

FILED  
U.S. BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS

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

2003 NOV -5 PM 2:51

IN RE: )  
 )  
OLIVER, JOANNE ) CASE NO. 97-40514-R  
 ) CHAPTER 7  
 )  
DEBTOR )

**TRUSTEE'S  
FINAL REPORT AND PROPOSED DISTRIBUTION**

LINDA PAYNE, trustee of the estate of the above-named Debtors, 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 claims as appropriate under the proposed distribution, and that the proposed distribution, attached hereto, is proper, and consistent with the law and rules of court.

Therefore, the trustee requests that the Final Report and Proposed Distribution be accepted.

Date: September 16, 2003

/s/ Linda S. Payne  
Linda Payne, Trustee

+++++

**REVIEW BY UNITED STATES TRUSTEE**

I have reviewed the Trustee's Final Report and Proposed Distribution.

William T. Neary  
United States Trustee  
Eastern District of Texas

Dated: 10-30-03

W. Neary  
By:

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

<b>IN RE:</b>	)	
	)	
<b>OLIVER, JOANNE</b>	)	<b>CASE NO. 97-40514-R</b>
	)	<b>CHAPTER 7</b>
	)	
<b>DEBTOR</b>	)	

**TRUSTEE'S FINAL REPORT AND APPLICATION TO CLOSE CASE AND  
DISCHARGE TRUSTEE**

The Trustee of the estate presents the following final report:

1. The Trustee applies for commissions and expenses set forth in Schedule A and states: That they are reasonable and proper; that in the course of the performance of duties, the Trustee has advanced moneys from personal funds for expenses, and the Trustee has not been reimbursed.
2. The Trustee submits Form I as a summary of the assets and an estate property record. Any property scheduled under 11 U.S.C. Sec. 521(1) and not administered shall be deemed abandoned pursuant to 11 U.S.C. Sec. 554 (c).
3. The Trustee has reduced all assets of this estate to cash or otherwise lawfully disposed of them and the estate is ready to be closed.
4. The Trustee submits Form II as the account of estate cash receipts and disbursements.
5. There is no agreement or understanding between the Trustee and any other person for a division of the compensation sought by this application except as permitted by the Bankruptcy Code.
6. The Trustee requests approval of this final report.
7. The trustee has examined each and every claim filed and noted her approval of claims as filed, or she has filed objections to allowance or requests for reclassification.

8. The Trustee further requests that after final distribution of all moneys 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 that 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 and belief.

Dated: September 16, 2003

/s/ Linda S. Payne  
Linda Payne, Trustee  
100 North Main Street  
Paris, TX 75460-4171  
903 784 4393

**SCHEDULE A-1**

Case Name: Oliver

Case Number:97-40514-R

**A: Receipts**-----\$235,131.74

**B. Disbursements**

- 1. Secured Creditors-----\$ 0
  - 2. Administrative----- 4,202.81
  - 3. Priority----- 0
  - 4. Other (Overpayment by debtor – returned 0
- Total disbursements----- \$ 4,202.81

**C.Current Balance**-----\$230,928.93



**Form 1**  
**Individual Estate Property Record and Report**  
**Asset Credits**

Case Number: 97-40514 DRS  
 Case Name: OLIVER, JOANNE  
 Period Ending: 08/15/03

Trustee: (631540) LINDA S. PAYNE  
 Filed (F) or Converted (C): 08/22/00 (F)  
 §341(a) Meeting Date: 04/11/97  
 Claims Bar Date: 07/23/01

Ref #	1 Asset Description (Scheduled And Unscheduled (all Property))	2 Probate/ Unscheduled Values	3 Estimated Net Value (Value Less Liens, Exemptions, and Other Costs)	4 Property Abandoned OA-§554(e) Abandonment, DA-§554(c) Abandonment	5 Sales/Income Received by the Estate	6 Assets Fully Administered (FA) Gross Value of Remaining Assets
1	1019 Congress, Denton	0.00	0.00	DA	0.00	FA
2	2718 Emission, Denton	0.00	0.00	DA	0.00	FA
3	306 N. Carroll Blvd, Denton	0.00	0.00	DA	0.00	FA
4	6 acres, Grobath	0.00	0.00	DA	0.00	FA
5	Household Goods	1,000.00	0.00	DA	0.00	FA
6	Professional Books	100.00	0.00	DA	0.00	FA
7	Clothes	500.00	0.00	DA	0.00	FA
8	1900 Ford Aerostar Not worth picking up	2,500.00	500.00	DA	0.00	FA
9	Office Furnishings	1,000.00	0.00	DA	0.00	FA
10	State Court Receiver Sale (u) Funds from Denton County for sale of all non exempt property in Divorce.	0.00	233,876.00	DA	233,876.00	FA
Inf	INTEREST (u)	Unknown	N/A		1,255.74	Unknown
11	Assets	Totals (Excluding unknown values)	\$234,376.00		\$235,131.74	\$0.00

**Form 1**  
**Individual Estate Property Record and Report**  
**Asset Cases**

Case Number: 97-40514 DRS      Trustee: (631540)      LINDA S. PAYNE  
Case Name: OLIVER, JOANNE      Filed (f) or Converted (c): 08/22/00 (f)  
Period Ending: 09/15/03      \$341(a) Meeting Date: 04/11/97  
Claims Bar Date: 07/23/01

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 (FAY) Gross Value of Remaining Assets

