

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

IN RE  
Gruber, Mark A.  
Gruber, Duretta D.

DEBTOR(S).

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CASE NO. 96-42870-DRS  
CHAPTER 7

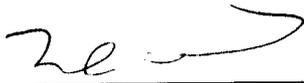
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**TRUSTEE'S FINAL REPORT, APPLICATION FOR  
COMPENSATION, AND REPORT OF PROPOSED DISTRIBUTION**

Mark A. Weisbart, Trustee of the estate of the above-named Debtor(s), certifies to the Court and the United States Trustee, that the Trustee has faithfully and properly fulfilled the duties of the office of the Trustee, that the Trustee has examined all proofs of claim as appropriate under the proposed distribution, and that the proposed distribution, attached hereto, is proper, and consistent with the law and rules of the Court. The Trustee applies for commissions and expenses set forth herein and states that they are reasonable and proper.

Therefore, the Trustee requests that the Final Report, Application for Compensation, and Report of Proposed Distribution be approved.

DATE: 06/24/99



\_\_\_\_\_  
Mark A. Weisbart, Trustee  
Texas Bar No. 21102650  
8117 Preston Road  
700 Preston Commons West  
Dallas, TX 75225  
(214) 373-2810; Fax (214) 373-0241  
CHAPTER 7 TRUSTEE

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**REVIEWED BY THE UNITED STATES TRUSTEE**

I have reviewed the Trustee's Final Report, Application for Compensation, and Report of Proposed Distribution.

UNITED STATES TRUSTEE  
EASTERN DISTRICT OF TEXAS

Date: 7-7-99

By: *BLU*

8. The Trustee further requests that after final distribution of all monies in accordance with the Trustee's Report of Final Distribution, and upon filing of a Supplemental Final Report and Account and certification by the U.S. Trustee, the Trustee be discharged from office and the case be closed.

I declare under penalty of perjury that this report and attached Schedules are true and correct to the best of my knowledge.

DATED: 6-27, 1999.



MARK A. WEISBART, CHAPTER 7 TRUSTEE

TRUSTEE'S FINAL REPORT CASE SUMMARY

TRUSTEE:

**WEISBART**

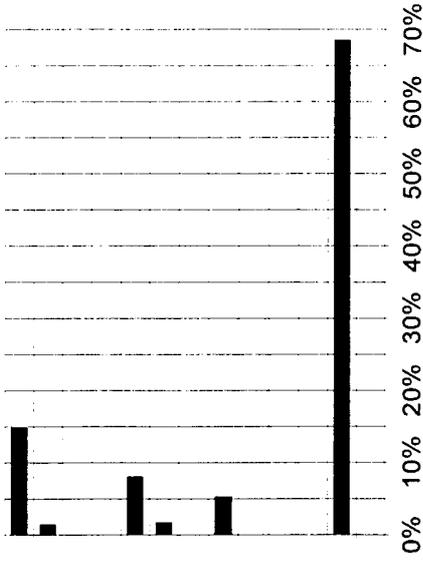
COMMENTS:

CASE NAME: GRUBER, MARK/DURETTA  
 CASE NUMBER: 96-42870  
 DATE UST APPROVED: 07-07-99

ESTATE INCOME:  
 TOTAL RECEIPTS: \$15,547.23 100.00%

ESTATE EXPENSES:

TRUSTEE'S COMMISSION	2,304.72	14.82%
TRUSTEE'S EXPENSES	229.70	1.48%
FIRM'S PROFESSIONAL FEES	0.00	0.00%
FIRM'S PROFESSIONAL EXPENSES	0.00	0.00%
OTHER ATTORNEY FEES	1,258.79	8.10%
OTHER PROFESSIONAL FEES	270.00	1.74%
COURT COSTS	0.00	0.00%
ESTATE EXPENSES(TAXES, ETC)	831.00	5.35%
PRIOR CHAPTER COSTS	0.00	0.00%
SECURED CLAIMS PAID	0.00	0.00%
PRIORITY CLAIMS PAID	0.00	0.00%
UNSECURED CLAIMS PAID	10,653.02	68.52%
OTHER(RETURN TO DEBTOR, ETC)	0.00	0.00%



UNSECURED CLAIMS ALLOWED 22,787.44

UNSECURED CLAIMS PAID 10,653.02

PERCENT RECOVERED FOR UNSECURED 46.75%

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS

In Re: Mark A Gruber  
Doretha D. Gruber  
Debtor(s)

Case Number 96-42870  
Chapter 7

FILED  
U.S. BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS

NOV 04 1998

A.M.  
P.M.

