

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

FILED
U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF TX

01 SEP -6 PM 2:32

CLERK, U.S. BANKRUPTCY
COURT

BY Mh DEPUTY

IN RE:)
)
LIONEL W. BARNETT)
)
)
DEBTOR.)

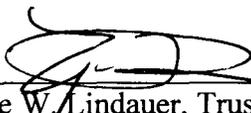
CASE NO. 97-44266
(CHAPTER 7)

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

JOYCE W. LINDAUER, Trustee of the estate of the above-named Debtor, certifies to the Court and 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: 2/5/01



Joyce W. Lindauer, Trustee

REVIEWED BY THE UNITED STATES TRUSTEE

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

Date: 8-28-01

UNITED STATES TRUSTEE

By: 

40

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

IN RE:)
)
LIONEL W. BARNETT) CASE NO. 97-44266
) (CHAPTER 7)
)
DEBTOR.)

**TRUSTEE'S FINAL REPORT, APPLICATION FOR COMPENSATION 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. § 521(1) and not administered shall be deemed abandoned pursuant to 11 U.S.C. § 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 monies in accordance with the Trustee's Report of Final Distribution 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: 2/5/01



Joyce W. Lindauer, Trustee
12900 Preston Road, Suite #930
Dallas, Texas 75230
(972) 503-4033

SCHEDULE A-1

FINAL ACCOUNT AS OF:

A.	RECEIPTS	\$2,565.55
B.	DISBURSEMENTS	
	(1) Secured Creditors	\$ 0.00
	(2) Administrative Expenses	\$ 0.00
	(3) Priority Creditors	\$ 0.00
	(4) Other	\$ 0.00
	TOTAL DISBURSEMENTS:	<u>\$ 0.00</u>
C.	CURRENT BALANCE:	<u>\$2,565.55</u>

JOYCE W. LINDAUER
ATTORNEY AT LAW
12900 Preston Road
Suite 1050
Dallas, TX 75230

Telephone No.
(972) 503-4033

May 14, 2001

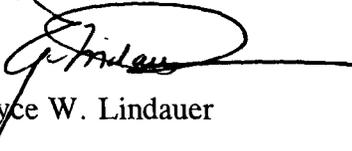
Bruce Campbell
Assistant United States Trustee
300 Plaza Tower
110 North College Avenue
Tyler, Texas 75703

Re: Lionel W. Barnett

Dear Bruce:

In response to your request, counsel was hired to pursue a claim against the ownership interest claimed by the Debtor in his closely held corporation and a possible objection to an exemption claim relating to a homestead tract. After much investigation it was determined that the property was validly claimed as homestead, as another creditor objected to the exemption and the court determined the property was properly claimed as exempt. Regarding the corporation, again after much investigation, it was determined that there was no value in the stock of the corporation because the corporation owed more in debt than the assets of the corporation were worth. After much time on this matter, it was resolved by selling the stock in the corporation back to the Debtor for a nominal amount so that this endeavor would not be a total waste. This is a good case of hindsight being twenty-twenty. Had I known then what I know now, this case probably should have been closed out as a no asset case. It also has encouraged me not to employ attorneys in cases where collection and payment may be difficult.

Very truly yours,


Joyce W. Lindauer

RECEIVED
2001 MAY 18 P 1:18
US TRUSTEE
EASTERN DISTRICT OF TEXAS
Case No. (972) 503-4034

JOYCE W. LINDAUER
ATTORNEY AT LAW
12900 Preston Road
Suite 1050
Dallas, TX 75230

Telephone No.
(972) 503-4033

May 4, 2001

RECEIVED
2001 MAY -8 P 1:28
US TRUSTEE
EASTERN DISTRICT
OF TEXAS
Facsimile No.
(972) 503-4034

VIA Regular U.S. Mail
Bruce Campell
Office of the United States Trustee
300 Plaza Tower
110 North College Avenue
Tyler, Texas 75703

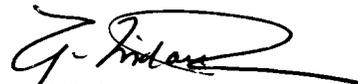
Re: Lionel W. Barnett

Dear Bruce:

In response to your request we have reviewed the Barnett file. It appears from our review that Don Flusche Auction Company did not remit their expense and commission money to us along with the auction sale proceeds. This amount was \$257.25. We addressed this issue with the auctioneer some months ago when we realized the problem. When the sales proceeds were paid to us we did not realize that the commissions and expenses had been retained by the auctioneer because this is not their normal practice. We filed an application for distribution to allow for the payment of the fees and expenses to the Auctioneer which has been approved by the Court.

We addressed this situation with the auctioneer quite some time ago and do not anticipate this problem occurring the future.

Very truly yours,


Joyce W. Lindauer

cc: Nancy Howe

TRUSTEE'S FINAL REPORT CASE SUMMARY

TRUSTEE:

LINDAUER

COMMENTS:

CASE NAME:

BARNETT, LIONEL W.