**Major Activities Affecting Case Closing:**  
Filed for attorney fees. Mr. Oliver objected to fees. Set for hearing on 4/22/03. Ready to close after it is ruled on.  
Initial Projected Date Of Final Report (TFR): June 1, 2002      Current Projected Date Of Final Report (TFR): June 15, 2003

Form 2

Cash Receipts And Disbursements Record

Case Number: 97-40514 DRS  
 Case Name: OLIVER, JOANNE  
 Taxpayer ID #: 13-7332277  
 Period Ending: 09/15/03

Trustee: LINDA S. PAYNE (631540)  
 Bank Name: JPMORGAN CHASE BANK  
 Account: 312-8897538-65 - Money Market Account  
 Blanket Bond: \$300,000.00 (per case limit)  
 Separate Bond: N/A

1 Trans. Date	2 {Ref # / Check #}	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Money Market Account Balance
07/23/02	(10)	Denton County District Clerk	Funds from State Court Receiver	1228-000	233,876.00		233,876.00
07/31/02	Int	JPMORGAN CHASE BANK	Interest posting at 0.8000%	1270-000	35.73		233,911.73
08/30/02	Int	JPMORGAN CHASE BANK	Interest posting at 0.7500%	1270-000	149.04		234,060.77
09/30/02	Int	JPMORGAN CHASE BANK	Interest posting at 0.7500%	1270-000	144.33		234,205.10
10/31/02	Int	JPMORGAN CHASE BANK	Interest posting at 0.7500%	1270-000	149.23		234,354.33
11/29/02	Int	JPMORGAN CHASE BANK	Interest posting at 0.4300%	1270-000	97.23		234,451.56
12/31/02	Int	JPMORGAN CHASE BANK	Interest posting at 0.4300%	1270-000	85.64		234,537.20
01/31/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.4300%	1270-000	85.67		234,622.87
02/28/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.4300%	1270-000	77.41		234,700.28
03/31/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.4000%	1270-000	82.06		234,782.34
04/29/03	1001	Bill Payne	Interest posting at 0.4000%	3210-000		4,200.00	230,582.34
04/29/03	1002	Bill Payne	Interest posting at 0.4000%	3220-000		2.81	230,579.53
04/30/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.4000%	1270-000	77.20		230,656.73
05/30/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.4000%	1270-000	78.37		230,735.10
06/30/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.3000%	1270-000	63.86		230,798.96
07/31/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.3000%	1270-000	58.81		230,857.77
08/29/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.2500%	1270-000	49.02		230,906.79
09/15/03	Int	JPMORGAN CHASE BANK	Current Interest Rate is 0.2500%	1270-000	22.14		230,928.93
09/15/03	To Account #312889753866		Final Report	9899-000		1	230,928.93

ACCOUNT TOTALS 235,131.74 235,131.74 \$0.00  
 Less: Bank Transfers 0.00 230,928.93  
 Subtotal 235,131.74 4,202.81  
 Less: Payments to Debtors 0.00  
 NET Receipts / Disbursements \$235,131.74 \$4,202.81

{ Asset reference(s)

!-Not printed or not transmitted

Form 2

Cash Receipts And Disbursements Record

Case Number: 97-40514 DRS  
 Case Name: OLIVER, JOANNE  
 Taxpayer ID #: 13-7332277  
 Period Ending: 09/15/03

Trustee: LINDA S. PAVNE (631540)  
 Bank Name: JPMORGAN CHASE BANK  
 Account: 312-8897538-66 - Checking Account  
 Blanket Bond: \$300,000.00 (per case limit)  
 Separate Bond: N/A

1 Trans. Date	2 (Ref #) / Check #	3 Paid To / Received From From Account #312889753865	4 Description of Transaction	T-Code 9999-0001	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
09/15/03					230,928.93		230,928.93

ACCOUNT TOTALS  
 Less: Bank Transfers 0.00  
 Subtotal 230,928.93  
 Less: Payments to Debtors 0.00  
 NET Receipts / Disbursements \$0.00

TOTAL - ALL ACCOUNTS	Net Receipts	Net Disbursements	Account Balances
MMA # 312-8897538-65	235,131.74	4,202.81	0.00
Checking # 312-8897538-66	0.00	0.00	230,928.93
	\$235,131.74	\$4,202.81	\$230,928.93

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

IN RE:

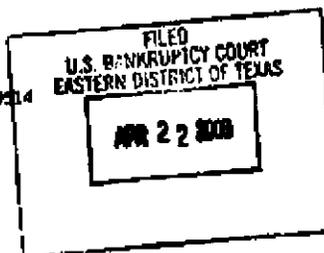
JOANNE OLIVER

DEBTOR

)  
)  
) CASE NO. 97-40214  
) CHAPTER 7

) FOR

) APR 23 2003



**ORDER GRANTING  
TRUSTEE'S FINAL APPLICATION FOR  
FEES AND EXPENSES OF ATTORNEY FOR TRUSTEE**

The Court having considered Trustee's Final Application for Fees and Expenses of Attorney for Trustee, the same being noticed to all creditors and no objections being filed, and good cause being shown, it is hereby:

ORDERED that Linda Payne, trustee herein, is authorized to pay Bill Payne \$4,200.00 for services rendered and \$2.81 for expenses incurred between September 10, 2002 and February 13, 2003 in connection with this case.