To: Mark Weisbart **BILL OF COURT COSTS**

CLERK, U.S. BANKRUPTCY COURT  
BY: DEPUTY \_\_\_\_\_

Notice is hereby given that court costs (and deferred adversary filing fees, if applicable) are due and owing, pursuant to 28 USC Section 1930, in the above case in the amount of \$ 0.

These costs are itemized as follows:

NOTICES

\$ .25 per notice in excess of 50 notices mailed prior to 1/1/87. \$ 0

\$ .50 per notice for all notices mailed 1/1/87 and after. \$ 0

NOTE: For cases filed after 12/1/92, there will be NO NOTICE FEES.

PROCESSING CLAIMS

\$ .25 per claim in excess of 10. \_\_\_\_\_ claims @ \$ .25 each. \$ 0

DEFERRED ADVERSARY FILING FEES

\_\_\_\_\_ Chapter 7 Adversary Proceedings filed @ \$120.00 each \$ 0

**TOTAL AMOUNT DUE**

\$ 0

Check to be made payable to Clerk, U.S. Bankruptcy Court.

Date: 11-4-98

JAMES D. TOKOPH  
Clerk of Court

[Signature]  
By: Deputy Clerk

NOTE: For Chapter 11 Cases Only:

Court Costs are due on or before the confirmation hearing.

The Judge will confirm that these cases have been paid at the hearing.

**SCHEDULE B**

**APPLICATION FOR COMPENSATION**

COMPUTATION OF COMMISSIONS (cases filed after 10/94)

Total Receipts			\$15,547.23
	<u>\$15,547.23</u>	25% of First \$5,000	<u>\$1,250.00</u>
Less	-5,000.00	(\$1,250 Maximum)	
Balance	<u>\$10,547.23</u>	10% of Next \$45,000	<u>\$1,054.72</u>
Less	-45,000.00	(\$4,500 Maximum)	
Balance	<u>\$0.00</u>	5% of Next \$950,000	<u>\$0.00</u>
Less	-950,000.00	(\$47,500 Maximum)	
Balance	<u>0.00</u>	3% of Balance	<u>\$0.00</u>
		<b>TOTAL COMMISSION</b>	<b><u>\$2,304.72</u></b>

UNREIMBURSED EXPENSES

Photocopy/Duplication Expense		<u>\$40.00</u>
PACER claims (imported)		<u>\$1.20</u>
Paralegal Expense		<u>\$188.50</u>
<b>TOTAL UNREIMBURSED EXPENSES</b>		<b><u>\$229.70</u></b>

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Records:

Trustee did not take possession of business or personal records of the debtor.

  X  

Notice of intent to abandon books and records of debtor filed on

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## Compensation and Expenses Worksheet

**Case Number: 96-42870 DRS**  
**Debtor: Gruber, Mark A.**

### 1. COMPUTATION OF COMPENSATION

Total disbursements to other than the debtor are:

Pursuant to 11 U.S.C. § 326, compensation is computed as follows:			\$15,547.23
	\$15,547.23	25% of First \$5,000	\$1,250.00
Less -	\$5,000.00	(\$1,250 Maximum)	
Balance	\$10,547.23	10% of Next \$45,000	\$1,054.72
Less -	\$10,547.23	(\$4,500 Maximum)	
Balance	\$0.00	5% of Next \$950,000	\$0.00
Less -	\$0.00	(\$47,500 Maximum)	
Balance	\$0.00	3% of Balance	\$0.00
 TOTAL COMPENSATION CALCULATED:			<b>\$2,304.72</b>
Less Previously Paid Compensation:			\$0.00
 TOTAL COMPENSATION REQUESTED:			<b>\$2,304.72</b>

### 2. TRUSTEE EXPENSES

The Trustee has incurred the following expenses:

