENDA T. RHOADES  
UNITED STATES BANKRUPTCY JUDGE:

COMES NOW, Mark A. Weisbart, chapter 7 trustee for the estate of Cleayton John Mills Sr. and files this Application for Trustee's Compensation and Expenses ("Application") to request compensation and reimbursement of expenses pursuant to 11 U.S.C. § 330(a)(1) and (a)(7). In support of the Application, the trustee submits the following information.

1. On May 25, 2010, the trustee was duly appointed as the chapter 7 trustee.
2. Contemporaneously with the filing of the Application, the trustee has filed a Trustee's Final Report ("TFR") and a Notice of Trustee's Final Report ("NFR").
3. Pursuant to 11 U.S.C. 326(a), the maximum compensation allowable to the trustee is \$719.94 based on the total amount disbursed to parties in interest, except for amounts disbursed to the debtor, or to any entity, if the funds disbursed were not property of the estate, e.g. return of a sale deposit. See attached **Exhibit 1** for a detailed calculation of the compensation requested.

4. The trustee has received \$0.00 of the maximum compensation allowable as interim compensation, and now requests \$719.94 as final compensation, subject to additional compensation based on the disbursement of additional interest income to parties in interest.

5. In addition, the trustee requests \$929.25 for reimbursement of reasonable and necessary expenses incurred in the administration of the estate. See attached **Exhibit 2** for an itemization of the trustee's expenses.

6. In the event additional interest income accrues on estate funds after the filing of the TFR and before distribution of funds by the trustee, the trustee requests approval of additional compensation based on the disbursement of this additional interest income to parties in interest without further Order of the Court.

WHEREFORE, PREMISES CONSIDERED, Mark A. Weisbart, the chapter 7 trustee, requests approval of \$719.94 in compensation and \$929.25 in reimbursement of expenses.

Dated: September 26, 2011

By: /s/ Mark A. Weisbart  
Mark A. Weisbart  
Chapter 7 Trustee

EXHIBIT 1  
 COMPUTATION OF TRUSTEE COMMISSION UNDER 11 U.S.C. 326

Total Receipts	\$2,879.77	25% of First \$5,000	\$719.94
Less	<u>(5,000.00)</u>		
Balance	\$0.00	10% of Next \$45,000	\$0.00
Less	<u>(45,000.00)</u>		
Balance	\$0.00	5% of Next \$950,000	\$0.00
Less	<u>(950,000.00)</u>		
Balance	\$0.00	3% of Balance	<u>\$0.00</u>
		TOTAL COMMISSIONS	719.94

EXHIBIT 2  
CHAPTER 7 TRUSTEE UNREIMBURSED EXPENSES

	COPIES		Amount
06/01/11	.		10.00
	SUBTOTAL:		10.00
PARALEGAL 2			
05/25/10	Set up file.		15.00
07/01/11	Reconcile bank statements monthly with form 3. 11 months @ .10 each - 1.10 hours @ 30.00.		33.00
07/01/11	Prepare deposits, assign T code, make copy, express mail to Bank. 1 deposit @ .10 each.		3.00
07/01/11	Write, copy and mail distribution checks.		15.00
	SUBTOTAL:		66.00
PARALEGAL			
06/23/10	Prepare application, affidavit and order to employ.		59.50
06/28/10	Prepare IRS turnover letter and request.		42.50
03/15/11	Review claims register for objections; update TCMS; email to MAW re: same.		51.00
04/19/11	Continue drafts of claim objections.		34.00
04/26/11	Revise claim objections .		42.50
05/05/11	Draft claim objection .		34.00
05/09/11	Revise claim objections.		51.00
07/01/11	Review schedules and prepare Form 1.		25.50
07/01/11	Prepare and file Trustee's Final Report, Notice of Final Report. Close bank account, transfer funds. Review file. Review Form 1 and Form 2. Prepare TFR and review with Trustee. - 2.00 hours @ 85.00.		170.00
07/01/11	Prepare and file Trustee's Application for Fees and Compensation .		85.00
07/01/11	Prepare and file TDR. Reconcile final bank statements with checks. If necessary file to Redistribute Funds or to turnover to court. Link claims with Schedule D & F. Review with trustee. - 2.00 hours @ 85.00.		170.00
08/08/11	Draft Motion and Order For Partial Disbursement of Tax Refund.		51.00
08/11/11	Revise partial disbursement motion and order.		34.00
	SUBTOTAL:		850.00

POSTAGE

**EXHIBIT 2**

07/06/10 .	0.61
07/12/10 .	0.44
07/01/11 Postage for Distribution Checks - 4.00 each @ 0.44.	1.76
08/11/11 .	0.44
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SUBTOTAL:	3.25
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TOTAL UNREIMBURSED EXPENSES:	\$929.25