Dated: *April 23, 2003*

  
UNITED STATES BANKRUPTCY JUDGE

PAID  
7/29/03

**SCHEDULE B**

TRUSTEE COMPENSATION:

Total Receipts \$235,131.74  
Total Funds Distributed minus trustee fees: \$31,864.16

25% of first \$5,000.00 = \$1,250.00  
10% over \$5,000.00 and 2,686.42  
under \$50,000 =  
5% over \$50,000.00 and 0  
under \$1,000,000.00 = 0  
3% over \$1,000,000.00 = 0

Total Trustee Fees = \$3,936.42

UNREIMBURSED EXPENSES: (SEE EXHIBIT "A")

Recording Fees-----	\$
Premium on bond-----	
Travel-----	154.00
Clerical & Stenographic-----	194.55
Copies-----	64.50
Postage-----	32.70
Certified Mail (1)-----	
Court Certification-----	
Federal Express-----	

TOTAL UNREIMBURSED EXPENSES-\$ 445.45

RECORDS:

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

\_\_\_X\_\_\_

Trustee did take possession of business or personal records of the debtor.

\_\_\_\_\_

Notice given to debtor on  
to pick up business or personal records in hands of trustee. If not picked up within 30 days such records or work files may be destroyed.

\_\_\_\_\_

**Exhibit "A"**

Expenses

Travel:

341(a) Plano -220 miles  
Hearing on Objection to Claims – Plano – 220 miles

440 miles @0.35 a mile = \$154.00

<u>Secretarial, Copies &amp; Postage</u>	<u>Copies</u>	<u>Postage</u>
Application to Employ Attorney 0.50	20	0.97
Objections to Claims 4.10	126	6.69
Application for Compensation Of Attorney and Notice 3.25	60	16.32
Final Report (electronic) 3.00	30	-
Bank Statements to UST 0.10		3.00
Distribution Checks 1.00	10	2.72
Supplemental Final Report (electronic) 1.00	12	-
Checks and Bank Statements to UST		3.00

TOTALS:

Travel: 400 miles @ 0.35 per mile-----\$154.00  
Secretarial: 12.95hrs @ \$15.00 per hr----- 194.25  
Copies: 258 @ 0.25 each----- 64.50  
Postage:----- 32.70

**TOTAL EXPENSES: \$445.45**

**SCHEDULE C  
EXPENSES OF ADMINISTRATION**

	AMOUNT CLAIMED	AMOUNT PAID	AMOUNT DUE
1. 11 U.S.C. Sec 507(a)(1) <u>Court Cost and Fees</u>			
A. Notice & Claim Fees \$			
B. Adv. filing fees			
C. Quarterly Chapt 11			
2. 11 U.S.C. Sec 503(b)(1)(a) <u>Preservation of estate</u>			
A. Transportation			
B. Storage			
C. Wages			
D. Estates share FICA			
E. Watchman			
F. Insurance			
G. Upkeep			
H. Advertising			
I. Expenses in Sale of Real Estate			
J. Trustee's Bond			
3. 11 U.S.C. Sec.503(b)(2) <u>Post-Petition Taxes and related penalties</u>			
4. 11 U.S.C. Sec.503(b)(2) <u>Compensation and Reimbursement</u>			
A. Trustee Fees	3,936.42	0	3,936.42
B. Trustee Expenses	445.45	0	445.45
C. Attorney to Trustee	4,200.00	4,200.00	0
D. Expenses for Attorney	2.81	2.81	0
E. Attorney to Debtor			
F. Expenses for Attorney			
G. Auctioneers Fees Auctioneers Expenses			
H. Appraiser			
I. Accountant			

5. 11 U.S.C. Sec.503(b)(3)  
Expenses of Creditors  
or Committees

6. 11 U.S.C. Sec 503(b)(4)  
Compensation of professionals  
for creditors or committees

7. Other (Refund to debtors for  
Overpayment to trustee for non exempt  
assets)

TOTAL----- 8,584.68            4,202.81    4,381.87

**SCHEDULE D**

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

	(1) Claim No.	(2) Amt. Claimed	(3) Amt. Allowed	(4) Amt. Paid	(5) Amt. Due	
1. For Credit Extended Sec364(e)(1)						
2. Claims from failure of adequate protection Sec.307(a)(b)						
3. "Gap Claims" Sec.507(a)(2)						
4. Wages, etc. Sec.507(a)(3)						
5. Contributions to benefit plans Sec.507(a)(4)						
6. Engaged in raising of grain or fisherman Sec.507(a)(5)						
7. Consumer deposits Sec.507(a)(6)						
8. Alimony or support of child Sec 507(a)(7)						
7. Taxes Sec.507(a)(8)						
Department of Treasury	9	2675.11	ALL	ALL	0	2675.11
Interest		998.53	ALL	ALL	0	998.53

TOTAL ALLOWED PRIORITY CLAIMS: \$ 3,673.64

**SCHEDULE E**

**SECURED CLAIMS**

Claim No.	Creditor	(1) Amt of Claim	(2) Amt. Not Determined	(3) Amt. Allowed	(4) Amt. Paid	(5) Amt Due
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Total of ALLOWED Secured Claims \$ 0

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Total UNSECURED CLAIMS Allowed: \$23,542.26