04/16/98	PARA: Paralegal Expense 0.5 @ 65.00 Open bank accounts and prepare initial deposit.	\$32.50
07/27/98	PACER: PACER claims (imported) 2 @ 0.60	\$1.20
03/04/99	PARA: Paralegal Expense 0.3 @ 65.00 Cut check to IRS	\$19.50
05/03/99	PARA: Paralegal Expense 0.3 @ 65.00 Prepare deposit	\$19.50
06/24/99	COPY: Photocopy/Duplication Expense 125 pages @ 0.20 / page Copy final report and bank statements.	\$25.00
06/24/99	COPY: Photocopy/Duplication Expense 75 pages @ 0.20 / page Copy supplemental final report and any remaining bank statements.	\$15.00
06/24/99	PARA: Paralegal Expense 1 @ 65.00 Prepare final report	\$65.00
06/24/99	PARA: Paralegal Expense 0.8 @ 65.00 Prepare supplemental final report.	\$52.00
	 COPY: Photocopy/Duplication Expense 200 pages @ 0.20 / page	 \$40.00

## Compensation and Expenses Worksheet

Case Number: 96-42870 DRS  
Debtor: Gruber, Mark A.

PACER: PACER claims (imported) 2 @ 0.60	\$1.20
PARA: Paralegal Expense 2.9 @ 65.00	\$188.50

TOTAL EXPENSES CALCULATED:	\$229.70
Less Previously Paid Expenses:	\$0.00

TOTAL EXPENSES REQUESTED:	\$229.70
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TOTAL EXPENSES AND COMPENSATION REQUESTED:	\$2,534.42
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DATED: 06/24/99

SIGNED



TRUSTEE: Mark A. Weisbart, Trustee  
8117 Preston Road  
700 Preston Commons West  
Dallas, TX 75225

**SCHEDULE C**

**EXPENSES OF ADMINISTRATION**

	(1) Amount Claimed	(2) Amount Allowed	(3) Previously Paid	(4) Due
	\$	\$	\$	\$
1. 11 U.S.C. Sec.507(a)(1) <u>Court Costs and Fees</u>	0.00	0.00	0.00	0.00
2. 11 U.S.C. Sec.503(b)(1)(A) <u>Preservation of estate</u>	0.00	0.00	0.00	0.00
A. Transportation	0.00	0.00	0.00	0.00
B. Storage	0.00	0.00	0.00	0.00
C. Wages	0.00	0.00	0.00	0.00
D. Estate Share FICA	0.00	0.00	0.00	0.00
E. Insurance	0.00	0.00	0.00	0.00
F. Upkeep	0.00	0.00	0.00	0.00
G. Others (itemize)	0.00	0.00	0.00	0.00
3. 11 U.S.C. Sec. 503(b)(2) <u>Post-Petition taxes and related penalties</u>	0.00	0.00	0.00	0.00
4. 11 U.S.C. Sec. 503(b)(2) <u>Compensation and Reimbursement</u>				
A. Compensation of Trustee	2,304.72	2,304.72	0.00	2,304.72
B. Expenses of Trustee	229.70	229.70	0.00	229.70
C. Compensation of Attorney to Trustee	1,588.79	1,258.79	1,258.79	0.00
D. Compensation of Accountant	270.00	270.00	270.00	0.00
E. IRS	831.00	831.00	831.00	0.00
5. Court Special Charges (Excess Notices)	0.00	0.00	0.00	0.00
6. U.S. Trustee fees	0.00	0.00	0.00	0.00
7. Other (list)	0.00	0.00	0.00	0.00
<b>TOTALS:</b>	<b><u>\$5,224.21</u></b>	<b>4,894.21</b>	<b>2,359.79</b>	<b><u>\$2,534.42</u></b>

SCHEDULE C-2

Expenses incurred in connection with the sale of real property \$0.00

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<u>Title Insurance Policy</u>	<u>\$0.00</u>	
<u>Escrow Fee</u>	<u>\$0.00</u>	
<u>Realtor's Fee</u>	<u>\$0.00</u>	
<u>Filing Fee</u>	<u>\$0.00</u>	<u>\$0.00</u>