CASE NUMBER:

97-44266

DATE UST APPROVED:

08-28-01

ESTATE INCOME:

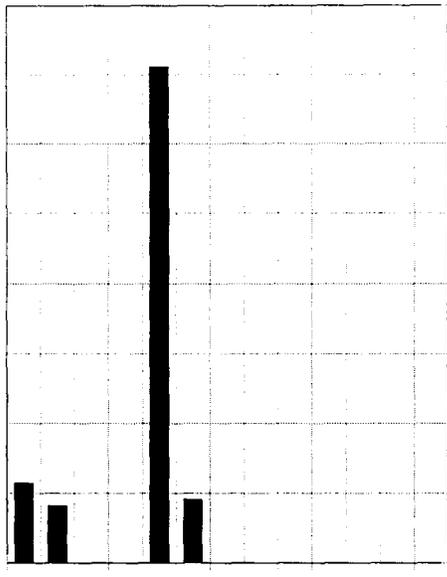
TOTAL RECEIPTS:

\$2,822.80

100.00%

ESTATE EXPENSES:

TRUSTEE'S COMMISSION	324.34	11.49%
TRUSTEE'S EXPENSES	232.39	8.23%
FIRM'S PROFESSIONAL FEES	0.00	0.00%
FIRM'S PROFESSIONAL EXPENSES	0.00	0.00%
OTHER ATTORNEY FEES	2,008.82	71.16%
OTHER PROFESSIONAL FEES	257.25	9.11%
COURT COSTS	0.00	0.00%
ESTATE EXPENSES(TAXES, ETC)	0.00	0.00%
PRIOR CHAPTER COSTS	0.00	0.00%
SECURED CLAIMS PAID	0.00	0.00%
PRIORITY CLAIMS PAID	0.00	0.00%
UNSECURED CLAIMS PAID	0.00	0.00%
OTHER(RETURN TO DEBTOR, ETC)	0.00	0.00%



UNSECURED CLAIMS ALLOWED

370,227.39

UNSECURED CLAIMS PAID

0.00

PERCENT RECOVERED FOR UNSECURED

0.00%

Form 1

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

Case Number: 97-44266 DRS Trustee: (631680) JOYCE LINDAUER
 Case Name: BARNETT, LIONAL W. Filed (f) or Converted (c): 12/12/97 (f)
 Period Ending: 01/29/01 \$341(a) Meeting Date: 01/16/98
 Claims Bar Date: 04/16/98

1	2	3	4	5	6
Ref. #	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	550,000.00	0.00		0.00	FA
2	107.00	107.00	DA	0.00	FA
3	200.00	200.00	DA	0.00	FA
4	300.00	0.00		0.00	FA
5	500.00	0.00		0.00	FA
6	2,000.00	0.00		0.00	FA
7	575.00	0.00	DA	0.00	FA
8	375,000.00	375,000.00		0.00	FA
9	10,000.00	10,000.00	OA	0.00	FA
10	10,300.00	300.00	DA	0.00	FA
11	1,496.00	0.00		0.00	FA
12	1,925.00	1,925.00		1,457.75	FA
13	0.00	1,000.00		1,000.00	FA

Form 2

Cash Receipts And Disbursements Record

Trustee: JOYCE LINDAUER (631680)
Bank Name: THE CHASE MANHATTAN BANK
Account: 312-7514854-65 - Money Market Account
Blanket Bond: \$300,000.00 (per case limit)
Separate Bond: N/A

Case Number: 97-44266 DRS
Case Name: BARNETT, LIONAL W.
Taxpayer ID #: 13-7168732
Period Ending: 01/29/01

1 Trans. Date	2 {Ref #}/ Check #	3 Paid To / Received From	4 Description of Transaction	5 Receipts \$	6 Disbursements \$	7 Money Market Account Balan
10/26/98	{12}	FLUSCHE AUCTION COMPANY, INC.		1,457.75		1,457.75
10/30/98	Int	THE CHASE MANHATTAN BANK	Interest posting at 2.0%	0.24		1,457.99
11/30/98	Int	THE CHASE MANHATTAN BANK	Interest posting at 2.0%	2.40		1,460.39
12/31/98	Int	THE CHASE MANHATTAN BANK	Interest posting at 2.0%	2.48		1,462.87
01/29/99	Int	THE CHASE MANHATTAN BANK	Interest posting at 2.0000%	2.49		1,465.36
02/26/99	Int	THE CHASE MANHATTAN BANK	Interest posting at 2.0000%	2.25		1,467.61
03/31/99	{13}	RUSTY BARNETT		1,000.00		2,467.61
03/31/99	Int	THE CHASE MANHATTAN BANK	Interest posting at 2.0000%	2.49		2,470.10
04/30/99	Int	THE CHASE MANHATTAN BANK	Interest posting at 2.0000%	3.85		2,473.95
05/28/99	Int	THE CHASE MANHATTAN BANK	Interest posting at 2.0000%	4.21		2,478.16
06/30/99	Int	THE CHASE MANHATTAN BANK	Interest posting at 1.9000%	4.02		2,482.18
07/30/99	Int	THE CHASE MANHATTAN BANK	Interest posting at 1.9000%	4.01		2,486.19
08/31/99	Int	THE CHASE MANHATTAN BANK	Interest posting at 1.9000%	4.02		2,490.21
09/30/99	Int	THE CHASE MANHATTAN BANK	Interest posting at 1.9000%	3.89		2,494.10
10/29/99	Int	THE CHASE MANHATTAN BANK	Interest posting at 2.0000%	4.12		2,498.22
11/30/99	Int	THE CHASE MANHATTAN BANK	Interest posting at 2.0000%	4.11		2,502.33
12/31/99	Int	THE CHASE MANHATTAN BANK	Interest posting at 2.0000%	4.25		2,506.58
01/31/00	Int	THE CHASE MANHATTAN BANK	Interest posting at 2.0000%	4.25		2,510.83
02/29/00	Int	THE CHASE MANHATTAN BANK	Interest posting at 2.1000%	3.98		2,514.81
03/31/00	Int	THE CHASE MANHATTAN BANK	Interest posting at 2.1000%	4.26		2,519.07
04/28/00	Int	THE CHASE MANHATTAN BANK	Interest posting at 2.2000%	4.41		2,523.48
05/31/00	Int	THE CHASE MANHATTAN BANK	Interest posting at 2.3000%	4.72		2,528.20
06/30/00	Int	THE CHASE MANHATTAN BANK	Interest posting at 2.3000%	4.77		2,532.97
07/31/00	Int	THE CHASE MANHATTAN BANK	Interest posting at 2.3000%	4.94		2,537.91
08/31/00	Int	THE CHASE MANHATTAN BANK	Interest posting at 2.3000%	4.95		2,542.86
Subtotals :				\$2,542.86	\$0.00	\$0.00