Eastern District of Texas  
Claims Register

**97-40514 Joanne Oliver**

Honorable Brenda T. Rhoades

Debtor Name: OLIVER, JOANNE

<b>Claim No: 1</b>	<i>Creditor Name:</i> First State Bank of Texas Attn: Charles D. Earney P.O. Box 100 Denton, TX 76202	<i>Last Date to File Claims:</i> 07/10/1997 <i>Last Date to File (Govt):</i> <i>Filing Status:</i> Allow <i>Docket Status:</i> <i>Late:</i>
<i>Claim Date:</i> 02/26/1997	<i>Amends Claim No:</i> 0 <i>Amended By Claim No:</i>	<i>Duplicates Claim No:</i> 0 <i>Duplicated By Claim No:</i>
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$1287.94	0
Secured	\$19550.93	
Priority	\$0.00	
Unknown	\$0.00	
Admin	\$0.00	
<b>Total</b>	<b>\$20838.87</b>	
<i>Description:</i>		
<i>Remarks:</i> Converted from BANCAP.		

<b>Claim No: 2</b>	<i>Creditor Name:</i> Denton Area Teachers Credit Union P.O. Box 827 Denton, TX 76202	<i>Last Date to File Claims:</i> 07/10/1997 <i>Last Date to File (Govt):</i> <i>Filing Status:</i> Allow <i>Docket Status:</i> <i>Late:</i>
<i>Claim Date:</i> 02/28/1997	<i>Amends Claim No:</i> 0 <i>Amended By Claim No:</i>	<i>Duplicates Claim No:</i> 0 <i>Duplicated By Claim No:</i>
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$0.00	0
Secured	\$13292.44	
Priority	\$0.00	
Unknown	\$0.00	
Admin	\$0.00	
<b>Total</b>	<b>\$13292.44</b>	
<i>Description:</i>		
<i>Remarks:</i> Converted from BANCAP.		

<b>Claim No: 3</b>	<i>Creditor Name:</i> County of Denton	<i>Last Date to File Claims:</i>
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	c/o McCreary, Veselka, Bragg & Allen PC 5939 Balcones Dr., Suite 200 P.O. Box 26990 Austin, TX 78755	07/10/1997 Last Date to File (Govt): Filing Status: Allow Docket Status: Late:
Claim Date: 05/05/1997	Amends Claim No: 0 Amended By Claim No:	Duplicates Claim No: 0 Duplicated By Claim No:
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$0.00	0
Secured	\$0.00	
Priority	\$0.00	
Unknown	\$501.87	
Admin	\$0.00	
<b>Total</b>	<b>\$501.87</b>	
<i>Description:</i>		
<i>Remarks:</i> Converted from BANCAP.		

<b>Claim No: 4</b>	Creditor Name: Dr. and Mrs. Riddle 3116 Dreeben Drive Ft. Worth, TX 76118	Last Date to File Claims: 07/10/1997 Last Date to File (Govt): Filing Status: Disallow Docket Status: Late:
Claim Date: 05/11/2001	Amends Claim No: 0 Amended By Claim No:	Duplicates Claim No: 0 Duplicated By Claim No:
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$0.00	0
Secured	\$38536.00	
Priority	\$0.00	
Unknown	\$0.00	
Admin	\$0.00	
<b>Total</b>	<b>\$38536.00</b>	
<i>Description:</i>		
<i>Remarks:</i> Converted from BANCAP.		

<b>Claim No: 5</b>	Creditor Name: First National Bank of Atlanta Wachovia Bank Card Services PO Box 14009 Atlanta, GA 30324	Last Date to File Claims: 07/10/1997 Last Date to File (Govt): Filing Status: Disallow Docket Status: Late:
Claim Date:	Amends Claim No: 0	Duplicates Claim No: 0

05/21/2001	<i>Amended By Claim No:</i>	<i>Duplicated By Claim No:</i>
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$5946.66	ALL
Secured	\$0.00	
Priority	\$0.00	
Unknown	\$0.00	
Admin	\$0.00	
<b>Total</b>	<b>\$5946.66</b>	
<i>Description:</i>		
<i>Remarks:</i> Converted from BANCAP.		

<b>Claim No: 6</b>	<i>Creditor Name:</i> Payless Cashways, Inc. PO Box 648001 Lees Summit, MO 64064-8001	<i>Last Date to File Claims:</i> 07/10/1997 <i>Last Date to File (Govt):</i> <i>Filing Status:</i> Allow <i>Docket Status:</i> <i>Late:</i>
<i>Claim Date:</i> 07/19/2001	<i>Amends Claim No:</i> 0 <i>Amended By Claim No:</i>	<i>Duplicates Claim No:</i> 0 <i>Duplicated By Claim No:</i>
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$1361.10	All
Secured	\$0.00	
Priority	\$0.00	
Unknown	\$0.00	
Admin	\$0.00	
<b>Total</b>	<b>\$1361.10</b>	
<i>Description:</i>		
<i>Remarks:</i> Converted from BANCAP.		

<b>Claim No: 7</b>	<i>Creditor Name:</i> Joe Hicks Oliver 2718 Emerson Denton, TX 76209-1561	<i>Last Date to File Claims:</i> 07/10/1997 <i>Last Date to File (Govt):</i> <i>Filing Status:</i> Allow <i>Docket Status:</i> <i>Late:</i>
<i>Claim Date:</i> 07/20/2001	<i>Amends Claim No:</i> 0 <i>Amended By Claim No:</i>	<i>Duplicates Claim No:</i> 0 <i>Duplicated By Claim No:</i>
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$0.00	0
Secured	\$241500.00	
Priority	\$0.00	

Unknown	\$0.00	
Admin	\$0.00	
<b>Total</b>	<b>\$241500.00</b>	
<i>Description:</i>		
<i>Remarks:</i> Converted from BANCAP.		