**SCHEDULE D**

**SECURED CLAIMS**

<b>Claim No.</b>	<b>Amount Claimed</b>	<b>Amount Not Determined</b>	<b>Amount Allowed</b>	<b>Previously Paid</b>	<b>Due</b>
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**IDENTIFICATION OF SECURED PARTIED AFFECTED:**

<b>Claim No.</b>	<b>Name of Creditor</b>	<b>Claim No.</b>	<b>Name of Creditor</b>
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**SCHEDULE E**

**PRIORITY CLAIMS OTHER THAN ADMINISTRATIVE EXPENSES IN THE  
FOLLOWING ORDER OF PRIORITY**

	(1) Amount Claimed	(2) Amount Allowed	(3) Previously Paid	(4) Due
	\$	\$	\$	\$
1. For Credit extended Sec. 364(a)(1)	0.00	0.00	0.00	0.00
2. Claims from failure of "adequate protection" Sec. 307(a)(b)	0.00	0.00	0.00	0.00
3. "Gap Claims" Sec. 507(a)(2)	0.00	0.00	0.00	0.00
4. Wages, etc. Sec. 507(a)(3)	0.00	0.00	0.00	0.00
5. Contributions to benefit plans Sec. 507(a)(4)	0.00	0.00	0.00	0.00
6. Consumer deposits Sec. 507(a)(6)	0.00	0.00	0.00	0.00
7. Alimony/Child Support Sec. 507(a)(7)	0.00	0.00	0.00	0.00
8. Taxes Sec. 507(a)(8)	0.00	0.00	0.00	0.00
9. Other: No Basis				
<b>TOTALS:</b>	<b><u>\$0.00</u></b>	<b><u>\$0.00</u></b>	<b><u>\$0.00</u></b>	<b><u>\$0.00</u></b>

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**PRIORITY PARTIES AFFECTED:**

Claim  
No.

Name of Creditor

Claim  
No.

Name of Creditor

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**FILED UNSECURED CLAIMS TOTAL: \$22,787.44**

**SUBORDINATE UNSECURED CLAIM: \$**



Mark A. Weisbart  
Texas Bar No. 21102650  
Malouf Lynch Jackson Kessler & Collins  
700 Preston Commons West  
8117 Preston Road  
Dallas, Texas 75225  
(214) 750-0722  
(214) 373-0241 (FAX)  
ATTORNEYS FOR TRUSTEE

FILED  
U.S. BANKRUPTCY COURT  
EASTERN DISTRICT OF TX

MAY 20 2 22 PM '98

CLERK, U.S. BANKRUPTCY COURT  
BY SR DEPUTY

EOE MAY 27 '98

IN THE UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

IN RE

MARK A. and DURETTA D. GRUBER

DEBTORS

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CASE NO. 96-42870-DRS  
Chapter 7

ORDER APPROVING SALE OF STOCK

ON THIS DAY CAME ON FOR CONSIDERATION the Motion for Order Approving Sale of Stock filed by Mark A. Weisbart, Chapter 7 Trustee. The Court finds that appropriate notice and opportunity for hearing was provided, no objections to the Motion have been filed and that cause exists to grant the Motion. Wherefore, it is

ORDERED that the Trustee may sell all Exxon stock held in the name of the Debtor, Mark Gruber, under account #3300-1011-1047, in the Exxon Shareholder Investment Program; and it is further

ORDERED that the Trustee may sell this stock through such program, or may sell it to a third party purchaser for a price not less than 90% of its traded value on the date of such sale, and it is further

ORDERED that the Trustee may pay all associated costs, transfer fees, commissions or taxes associated with the sale of this stock from the sales proceeds.



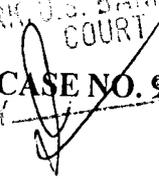
IN THE UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

FILED  
U.S. BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS  
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CLERK U.S. BANKRUPTCY COURT

IN RE:

MARK A. GRUBER and  
DURETTA D. GRUBER,  
DEBTORS.