Form 2

Cash Receipts And Disbursements Record

Case Number: 97-44266 DRS
 Case Name: BARNETT, LIONAL W.
 Taxpayer ID #: 13-7168732
 Period Ending: 01/29/01

Trustee: JOYCE LINDAUER (631680)
 Bank Name: THE CHASE MANHATTAN BANK
 Account: 312-7514854-66 - 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	4 Description of Transaction	5 Receipts \$	6 Disbursements \$	7 Checking Account Balan
01/25/01		From Account #312751485465	Close MMA / Opened Non Interest Checking To Prepare TFR	2,565.55		2,565.55

ACCOUNT TOTALS
 Less: Bank Transfers 0.00
 Subtotal 2,565.55
 Less: Payments to Debtors 0.00
NET Receipts / Disbursements \$0.00

TOTAL - ALL ACCOUNTS

	Net Receipts	Net Disbursements	Account Balances
MMA # 312-7514854-65	2,565.55	0.00	0.00
Checking # 312-7514854-66	0.00	0.00	2,565.55
	\$2,565.55	\$0.00	\$2,565.55

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

In Re: Case No: 97-44266 drs

Lional W. Barnett Chapter: 7

Debtor(s)

FILED
U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS

MAY 10 2000

BILL OF COURT COSTS

CLERK, U.S. BANKRUPTCY COURT
DEPUTY

To: **Joyce W. Lindauer**
12900 Preston Road, Suite 900
Dallas, TX 75230

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 between 1/1/98. **\$-0-**

NOTE: For Chapter 7 cases filed after 12/1/92, there will be NO NOTICE FEES.
(Do Not Bill for \$.50 per notice)

NOTE: For all other chapters filed after 1/1/98, there will be NO NOTICE FEES. (Do Not Bill for \$.50 per notice)

PROCESSING CLAIMS

NOTE: Eliminated is the fee of \$.25 for clerical processing of each claim in excess of 10 in cases filed under the Act or Code.

DEFERRED ADVERSARY FILING FEES

-0- Chapter 7 Adversary Proceeding filed @ \$120.00/150.00 each. **\$-0-**

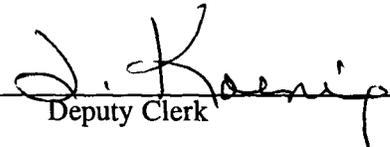
NOTE: For all Adversary Proceedings filed after 12/18/96 the filing fee is \$150.00.

TOTAL AMOUNT DUE **\$-0-**

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

Date: 5/10/00

JAMES D. TOKOPH
Clerk of Court

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.

JOYCE W. LINDAUER
CHAPTER 7 TRUSTEE
12900 Preston Road, Suite 900
Dallas, Texas 75230

FILED
U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF TX

2000 MAY -9 PM 2: 55

CLERK, U.S. BANKRUPTCY
COURT

BY JWH DEPUTY
Teletype:
(972) 503-4034

Telephone:
(972) 503-4033

May 5, 2000

Clerk, U.S. Bankruptcy Court
660 N. Central Expressway, Suite 300B
Plano, Texas 75074

Re: *Lionel W. Barnett, Debtor*
Case No. 97-44266

Dear Clerk:

In preparation of the Chapter 7 Trustee's Final Report in the above-referenced proceeding,
please indicate below any Court fees which remain to be paid.

Thank you for your assistance in this matter.

Very truly yours,

Nancy M. Howe

Nancy M. Howe,
Secretary to Joyce W. Lindauer

Encs.

Fees Due:	<u> </u>	Yes	Amount	\$ <u> - 0 -</u>
	<u> ✓ </u>	No		

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

FILED
U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS

2000 DEC 21 AM 10:53

CLERK, U.S. BANKRUPTCY
COURT

BY Jmh DEPUTY

CASE NO. 97-44266
(Chapter 7)

IN RE:

LIONAL W. BARNETT

DEBTOR.

§
§
§
§
§

ORDER GRANTING
TRUSTEE'S APPLICATION TO SELL PROPERTY
OF THE ESTATE

END
DEC 21 2000

CAME ON FOR CONSIDERATION the Trustee's Application to Sell Property of the Estate
and the Court, upon a review of the pleadings on file, finds that good cause exists for granting same.

It is, therefore

ORDERED, ADJUDGED AND DECREED that the Trustee's Application to Sell Property
of the Estate is hereby GRANTED and all liens, claims and encumbrances shall attach to the
proceeds of sale.

SIGNED: December 20, 2000

Ronald R. Brown
UNITED STATES BANKRUPTCY JUDGE

HH

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

In re:

LIONEL W. BARNETT,

Debtor.