<b>Claim No: 8</b>	<i>Creditor Name:</i> Fay J. Oliver Route 1 Mt. Vernon, TX 75457	<i>Last Date to File Claims:</i> 07/10/1997 <i>Last Date to File (Govt):</i> <i>Filing Status:</i> Allow <i>Docket Status:</i> <i>Late:</i>
<i>Claim Date:</i> 07/20/2001	<i>Amends Claim No:</i> 0 <i>Amended By Claim No:</i>	<i>Duplicates Claim No:</i> 0 <i>Duplicated By Claim No:</i>
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$9146.27	ALL
Secured	\$0.00	
Priority	\$0.00	
Unknown	\$0.00	
Admin	\$0.00	
<b>Total</b>	<b>\$9146.27</b>	
<i>Description:</i>		
<i>Remarks:</i> Converted from BANCAP.		

<b>Claim No: 9</b>	<i>Creditor Name:</i> Department of the Treasury Internal Revenue Service 1100 Commerce St., Room 9A20 Stop 5027 DAL Dallas, TX 75242	<i>Last Date to File Claims:</i> 07/10/1997 <i>Last Date to File (Govt):</i> <i>Filing Status:</i> Allow <i>Docket Status:</i> <i>Late:</i>
<i>Claim Date:</i> 08/14/2001	<i>Amends Claim No:</i> 0 <i>Amended By Claim No:</i>	<i>Duplicates Claim No:</i> 0 <i>Duplicated By Claim No:</i>
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$0.00	ALL
Secured	\$0.00	
Priority	\$0.00	
Unknown	\$2675.11	
Admin	\$0.00	
<b>Total</b>	<b>\$2675.11</b>	
<i>Description:</i>		
<i>Remarks:</i> Converted from BANCAP.		

<b>Claim No: <u>10</u></b>	<i>Creditor Name:</i> MERVYN'S OF CALIFORINA RETAILERS NATIONAL BANK MINNEAPLOIS, MN 55459	<i>Last Date to File Claims:</i> 07/10/1997 <i>Last Date to File (Govt):</i> <i>Filing Status:</i> <i>Docket Status:</i> <i>Late:</i> N
<i>Claim Date:</i> 07/01/1997	<i>Amends Claim No:</i> <i>Amended By Claim No:</i>	<i>Duplicates Claim No:</i> <i>Duplicated By Claim No:</i>
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$238.02	ALL
<b>Total</b>	<b>\$238.02</b>	
<i>Description:</i>		
<i>Remarks:</i>		

<b>Claim No: <u>11</u></b>	<i>Creditor Name:</i> World Financial Network National Bank PO Box 182124 Columbus, OH 43272	<i>Last Date to File Claims:</i> 07/10/1997 <i>Last Date to File (Govt):</i> <i>Filing Status:</i> <i>Docket Status:</i> <i>Late:</i> N
<i>Claim Date:</i> 06/09/1997	<i>Amends Claim No:</i> <i>Amended By Claim No:</i>	<i>Duplicates Claim No:</i> <i>Duplicated By Claim No:</i>
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$56.56	ALL
<b>Total</b>	<b>\$56.56</b>	
<i>Description:</i>		
<i>Remarks:</i>		

<b>Claim No: <u>12</u></b>	<i>Creditor Name:</i> World Financial Network National Bank PO Box 182124 Columbus, OH 43272	<i>Last Date to File Claims:</i> 07/10/1997 <i>Last Date to File (Govt):</i> <i>Filing Status:</i> <i>Docket Status:</i> <i>Late:</i> N
<i>Claim Date:</i> 06/09/1997	<i>Amends Claim No:</i> <i>Amended By Claim No:</i>	<i>Duplicates Claim No:</i> <i>Duplicated By Claim No:</i>
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$394.51	ALL
<b>Total</b>	<b>\$394.51</b>	
<i>Description:</i>		
<i>Remarks:</i>		

<b>Claim No: 13</b>	<i>Creditor Name:</i> Resurgent Capital Services RJ Boudreau & Associates 5 Industrial Way Salem, NH 03079	<i>Last Date to File Claims:</i> 07/10/1997 <i>Last Date to File (Govt):</i> <i>Filing Status:</i> <i>Docket Status:</i> <i>Late:</i> N
<i>Claim Date:</i> 01/28/2003	<i>Amends Claim No:</i> <i>Amended By Claim No:</i>	<i>Duplicates Claim No:</i> <i>Duplicated By Claim No:</i>
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$8034.31	0
<b>Total</b>	<b>\$8034.31</b>	
<i>Description:</i>		
<i>Remarks:</i>		

<b>Claim No: 14</b>	<i>Creditor Name:</i> Resurgent Capital Services RJ Boudreau & Associates 5 Industrial Way Salem, NH 03079	<i>Last Date to File Claims:</i> 07/10/1997 <i>Last Date to File (Govt):</i> <i>Filing Status:</i> <i>Docket Status:</i> <i>Late:</i> N
<i>Claim Date:</i> 01/28/2003	<i>Amends Claim No:</i> <i>Amended By Claim No:</i>	<i>Duplicates Claim No:</i> <i>Duplicated By Claim No:</i>
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$4925.01	0
<b>Total</b>	<b>\$4925.01</b>	
<i>Description:</i>		
<i>Remarks:</i>		