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CASE NO. 96-42870-DRS  
BY  CHAPTER 7

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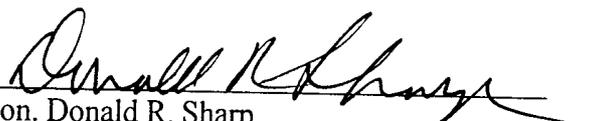
ORDER APPROVING  
PAYMENT OF ADMINISTRATIVE TAX CLAIMS

Came on to be heard the Trustee's Motion for Approval of Payment of Administrative Tax Claims (the "Motion") and after appropriate notice and opportunity for hearing the Court finds the Motion should be approved. Therefore, it is

ORDERED that the Trustee is authorized to pay estate taxes to the Internal Revenue Service in the amount of \$831.00; and it is further

ORDERED that if further tax is owed, Trustee is authorized to pay up to a total of \$2,000.00 without further order of the Court.

DATED: February 22, 1999

  
Hon. Donald R. Sharp  
U. S. Bankruptcy Judge

31

IN THE UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

23 999

IN RE:

MARK A. GRUBER and  
DURETTA D. GRUBER,  
DEBTORS.

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CASE NO. 96-42870-DRS  
CHAPTER 7

**AGREED ORDER REGARDING  
FIRST AND FINAL APPLICATION OF TRUSTEE'S PROFESSIONALS  
FOR PAYMENT OF FEES AND REIMBURSEMENT OF EXPENSES**

Came on to be heard the Trustee's First and Final Application of Trustee's Professionals for Payment of Fees and Reimbursement of Expenses and, the objection thereto filed by the U. S. Trustee. Based on the agreement reached between Counsel and the U. S. Trustee and as read into the record, it is

ORDERED that Malouf Lynch Jackson Kessler & Collins (including Mark A. Weisbart) are awarded fees of \$1,114.50 and expenses of \$144.29 as their final fees and expenses; and, it is further

ORDERED that Mulloy & Co. is awarded fees of \$270.00.

DATED: June 23, 1999

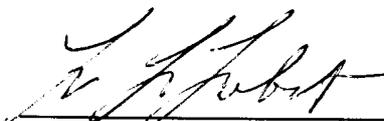
Original Signed By  
Donald R. Sharp

Hon. Donald R. Sharp  
U. S. Bankruptcy Judge

AGREED:



Mark A. Weisbart  
Trustee & Trustee's Counsel



Lisa Lambert  
Office of the United States Trustee

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

IN RE:	§	
GRUBER, MARK AND DURETTA,	§	
	§	CASE NO. 96-42870- DRS
	§	CHAPTER 7
DEBTORS	§	

**TRUSTEE'S REPORT OF PROPOSED FINAL DISTRIBUTIONS**

The undersigned Trustee of the estate hereby submits to the Court and to the United States Trustee this Report of Proposed Final Distributions.

1. The Court has entered orders which have become final, and which dispose of all objections to claims, all objections to the Trustee's Final Report, all Applications for Compensation, and all other matters which must be determined by the Court before final distribution can be made.
2. The Trustee proposes to make final distribution of the funds of the estate as follows, and will make such distribution unless written objection thereto is made, filed and served on the Trustee and on the United States Trustee.

1.	BALANCE ON HAND	\$13,187.44
2.	ADMINISTRATIVE EXPENSES TO BE PAID *(NOTE)	\$2,534.42
3.	SECURED CLAIMS TO BE PAID *(NOTE)	\$0.00
4.	PRIORITY CLAIMS TO BE PAID *(NOTE)	\$0.00
5.	UNSECURED CLAIMS TO BE PAID *(NOTE)	\$10,653.02
6.	OTHER DISTRIBUTIONS TO BE PAID *(NOTE)	\$0.00
7.	TOTAL DISTRIBUTIONS TO BE MADE (SUM OF LINES 2 THROUGH 6)	\$13,187.44
8.	ZERO BALANCE AFTER ALL DISTRIBUTIONS (LINE 1 LESS LINE 7)	\$0.00

\*(SEE ATTACHED SCHEDULE OF PAYEES AND AMOUNTS)

Date: July 27, 1999.

  
 \_\_\_\_\_  
 MARK A. WEISBART, CHAPTER 7 TRUSTEE

**PROPOSED DISTRIBUTION**

Case Number: 96-42870

Page 1

Date: June 24, 1999

Debtor Name: Gruber, Mark A. \ Gruber, Duretta D.