§
§
§
§
§

CASE NO. 97-44266-S
(Chapter 7)

Handwritten initials

EOD

JUN 08 '99

ORDER GRANTING APPLICATION FOR PAYMENT OF TRUSTEE'S
COUNSEL COMPENSATION AND REIMBURSEMENT OF EXPENSES

On this date, came on to be considered the Application for Trustee's Counsel Compensation and Reimbursement of Expenses ("Application") filed by Johnson & Wolffarth, L.L.P., (the "Firm"), counsel for Joyce Lindauer, Trustee, requesting award and payment of attorney's fees for services rendered and out-of-pocket expenses paid in such capacity. Having considered the Application and attachments thereto, together with the record before the Court, and the applicable standards as set forth by the Fifth Circuit, the Court finds as follows:

1. The Court has jurisdiction over this matter under 28 U.S.C. §§157 and 1334. This is a matter involving administration of the estate and a request for compensation under 11 U.S.C. § 330.
2. The Application seeks approval and payment of \$3,340.00 in fees and, compensation and reimbursement of \$632.39 in expenses.
3. The Firm's employment as counsel for the Trustee was approved by Court Order entered April 6, 1998.

4. In reviewing the hourly rates requested by the Firm, the Court finds same to be comparable to the rates charged by comparable attorneys in similar bankruptcy and non-bankruptcy cases.

5. The Court also finds the work performed was reasonable and necessary for the proper management and administration of the Estate.

6. The Court further finds that this application has been properly served on all creditors and parties in interest and no objections were filed.

7. Following review of the Application, the Court is of the opinion that, based on the factors and considerations as set forth by the Fifth Circuit, the Firm is entitled to allowance of compensation and reimbursement of expenses in the amounts set forth below.

8. This Order contains the Court's findings of fact and conclusions of law, as required by Bankruptcy Rule 7052. For the foregoing reasons, it is

ORDERED that the Application for Allowance and Payment of Trustee's Counsel Compensation and Reimbursement of Expenses is GRANTED and that the Firm's request for compensation is ALLOWED in the amount of 3,340.00 for attorneys' fees and ~~632.39~~ for reimbursement for out-of-pocket expenses.

SIGNED this 7th day of June, 1999.


Judge Presiding

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

FILED
U.S. BANKRUPTCY COURT
99 FEB 23 AM 8:38

In re:

LIONEL W. BARNETT,

Debtor.

§
§
§
§
§

CASE NO. 97-44266-S
(Chapter 7)

EOD
FEB 23 '99

ORDER AUTHORIZING TRUSTEE TO SELL STOCK IN
NORTH TEXAS GREENHOUSE, INC. FREE AND CLEAR
OF LIENS, CLAIMS AND ENCUMBRANCES

On this date came on to be considered the motion of Joyce Lindauer, Trustee, seeking authority to sell the bankruptcy estate's interest in North Texas Greenhouse, Inc. free and clear of all liens, claims and encumbrances. No objections having been filed to the motion the Court finds same is well taken and should be granted. It is accordingly,

ORDERED that Joyce Lindauer, Trustee, is authorized to sell the Estate's stock in North Texas Greenhouse, Inc. to the Debtor for the sum of \$1,000.00.

SIGNED this 22 day of February 1999.


Judge Presiding

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

IN RE:

BARNETT, LIONAL W.,

DEBTOR.

§
§
§
§
§

CASE NO. 97-44266
(Chapter 7)

EOD DEC 1 '98

ORDER GRANTING
APPLICATION TO EMPLOY AUCTIONEER TO
LIQUIDATE ASSETS OF ESTATE

UPON CONSIDERATION of the application of Joyce W. Lindauer, Chapter 7 Trustee, seeking approval of her employment of Don Flusche, Flusche Auction Co., Inc., to conduct the sale of property described in the application, and it appearing that said auctioneer is qualified and competent to conduct the sale, that said auctioneer has no interest that would disqualify him from the proposed employment, and that the fee to be paid is reasonable, it is

ORDERED, ADJUDGED AND DECREED that the employment by the Chapter 7 Trustee of Don Flusche, Flusche Auction Co., Inc., on the terms set forth in the Trustee's application is approved.

DATED: November 25, 1998


HONORABLE DONALD SHARP
UNITED STATES BANKRUPTCY JUDGE

SCHEDULE B

APPLICATION FOR COMPENSATION

COMPUTATION OF COMMISSIONS (cases filed after 10/22/95)

Total Receipts	<u>2,565.55</u>	25% of First \$5,000	\$ 641.38
Less	(5,000.00)		
Balance	—	10% of next \$45,000	\$ 0.00
Less	(45,000.00)		
Balance	<u>0.00</u>	5% of next \$950,000	\$ 0.00
Less	(950,000.00)		
Balance	<u>0.00</u>	3% of Remaining Balance	<u>\$ 0.00</u>

TOTAL COMMISSIONS \$ 641.38

UNREIMBURSED EXPENSES

Recording Fees	\$ 0.00
Premium on Trustee's Bond	\$ 0.00
Copy Costs (See Exhibit "A")	\$ 65.00
Postage Costs (See Exhibit "A")	\$ 19.55
Secretarial Time (See Exhibit "A")	\$ 375.00
Preservation of Estate	\$ <u>0.00</u>

TOTAL UNREIMBURSED EXPENSES: \$ 459.55

EXHIBIT "A"