<b>Claim No: 15</b>	<i>Creditor Name:</i> Sherman Acquisition, LP Resurgent Capital Services c/o Capital Mgmt Services, Inc. 2201 Niagra St. Buffalo, NY 14207	<i>Last Date to File Claims:</i> 07/10/1997 <i>Last Date to File (Govt):</i> <i>Filing Status:</i> <i>Docket Status:</i> <i>Late:</i> N
<i>Claim Date:</i> 03/03/2003	<i>Amends Claim No:</i> <i>Amended By Claim No:</i>	<i>Duplicates Claim No:</i> <i>Duplicated By Claim No:</i>
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$3636.73	0
<b>Total</b>	<b>\$3636.73</b>	
<i>Description:</i>		
<i>Remarks:</i>		

<b>Claim No: 16</b>	<i>Creditor Name:</i> Hurley State Bank	<i>Last Date to File Claims:</i>
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	dba: Office Max Credit Plan P.O. Box 7004 Sioux Falls, SD 57117	07/10/1997 <i>Last Date to File (Govt):</i> <i>Filing Status:</i> <i>Docket Status:</i> <i>Late:</i> N
<i>Claim Date:</i> 03/03/2003	<i>Amends Claim No:</i> <i>Amended By Claim No:</i>	<i>Duplicates Claim No:</i> <i>Duplicated By Claim No:</i>
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$916.58	0
<b>Total</b>	<b>\$916.58</b>	
<i>Description:</i>		
<i>Remarks:</i>		

<b>Claim No: <u>17</u></b>	<i>Creditor Name:</i> Max Recovery, Inc. P.O. Box 10228 Newark, NJ 07193-0228	<i>Last Date to File Claims:</i> 07/10/1997 <i>Last Date to File (Govt):</i> <i>Filing Status:</i> <i>Docket Status:</i> <i>Late:</i> N
<i>Claim Date:</i> 03/03/2003	<i>Amends Claim No:</i> <i>Amended By Claim No:</i>	<i>Duplicates Claim No:</i> <i>Duplicated By Claim No:</i>
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$2106.12	0
<b>Total</b>	<b>\$2106.12</b>	
<i>Description:</i>		
<i>Remarks:</i>		

<b>Claim No: <u>18</u></b>	<i>Creditor Name:</i> Max Recovery, Inc. P.O. Box 10228 Newark, NJ 07193-0228	<i>Last Date to File Claims:</i> 07/10/1997 <i>Last Date to File (Govt):</i> <i>Filing Status:</i> <i>Docket Status:</i> <i>Late:</i> N
<i>Claim Date:</i> 03/03/2003	<i>Amends Claim No:</i> <i>Amended By Claim No:</i>	<i>Duplicates Claim No:</i> <i>Duplicated By Claim No:</i>
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$8353.21	0
<b>Total</b>	<b>\$8353.21</b>	
<i>Description:</i>		
<i>Remarks:</i>		

<b>Claim No: <u>19</u></b>	<i>Creditor Name:</i> Home Depot Monogram Creditcard Bank of Georgia	<i>Last Date to File Claims:</i> 07/10/1997
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	A Division of GECC P.O. Box 29120 Shawnee Mission, KS 66201	<i>Last Date to File (Govt):</i> <i>Filing Status:</i> <i>Docket Status:</i> <i>Late:</i> N
<i>Claim Date:</i> 03/03/2003	<i>Amends Claim No:</i> <i>Amended By Claim No:</i>	<i>Duplicates Claim No:</i> <i>Duplicated By Claim No:</i>
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$4233.30	0
<b>Total</b>	<b>\$4233.30</b>	
<i>Description:</i>		
<i>Remarks:</i>		

<b>Claim No: <u>20</u></b>	<i>Creditor Name:</i> PRA III, LLC c/o Portfolio Recovery Assoc, LLC P.O. Box 12914 Norfolk, VA 23541	<i>Last Date to File Claims:</i> 07/10/1997 <i>Last Date to File (Govt):</i> <i>Filing Status:</i> <i>Docket Status:</i> <i>Late:</i> N
<i>Claim Date:</i> 03/03/2003	<i>Amends Claim No:</i> <i>Amended By Claim No:</i>	<i>Duplicates Claim No:</i> <i>Duplicated By Claim No:</i>
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$7805.64	0
<b>Total</b>	<b>\$7805.64</b>	
<i>Description:</i>		
<i>Remarks:</i>		

<b>Claim No: <u>21</u></b>	<i>Creditor Name:</i> Resurgent Capital Services RJ Boudreau & Associates 5 Industrial Way Salem, NH 03079	<i>Last Date to File Claims:</i> 07/10/1997 <i>Last Date to File (Govt):</i> <i>Filing Status:</i> <i>Docket Status:</i> <i>Late:</i> N
<i>Claim Date:</i> 03/03/2003	<i>Amends Claim No:</i> <i>Amended By Claim No:</i>	<i>Duplicates Claim No:</i> <i>Duplicated By Claim No:</i>
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$4925.01	0
<b>Total</b>	<b>\$4925.01</b>	
<i>Description:</i>		
<i>Remarks:</i>		