Claim #	Payee Name	Class	Priority	Amt Claimed * Amt Allowed	Paid to Date	Claim Balance	Proposed Pymt	Funds Remaining
<b>Beginning Balance</b>								\$13,187.44
<b>Claim Type -</b>								
	Mark A. Weisbart, Trustee - Fees COMPENSATION	Admin		\$2,304.72 * \$2,304.72	\$0.00	\$2,304.72	\$2,304.72	\$10,882.72
	Mark A. Weisbart, Trustee - Exp EXPENSES	Admin		\$229.70 * \$229.70	\$0.00	\$229.70	\$229.70	\$10,653.02
<b>Subtotal For Claim Type</b>				\$2,534.42 * \$2,534.42	\$0.00	\$2,534.42	\$2,534.42	
<b>Claim Type 222 - Trustees Atty's Fees</b>								
0	Malouf Lynch Jackson Kessler & Collins	Admin	221	\$1,588.79 * \$1,258.79	\$1,258.79	\$0.00	\$0.00	\$10,653.02
<b>Subtotal For Claim Type 222</b>				\$1,588.79 * \$1,258.79	\$1,258.79	\$0.00	\$0.00	
<b>Claim Type 223 - Trustee's Acct. Fees</b>								
0	Mulloy & Co.	Admin	221	\$270.00 * \$270.00	\$270.00	\$0.00	\$0.00	\$10,653.02
<b>Subtotal For Claim Type 223</b>				\$270.00 * \$270.00	\$270.00	\$0.00	\$0.00	
<b>Claim Type 220 - Administrative Expenses &amp; Fees</b>								
0	Internal Revenue Service	Admin	260	\$831.00 * \$831.00	\$831.00	\$0.00	\$0.00	\$10,653.02
<b>Subtotal For Claim Type 220</b>				\$831.00 * \$831.00	\$831.00	\$0.00	\$0.00	
<b>Subtotals For Class Administrative</b>				\$5,224.21 * \$4,894.21	\$2,359.79	\$2,534.42	\$2,534.42	
<b>Claim Type 400 - General Unsecured Claims</b>								
1	EDS FEDERAL CREDIT UNION	Unsec	400	\$5,141.95 * \$5,141.95	\$0.00	\$5,141.95	\$2,403.84	\$8,249.18
2	HURLEY STATE BANK	Unsec	400	\$1,202.35 * \$1,202.35	\$0.00	\$1,202.35	\$562.09	\$7,687.09
4	USAA FEDERAL SAVINGS BANK	Unsec	400	\$5,030.37 * \$5,030.37	\$0.00	\$5,030.37	\$2,351.67	\$5,335.42

# PROPOSED DISTRIBUTION

Case Number: 96-42870

Page 2

Date: June 24, 1999

Debtor Name: Gruber, Mark A. \ Gruber, Duretta D.

Claim #	Payee Name	Class	Priority	Amt Claimed * Amt Allowed	Paid to Date	Claim Balance	Proposed Pymt	Funds Remaining
<b>Claim Type 400 - General Unsecured Claims</b>								
5	TEXAS EMERGENCY RM. SERVICE	Unsec	400	\$367.00 * \$367.00	\$0.00	\$367.00	\$171.57	\$5,163.85
6	TEXAS GUARANTEED STUDENT LOAN CORP.	Unsec	400	\$9,585.67 * \$9,585.67	\$0.00	\$9,585.67	\$4,481.26	\$682.59
7	AT&T UNIVERSAL CARD	Unsec	400	\$1,460.10 * \$1,460.10	\$0.00	\$1,460.10	\$682.59	\$0.00
<b>Subtotal For Claim Type 400</b>				\$22,787.44 * \$22,787.44	\$0.00	\$22,787.44	\$10,653.02	
Subtotals For Class Unsecured		46.74953 %		\$22,787.44 * \$22,787.44	\$0.00	\$22,787.44	\$10,653.02	
<< Totals >>				\$28,011.65 \$27,681.65	\$2,359.79	\$25,321.86	\$13,187.44	\$0.00

Proposed distribution is dependent on the Court's rulings on administrative expenses, contest of claims, and/or objections made to this proposed distribution.