TRUSTEE EXPENSES

TOTALS:	
Secretarial Time = 7.5 hours @ \$ 50.00/hour	\$375.00
Copies = 260 @ \$.25/page	\$65.00
Postage = 20 @ \$.33 \$6.60 + \$12.95	\$19.55

SECRETARIAL TIME

Date	Description of Services	Total Hours
	Preparation of Trustee's Application to Sell Property of Estate	1.0
	Preparation of Application to Employ Auctioneer	.5
	Work on Sales of Stock and Gold	1.0
	Draft Affidavits and Orders for Employment and Sale	2.0
	Revise Final Report	.5
	Finalize Final Report	.5
	Preparation of Supplemental Final Report	.5
	Total Hours:	7.5

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>				
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. Estates 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. Other (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	641.38	641.38	0.00	641.38
B. Expenses of Trustee	459.55	459.55	0.00	459.55
C. Trustee's Attorney	3,972.39	3,972.39	0.00	3,972.39
D. Auctioneer's Fees & Expenses	257.25	257.25	257.25	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 (itemize)	0.00	0.00	0.00	0.00
Totals:	<u>\$5,330.57</u>	<u>\$5,330.57</u>	<u>\$ 257.25</u>	<u>\$5,073.32</u>

SCHEDULE D
SECURED CLAIMS

Claim No.	Secured Claim (Creditor Name)	Amount Claimed	Amount Allowed	Previously Paid	Due
5	American National Bank	\$ 1,343.80	\$0.00	\$0.00	\$0.00
7	Greentree Financial	\$39,950.81	\$0.00	\$0.00	\$0.00
10	Horticulture Enterprises	\$ 3,260.76	\$0.00	\$0.00	\$0.00
13	Plano Bank & Trust	\$ 8,909.20	\$0.00	\$0.00	\$0.00
14	Plano Bank & Trust	\$74,703.00	\$0.00	\$0.00	\$0.00
17	Navistaqr Financial	\$ 7,528.86	\$0.00	\$0.00	\$0.00
	Totals:	\$92,960.43	\$0.00	\$0.00	\$0.00

SCHEDULE E

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) Due
1. For Credit Extended Section 364(e)(1)					
2. Claims for failure of adequate protection Section 307(a)(b)					
3. "Gap Claims" Section 507(a)(2)					
4. Wages, etc. Section 507(a)(3)					
5. Contributions to Benefit Plans Section 507(a)(4)					
6. Consumer Deposits Section 507(a)(6)					
7. Taxes Section 507(a)(7)					
TOTAL:					\$0.00

U.S. Bankruptcy Court - Eastern District of Texas Claims Register Report

97-44266 In re: Lional W. Barnett
Case type: bk Chapter: 7 Asset: y Vol: v Case filed: 12/12/97
Judge: Donald R. Sharp

97 - 44266	Debtor Name: Barnett , Lional W.	<i>Last Date to File Claims: 04/16/98</i> <i>Last Date to File (govt): 06/10/98</i>
Claim Number: 1	<i>Creditor Name: American Credit Indemnity Agent of Southern Importers, Inc. 100 E. Pratt St., 5th Fl. Baltimore, MD 21202</i>	<i>Nature of Claim:</i> <i>Deficiency:</i> <i>Unliquidated:</i>
<i>Claim date: 01/07/98</i>		
Amount	Class	Remarks
844.60	g	
<i>Total: \$ 844.60</i>		
<i>Amount Allowed: N/A</i>	<i>Description:</i>	<i>Order Action:</i>

97 - 44266	Debtor Name: Barnett , Lional W.	<i>Last Date to File Claims: 04/16/98</i> <i>Last Date to File (govt): 06/10/98</i>
Claim Number: 2	<i>Creditor Name: Sharp & Son Acct No: 5498 20808 S. E. 20th Issaquah, WA 98029</i>	<i>Nature of Claim:</i> <i>Deficiency:</i> <i>Unliquidated:</i>
<i>Claim date: 01/09/98</i>		
Amount	Class	Remarks
126,423.59	g	
<i>Total: \$ 126,423.59</i>		
<i>Amount Allowed: N/A</i>	<i>Description:</i>	<i>Order Action:</i>

97 - 44266	Debtor Name: Barnett , Lional W.	<i>Last Date to File Claims: 04/16/98</i> <i>Last Date to File (govt): 06/10/98</i>
Claim Number: 3	<i>Creditor Name: Vaughan's Seed Company c/o Robert F. Kalinke Attorney at Law 6116 N. Central Expwy. #1000 Dallas, TX 75206</i>	<i>Nature of Claim:</i> <i>Deficiency:</i> <i>Unliquidated:</i>
<i>Claim date: 01/14/98</i>		
Amount	Class	Remarks
73,680.97	g	
<i>Total: \$ 73,680.97</i>		
<i>Amount Allowed: N/A</i>	<i>Description:</i>	<i>Order Action:</i>

97 - 44266	Debtor Name: Barnett , Lionel W.	<i>Last Date to File Claims: 04/16/98</i> <i>Last Date to File (govt): 06/10/98</i>
Claim Number: 4	<i>Creditor Name: Viking Office Products</i> 5101 Statesmen Drive Box 819064 Dallas, TX 75381-9064	<i>Nature of Claim:</i> <i>Deficiency:</i> <i>Unliquidated:</i>
<i>Claim date: 01/20/98</i>		
Amount	Class	Remarks
555.86	g	
<i>Total: \$ 555.86</i>		
<i>Amount Allowed: N/A</i>	<i>Description:</i>	<i>Order Action:</i>