<b>Claim No: <u>22</u></b>	<i>Creditor Name:</i> Resurgent Capital Services RJ Boudreau & Associates 5 Industrial Way	<i>Last Date to File Claims:</i> 07/10/1997 <i>Last Date to File (Govt):</i>
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	Salem, NH 03079	<i>Filing Status:</i> <i>Docket Status:</i> <i>Late:</i> N
<i>Claim Date:</i> 03/03/2003	<i>Amends Claim No:</i> <i>Amended By Claim No:</i>	<i>Duplicates Claim No:</i> <i>Duplicated By Claim No:</i>
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$8034.31	0
<b>Total</b>	<b>\$8034.31</b>	
<i>Description:</i>		
<i>Remarks:</i>		

<b>Claim No: <u>23</u></b>	<i>Creditor Name:</i> Scars Roebuck & Co. P.O. Box 5 Boise, ID 83707	<i>Last Date to File Claims:</i> 07/10/1997 <i>Last Date to File (Govt):</i> <i>Filing Status:</i> <i>Docket Status:</i> <i>Late:</i> N
<i>Claim Date:</i> 03/03/2003	<i>Amends Claim No:</i> <i>Amended By Claim No:</i>	<i>Duplicates Claim No:</i> <i>Duplicated By Claim No:</i>
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$3293.94	0
Secured	\$3787.16	
<b>Total</b>	<b>\$7081.10</b>	
<i>Description:</i>		
<i>Remarks:</i>		

<b>Claim No: <u>24</u></b>	<i>Creditor Name:</i> Max Recovery, Inc. P.O. Box 10228 Newark, NJ 07193-0228	<i>Last Date to File Claims:</i> 07/10/1997 <i>Last Date to File (Govt):</i> <i>Filing Status:</i> <i>Docket Status:</i> <i>Late:</i> N
<i>Claim Date:</i> 03/03/2003	<i>Amends Claim No:</i> <i>Amended By Claim No:</i>	<i>Duplicates Claim No:</i> <i>Duplicated By Claim No:</i>
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$16609.37	0
<b>Total</b>	<b>\$16609.37</b>	
<i>Description:</i>		
<i>Remarks:</i>		

<b>Claim No: <u>25</u></b>	<i>Creditor Name:</i> Max Recovery, Inc. P.O. Box 10228	<i>Last Date to File Claims:</i> 07/10/1997
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	Newark, NJ 07193-0228	<i>Last Date to File (Govt):</i> <i>Filing Status:</i> <i>Docket Status:</i> <i>Late:</i> N
<i>Claim Date:</i> 03/03/2003	<i>Amends Claim No:</i> <i>Amended By Claim No:</i>	<i>Duplicates Claim No:</i> <i>Duplicated By Claim No:</i>
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$1836.62	0
<b>Total</b>	<b>\$1836.62</b>	
<i>Description:</i>		
<i>Remarks:</i>		

<b>Claim No: 26</b>	<i>Creditor Name:</i> PRA III, LLC c/o Portfolio Recovery Assoc, LLC P.O. Box 12914 Norfolk, VA 23541	<i>Last Date to File Claims:</i> 07/10/1997 <i>Last Date to File (Govt):</i> <i>Filing Status:</i> <i>Docket Status:</i> <i>Late:</i> N
<i>Claim Date:</i> 03/03/2003	<i>Amends Claim No:</i> <i>Amended By Claim No:</i>	<i>Duplicates Claim No:</i> <i>Duplicated By Claim No:</i>
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$27988.86	0
<b>Total</b>	<b>\$27988.86</b>	
<i>Description:</i>		
<i>Remarks:</i>		

<b>Claim No: 27</b>	<i>Creditor Name:</i> PRA III, LLC c/o Portfolio Recovery Assoc, LLC P.O. Box 12914 Norfolk, VA 23541	<i>Last Date to File Claims:</i> 07/10/1997 <i>Last Date to File (Govt):</i> <i>Filing Status:</i> <i>Docket Status:</i> <i>Late:</i> N
<i>Claim Date:</i> 04/02/2003	<i>Amends Claim No:</i> <i>Amended By Claim No:</i>	<i>Duplicates Claim No:</i> <i>Duplicated By Claim No:</i>
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$7805.64	0
<b>Total</b>	<b>\$7805.64</b>	
<i>Description:</i>		
<i>Remarks:</i> (n/a)		

<b>Claim No: 28</b>	<i>Creditor Name:</i> PRA III, LLC c/o Portfolio Recovery Assoc, LLC P.O. Box 12914	<i>Last Date to File Claims:</i> 07/10/1997 <i>Last Date to File (Govt):</i>
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	Norfolk, VA 23541	<i>Filing Status:</i> <i>Docket Status:</i> <i>Late:</i> N
<i>Claim Date:</i> 04/02/2003	<i>Amends Claim No:</i> <i>Amended By Claim No:</i>	<i>Duplicates Claim No:</i> <i>Duplicated By Claim No:</i>
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$27988.86	0
<b>Total</b>	<b>\$27988.86</b>	
<i>Description:</i>		
<i>Remarks:</i> (n/a)		

### Claims Register Summary

**Case Name:** Joanne Oliver  
**Case Number:** 1997-40514  
**Chapter:** 7  
**Date Filed:** 02/18/1997  
**Total Number Of Claims:** 28