97 - 44266	Debtor Name: Barnett , Lionel W.	<i>Last Date to File Claims: 04/16/98</i> <i>Last Date to File (govt): 06/10/98</i>
Claim Number: 5	<i>Creditor Name: American National Bank</i> Acct No: 71710117 PO Box 73 Allen TX 75002	<i>Nature of Claim:</i> <i>Deficiency:</i> <i>Unliquidated:</i>
<i>Claim date: 01/20/98</i>		
Amount	Class	Remarks
1,343.80	s	
<i>Total: \$ 1,343.80</i>		
<i>Amount Allowed: N/A</i>	<i>Description:</i>	<i>Order Action:</i>

97 - 44266	Debtor Name: Barnett , Lionel W.	<i>Last Date to File Claims: 04/16/98</i> <i>Last Date to File (govt): 06/10/98</i>
Claim Number: 6	<i>Creditor Name: Frank Smith & Sons</i> Acct No: North Texas Greenhouse 876 Indian Trail Road Carlton MI 48117	<i>Nature of Claim:</i> <i>Deficiency:</i> <i>Unliquidated:</i>
<i>Claim date: 01/26/98</i>		
Amount	Class	Remarks
16,110.90	g	
<i>Total: \$ 16,110.90</i>		
<i>Amount Allowed: N/A</i>	<i>Description:</i>	<i>Order Action:</i>

97 - 44266	Debtor Name: Barnett , Lionel W.	<i>Last Date to File Claims: 04/16/98</i> <i>Last Date to File (govt): 06/10/98</i>
Claim Number: 7	<i>Creditor Name: Green Tree Financial</i> Servicing Corp. 5850 W. Interstate 20; Ste. 250 Arlington, TX 76017	<i>Nature of Claim:</i> <i>Deficiency:</i> <i>Unliquidated:</i>
<i>Claim date: 01/28/98</i>		
Amount	Class	Remarks
39,950.81	s	
<i>Total: \$ 39,950.81</i>		
<i>Amount Allowed: N/A</i>	<i>Description:</i>	<i>Order Action:</i>

97 - 44266	Debtor Name: Barnett , Lionel W.	<i>Last Date to File Claims: 04/16/98</i> <i>Last Date to File (govt): 06/10/98</i>
Claim Number: 8	<i>Creditor Name: First Bankcard Center</i> <i>Acct No: 4418 4410 0200 2982</i> <i>P. O. Box 3773</i> <i>Omaha, NE 68103-0773</i>	<i>Nature of Claim:</i> <i>Deficiency:</i> <i>Unliquidated:</i>
<i>Claim date: 02/02/98</i>		
Amount	Class	Remarks
5,154.04	g	
<i>Total: \$ 5,154.04</i>		
<i>Amount Allowed: N/A</i>	<i>Description:</i>	<i>Order Action:</i>

97 - 44266	Debtor Name: Barnett , Lionel W.	<i>Last Date to File Claims: 04/16/98</i> <i>Last Date to File (govt): 06/10/98</i>
Claim Number: 9	<i>Creditor Name: Capital One</i> <i>Acct No: 4121 7412 6174 0174</i> <i>P. O. Box 85167</i> <i>Richmond, VA 23285-5015</i>	<i>Nature of Claim:</i> <i>Deficiency:</i> <i>Unliquidated:</i>
<i>Claim date: 03/13/98</i>		
Amount	Class	Remarks
5,252.26	g	
<i>Total: \$ 5,252.26</i>		
<i>Amount Allowed: N/A</i>	<i>Description:</i>	<i>Order Action:</i>

97 - 44266	Debtor Name: Barnett , Lionel W.	<i>Last Date to File Claims: 04/16/98</i> <i>Last Date to File (govt): 06/10/98</i>
Claim Number: 10	<i>Creditor Name: Horticulture Enterprises</i> <i>170 S. Washington Ave.</i> <i>Apopka, FL 32703</i>	<i>Nature of Claim:</i> <i>Deficiency:</i> <i>Unliquidated:</i>
<i>Claim date: 04/10/98</i>		
Amount	Class	Remarks
3,260.76	s	
<i>Total: \$ 3,260.76</i>		
<i>Amount Allowed: N/A</i>	<i>Description:</i>	<i>Order Action:</i>

97 - 44266	Debtor Name: Barnett , Lionel W.	<i>Last Date to File Claims: 04/16/98</i> <i>Last Date to File (govt): 06/10/98</i>
Claim Number: 11	<i>Creditor Name: Yoder Brothers, Inc.</i> <i>Acct No: 48509</i> <i>c/o William r. Wilson</i> <i>5050 Quorum Dr #330</i> <i>Dallas, TX 75240-6723</i>	<i>Nature of Claim:</i> <i>Deficiency:</i> <i>Unliquidated:</i>
<i>Claim date: 04/10/98</i>		
Amount	Class	Remarks
97,790.72	g	
<i>Total: \$ 97,790.72</i>		
<i>Amount Allowed: N/A</i>	<i>Description:</i>	<i>Order Action:</i>

97 - 44266	Debtor Name: Barnett , Lionel W.	<i>Last Date to File Claims:</i> 04/16/98 <i>Last Date to File (govt):</i> 06/10/98
Claim Number: 12	<i>Creditor Name:</i> Fafard Box 790 Agawam, MA 01001-0790	<i>Nature of Claim:</i> <i>Deficiency:</i> <i>Unliquidated:</i>
<i>Claim date:</i> 04/14/98		
Amount	Class	Remarks
8,901.70	g	
<i>Total:</i> \$ 8,901.70		
<i>Amount Allowed:</i> N/A	<i>Description:</i>	<i>Order Action:</i>

97 - 44266	Debtor Name: Barnett , Lionel W.	<i>Last Date to File Claims:</i> 04/16/98 <i>Last Date to File (govt):</i> 06/10/98
Claim Number: 13	<i>Creditor Name:</i> Plano Bank & Trust c/o William Riley Nix 320 N. Travis, Suite 306 Sherman, TX 75090	<i>Nature of Claim:</i> <i>Deficiency:</i> <i>Unliquidated:</i>
<i>Claim date:</i> 04/16/98		
Amount	Class	Remarks
8,909.20	s	
<i>Total:</i> \$ 8,909.20		
<i>Amount Allowed:</i> N/A	<i>Description:</i>	<i>Order Action:</i>

97 - 44266	Debtor Name: Barnett , Lionel W.	<i>Last Date to File Claims:</i> 04/16/98 <i>Last Date to File (govt):</i> 06/10/98
Claim Number: 14	<i>Creditor Name:</i> Plano Bank & Trust c/o William Riley Nix 320 N. Travis, Suite 306 Sherman, TX 75090	<i>Nature of Claim:</i> <i>Deficiency:</i> <i>Unliquidated:</i>
<i>Claim date:</i> 04/16/98		
Amount	Class	Remarks
74,703.00	s	
<i>Total:</i> \$ 74,703.00		
<i>Amount Allowed:</i> N/A	<i>Description:</i>	<i>Order Action:</i>

97 - 44266	Debtor Name: Barnett , Lionel W.	<i>Last Date to File Claims:</i> 04/16/98 <i>Last Date to File (govt):</i> 06/10/98
Claim Number: 15	<i>Creditor Name:</i> MBNA America P. O. Box 15725 MS 1401 Wilmington, DE 19885-15725	<i>Nature of Claim:</i> <i>Deficiency:</i> <i>Unliquidated:</i>
<i>Claim date:</i> 04/17/98		
Amount	Class	Remarks
17,947.47	g	
<i>Total:</i> \$ 17,947.47		
<i>Amount Allowed:</i> N/A	<i>Description:</i>	<i>Order Action:</i>

97 - 44266	Debtor Name: Barnett , Lionel W.	<i>Last Date to File Claims:</i> 04/16/98 <i>Last Date to File (govt):</i> 06/10/98
Claim Number: 16	<i>Creditor Name:</i> V.J. Growers Supply 500 W. Orange Blossom Trail Apopka, FL 32712-3498	<i>Nature of Claim:</i> <i>Deficiency:</i> <i>Unliquidated:</i>
<i>Claim date:</i> 05/05/98		
Amount	Class	Remarks
18,865.28	g	
<i>Total:</i> \$ 18,865.28		
<i>Amount Allowed:</i> N/A	<i>Description:</i>	<i>Order Action:</i>

97 - 44266	Debtor Name: Barnett , Lionel W.	<i>Last Date to File Claims:</i> 04/16/98 <i>Last Date to File (govt):</i> 06/10/98
Claim Number: 17	<i>Creditor Name:</i> Navistar Financial Attn: Barbara Reiter P.O. Box 655727 Dallas, TX 75265	<i>Nature of Claim:</i> <i>Deficiency:</i> <i>Unliquidated:</i>
<i>Claim date:</i> 06/10/98		
Amount	Class	Remarks
7,528.86	s	
<i>Total:</i> \$ 7,528.86		
<i>Amount Allowed:</i> N/A	<i>Description:</i>	<i>Order Action:</i>

Report Criteria

Claim Number(s): All

End of Claims Register Report

PACER Service Center			
Transaction Receipt			
02/07/2001 12:53:17			
PACER Login:	li0081	Client Code:	
Description:	claim register	Case Number:	1997-44266
Billable Pages:	1	Cost:	0.07



Need help? Try the [PACER User's Guide](#).

For information or comments, please contact [Pacer Service Center](#)

[PACER Home](#).

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

IN RE:)
)
LIONEL W. BARNETT) CASE NO. 97-44266
) (CHAPTER 7)
DEBTOR.)

TRUSTEE'S REPORT OF PROPOSED FINAL DISTRIBUTIONS

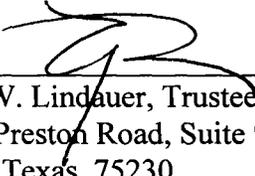
The undersigned trustee of the estate hereby submits to the Court and to the United States Trustee this Report of Proposed Final Distribution.