	Total Amount Claimed	Total Amount Allowed
<b>Unsecured</b>	\$156924.57	
<b>Secured</b>	\$316666.53	
<b>Priority</b>	\$0.00	
<b>Unknown</b>	\$3176.98	
<b>Administrative</b>	\$0.00	
<b>Total</b>	<b>\$476768.08</b>	

<b>PACER Service Center</b>			
<b>Transaction Receipt</b>			
09/16/2003 10:49:57			
<b>PACER Login:</b>	lp0143	<b>Client Code:</b>	
<b>Description:</b>	SearchClaims	<b>Case Number:</b>	97-40514
<b>Billable Pages:</b>	8	<b>Cost:</b>	0.56

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

**IN RE:**

**OLIVER, JOANNE**

**DEBTOR**

)  
)  
) **CASE NO. 97-40514-R**  
) **CHAPTER 7**  
)  
)

**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 upon certification by the U. S. Trustee unless written objection thereto is filed and served on the trustee and on the U. S. Trustee.

1. Balance on hand		\$230,928.93
2. Administrative Expenses to be paid (see attached schedule of payees and amounts)	\$ 4,381.87	
3. Priority Claims to be paid (see attached schedule of payees and amounts)	\$ 3,673.64	
4. Secured Claims to be paid (see attached schedule of payees and amounts)	\$	
5. Unsecured Claims to be paid (see attached schedule of payees and amounts)	\$ 23,542.26	
6. Miscellaneous distributions to be paid.(Surplus to Debtor)	\$199,331.16	
7. Total Distributions to be made	\$230,928.93	
8. Zero Balance		\$ 0

/s/ Linda Payne  
Linda Payne, Trustee  
100 North Main St  
Paris, TX 75460

Claims Proposed Distribution:

<b>Claimant</b>	<b>Claim Number</b>	<b>Amount Claimed</b>	<b>Amount Paid</b>	<b>Proposed Payment</b>
Bill Payne	n/a	4,200.00	4,200.00	0
Bill Payne	n/a	2.81	2.81	0
Linda S. Payne	n/a	3,936.42	0	3,936.42
Linda S. Payne	n/a	445.45	0	445.45
First Natl Bk Of Atlanta	5	5,946.66	0	5,946.66
Interest		2,219.74	0	2,219.74
Payless Cashways	6	1,361.10	0	1,361.10
Interest		508.07	0	508.07
Fay J. Oliver	8	9,146.27	0	9,146.27
Interest		3,414.08	0	3,414.08
Department of Treasury	9*	2,675.11	0	2,675.11
Interest		998.53	0	998.53
Mervyn's of California	10	238.02	0	238.02
Interest		88.83	0	88.83
World Financial Network	11	56.56	0	56.56
Interest		21.13	0	21.13
World Financial Network	12	394.51	0	394.51
Interest		147.29	0	147.29
Joanne Oliver	n/a	<u>199,331.16</u>	<u>0</u>	<u>199,331.16</u>
<b>Totals</b>		<b>\$235,131.74</b>	<b>\$4,202.81</b>	<b>\$230,928.93</b>

\*Priority Claim

**Case Summary**

Total Administrative Claims	\$8,584.68	4,202.81	4,381.87
Total Priority Claims	3,673.64	0	3,673.64
Total Unsecured Claims	23,542.26	0	23,542.26
Surplus to Debtor	199,331.16	0	199,331.16

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

IN RE: JOANNE OLIVER / BANKRUPTCY CASE: 97-40514  
/   
/ CHAPTER 7

**NOTICE OF FILING OF FINAL REPORT OF TRUSTEE.  
APPLICATION FOR COMPENSATION AND PROPOSED DISTRIBUTIONS**

NOTICE IS GIVEN that the Trustee's Final Report and Account, report of Proposed Final Distribution and Applications for Compensation have been filed. These documents are available for public inspection at the office of the Bankruptcy Clerk or at the trustee's office whose name and address is as follows:

LINDA PAYNE 100 NORTH MAIN STREET PARIS, TX 75460

The following Applications for Compensation have been filed:

<u>Applicants</u>	<u>Fees Requested</u>	<u>Expenses Requested</u>
<u>LINDA PAYNE</u> Trustee	<u>3936.42</u>	<u>445.45</u>
<u>Attorney for Trustee</u>	<u>                    </u>	<u>                    </u>
<u>U. S. Bankruptcy Court</u>	<u>0.00</u>	<u>                    </u>

The trustee's account shows:

<b>Total Receipts</b>	<b>Total Disbursements</b>	<b>Balance</b>
<u>\$ 235131.74</u>	<u>\$ 4202.81</u>	<u>\$ 230928.93</u>

In addition to the commissions and fees that may be allowed by the Court, liens and priority claims which must be paid in advance of general creditors have been allowed in the total amount of \$ 2675.11 ; general unsecured claims have been allowed in the amount of \$ 17143.12 .  
The debtor has/has not been discharged.

Written objections to the Final Report, Application for Compensation and/or proposed Distributions must be filed with the Clerk of the Court and served on the trustee at the above mentioned address within 30 days from the date of this notice. If no objections are filed, the Court may consider the Report and Applications without hearing. If objections are filed, a hearing will be held on \_\_\_\_\_

at \_\_\_\_\_

Date: \_\_\_\_\_

**JAMES D. TOKOPH**, Clerk of Court

By: \_\_\_\_\_  
Deputy Clerk