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.

i.	Balance on Hand	\$2,565.55
ii.	Administrative Expenses to be paid	\$2,565.55
iii.	Priority Claims to be paid	0.00
iv.	Secured Claims to be paid	0.00
v.	Unsecured Claims to be paid	0.00
vi.	Miscellaneous distributions to be paid	0.00
vii.	Total Distributions to be made	<u>\$2,565.55</u>
viii.	Zero Balance	<u>\$ 0.00</u>

Dated: 2/5/01



Joyce W. Lindauer, Trustee
12900 Preston Road, Suite 930
Dallas, Texas 75230
(972) 503-4033

Claims Proposed Distribution
Trustee: Joyce W. Lindauer

Case: LIONEL W. BARNETT
Case Balance: \$2,565.55

Total Proposed Payment: \$2,565.55

Remaining Balance: \$2,565.55

Claim No.	Claimant Name	Type	Amount Filed	Amount Allowed	Paid to Date	Claim Balance	Proposed Payment	Remaining Funds
	Joyce W. Lindauer Exp - Trustee (Ch 7)	Admin Ch 7	\$459.55	\$459.55	\$0.00	\$459.55	\$232.40	\$2,333.15
	Clerk, U.S. Bankruptcy Court	Admin Ch 7	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,333.15
	Joyce W. Lindauer Fees - Trustee (Ch 7)	Admin Ch 7	\$641.38	\$641.38	\$0.00	\$641.38	\$324.34	\$2,008.81
	<i>Wm Chris Wolffarth</i> Fees - Trustee's Atty (Ch 7)	Admin Ch 7	\$3,972.39	\$3,972.39	\$0.00	\$3,972.39	\$2,008.81	\$0.00
	Don Flushce, Auctioneer	Admin Ch 7	\$257.25	\$257.25	\$257.25	\$0.00	\$0.00	\$0.00
1	American Credit Indemnity	Unsecured	\$44.60	\$44.60	\$0.00	\$44.60	\$0.00	\$0.00
2	Sharp & Son	Unsecured	\$126,423.59	\$126,423.59	\$0.00	\$126,423.59	\$0.00	\$0.00
3	Vaughan's Seed Company	Unsecured	\$73,680.97	\$73,680.97	\$0.00	\$73,680.97	\$0.00	\$0.00
4	Viking Office Produce	Unsecured	\$55.86	\$55.86	\$0.00	\$55.86	\$0.00	\$0.00
5	American National Bank	Secured	\$1,343.80	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
6	Frank Smith & Sons	Unsecured	\$16,110.90	\$16,110.90	\$0.00	\$16,110.90	\$0.00	\$0.00
7	Green Tree Financial Service	Secured	\$39,950.81	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8	First Bankcard Center	Unsecured	\$5,154.04	\$5,154.04	\$0.00	\$5,154.04	\$0.00	\$0.00
9	Capital One	Unsecured	\$5,252.26	\$5,252.26	\$0.00	\$5,252.26	\$0.00	\$0.00
10	Horticulture Enterprises	Secured	\$3,260.76	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
11	Yoder Brother, Inc.	Unsecured	\$97,790.72	\$97,790.72	\$0.00	\$97,790.72	\$0.00	\$0.00
12	Fafard	Unsecured	\$8,901.70	\$8,901.70	\$0.00	\$8,901.70	\$0.00	\$0.00
13	Plano Bank & Trust	Secured	\$8,909.20	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
14	Plano Bank & Trust	Secured	\$74,703.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
15	MBNA America	Unsecured	\$17,947.47	\$17,947.47	\$0.00	\$17,947.47	\$0.00	\$0.00

16	V.J. Growers Supply	Unsecured	\$18,865.28	\$18,865.28	\$0.00	\$18,865.28	\$0.00	\$0.00
17	Navistar Financial	Secured	\$7,528.86	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total for Case No. 99-41169			\$511,254.39	\$375,557.96	\$257.25	\$375,300.71	\$2,565.55	\$0.00

CASE SUMMARY

	Amount Filed	Amount Allowed	Paid to Date	Proposed Balance
Total Administrative Claims:	\$5,330.57	\$5,330.57	\$257.25	\$5,073.32
Total Priority Claims:	\$0.00	\$0.00	\$0.00	\$0.00
Total Secured Claims:	\$92,960.43	\$0.00	\$0.00	\$0.00
Total Unsecured Claims:	\$370,227.39	\$370,227.39	\$0.00	\$0.00

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

IN RE: LIONEL W. BARNETT / BANKRUPTCY CASE: 97-44266
/
/ 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, 200 E. Ferguson, Tyler, Texas 75702, or at the trustee's office whose name and address is as follows:

JOYCE LINDAUER 12900 PRESTON ROAD SUITE 900 DALLAS, TX 75230

The following Applications for Compensation have been filed:

<u>Applicants</u>	<u>Fees Requested</u>	<u>Expenses Requested</u>
<u>JOYCE LINDAUER</u> Trustee	<u>324.34</u>	<u>232.39</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:

Total Receipts	Total Disbursements	Balance
<u>\$ 2822.80</u>	<u>\$ 257.25</u>	<u>\$ 2565.55</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 \$ 0.00 ; general unsecured claims have been allowed in the amount of \$ 370227.39 .
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

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

IN RE:

LIONEL W. BARNETT

DEBTOR.

)
)
)
)
)
)

CASE NO.97-44266
(CHAPTER 7)

ORDER APPROVING TRUSTEE'S FINAL REPORT,
PROPOSED DISTRIBUTION AND ALLOWING COMPENSATION

The Trustee having filed an Application for Compensation and Reimbursement of Expenses, and the Trustee having filed a Final Report and Report of Proposed Distribution, after hearing and due consideration, it is hereby:

ORDERED that the Trustee's Final Report and Proposed Distribution are hereby approved. It is further

ORDERED that the Trustee, Joyce W. Lindauer, is to pay the claims allowed and approved in the Trustee's Final Report and Report of Proposed Distribution.

DATED: _____.

UNITED STATES BANKRUPTCY JUDGE