

FILED
U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF TX
2000 MAY 30 AM 11:45
CLERK, U.S. BANKRUPTCY
COURT
BY JK DEPUTY

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

IN RE
Gardner, John Wayde
Gardner, Linda P. aka O'Sullivan

§
§
§
§
§

CASE NO. 98-41591-DRS
CHAPTER 7

DEBTOR(S).

**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: 05/05/00

Mark A. Weisbart

Mark A. Weisbart, Trustee
Texas Bar No. 21102650
5950 Sherry Lane, Suite 222
Dallas, TX 75225
(214) 379-0790; Fax (214) 696-5455
CHAPTER 7 TRUSTEE

**

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: 5-27-00

By: [Signature]

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

IN RE	§	
Gardner, John Wayde	§	
Gardner, Linda P. aka O'Sullivan	§	CASE NO. 98-41591-DRS
	§	CHAPTER 7
DEBTOR(S).	§	

**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 monies from personal funds for expenses, and that the Trustee has not been reimbursed or indemnified.
2. The Trustee submits Form I as a summary of the assets and an estate 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 the 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 his approval of claims as filed, or he has filed objections to allowances or requests for reclassification.

**TRUSTEE'S FINAL REPORT, APPLICATION FOR COMPENSATION
AND APPLICATION TO CLOSE CASE AND DISCHARGE TRUSTEE - Page 1**

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: 5-5, 2000.



MARK A. WEISBART, CHAPTER 7 TRUSTEE

TRUSTEE'S FINAL REPORT CASE SUMMARY

TRUSTEE: WEISBART

CASE NAME: GARDNER, JOHN/LINDA

COMMENTS:

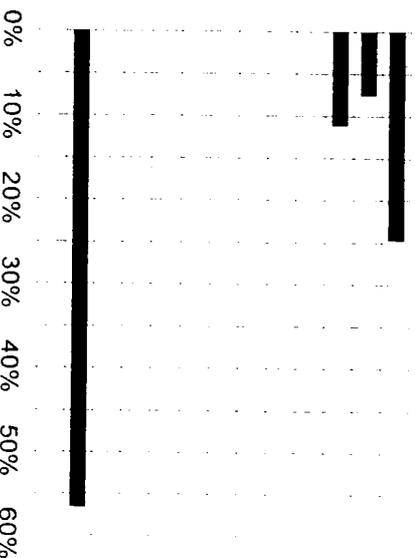
CASE NUMBER: 98-41591

DATE UST APPROVED: 05-19-00

ESTATE INCOME: \$5,105.00
TOTAL RECEIPTS: 100.00%

ESTATE EXPENSES:

TRUSTEE'S COMMISSION	1,260.50	24.69%
TRUSTEE'S EXPENSES	386.20	7.57%
FIRM'S PROFESSIONAL FEES	568.81	11.14%
FIRM'S PROFESSIONAL EXPENSES	0.00	0.00%
OTHER ATTORNEY FEES	0.00	0.00%
OTHER PROFESSIONAL FEES	0.00	0.00%
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	2,889.49	56.60%
OTHER(RETURN TO DEBTOR, ETC)	0.00	0.00%



UNSECURED CLAIMS ALLOWED
8,970.89

UNSECURED CLAIMS PAID
2,889.49

PERCENT RECOVERED FOR UNSECURED
32.21%

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

Case No: 98-41591 DRS Judge: Donald R. Sharp
 Case Name: Gardner, John Wayde
 Gardner, Linda P. aka O'Sullivan
 For Period Ending: 05/05/00

Trustee Name: Mark A. Weisbart, Trustee
 Date Filed (f) or Converted (c): 05/06/98 (f)
 341(a) Meeting Date: 06/19/98
 Claims Bar Date: 11/02/98

1	2	3	4	5	6	7	8
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Est Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA=554(a) DA=554(c)	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets	Lien Amount	Exempt Amount
1. Homestead	165,000.00	0.00		0.00	0.00	154,000.00	11,000.00
2. Cash in Bank Accounts	250.00	0.00		0.00	0.00		250.00
3. Household Furniture and Goods	4,000.00	0.00		0.00	0.00		4,000.00
4. Other Personal Property Baseball Card Collection See Asset #14 Agreement	2,000.00	0.00		0.00	0.00		2,000.00
5. Wearing Apparel	1,500.00	0.00		0.00	0.00		1,500.00
6. Camera Equipment	200.00	0.00		0.00	0.00		200.00
7. Life Insurance Prudential Insurance policy (See asset #14 agreement)	15,000.00	0.00		0.00	0.00		15,000.00
8. Life Insurance Prudential Life Insurance (See asset #14 agreement)	2,000.00	0.00		0.00	0.00		2,000.00
9. Partnership Interest Jack's Stats & Graphics (30% ownership) (See asset #14 agreement)	1.00	0.00		0.00	0.00		1.00
10. Income Tax Refund	150.00	0.00		0.00	0.00		150.00
11. Automobiles 1994 Mercury Villager	6,500.00	0.00		0.00	0.00		6,500.00
12. Automobiles 1994 Suzuki Sidekick	4,000.00	0.00		0.00	0.00		4,000.00
13. Furs and Jewelry Wedding Ring	500.00	0.00		0.00	0.00		500.00
14. Accounts Receivable (u) Agreement and settlement on debtors interest in Jack's Stats & Graphics, Baseball Card Collection and Prudential	5,000.00	5,000.00		5,000.00	FA		

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

Case No: 98-41591 DRS Judge: Donald R. Sharp
Case Name: Gardner, John Wayne
Gardner, Linda P. aka O'Sullivan

Trustee Name: Mark A. Weisbart, Trustee
Date Filed (f) or Converted (c): 05/06/98 (f)
341(a) Meeting Date: 06/19/98
Claims Bar Date: 11/02/98

1	2	3	4	5	6	7	8
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Est Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA=54(a) DA=54(c)	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets	Lien Amount	Exempt Amount
Insurance Policies to be paid out at \$277.77 for 18 months beginning 11/98.							
15. Post-Petition Interest Deposits (u)	Unknown 0.00	93.69 0.50		104.50 0.50	FA FA		
16. Interest (u) Interest from beginning of case through 11/30/98							
TOTALS (Excluding Unknown Values)	\$206,101.00	\$5,094.19		\$5,105.00	\$0.00 Gross Value of Remaining Assets	154,000.00	47,101.00
						(Total Dollar Amount in Column 6)	

Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

Per Agreed Order on Objection to Exemptions, Debtors acquired estates interest in partnership, baseball card collection and life insurance for \$5,000.00 payable over 18 months.

Initial Projected Date of Final Report (TFR): 12/31/99 Current Projected Date of Final Report (TFR): 07/31/00

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

Case No: 98-41591 DRS
 Case Name: Gardner, John Wayde
 Gardner, Linda P. aka O'Sullivan
 Taxpayer ID No: 75-6532700
 For Period Ending: 05/05/00

Trustee Name: Mark A. Weisbart, Trustee
 Bank Name: Bank of America
 Account Number: 3753820000 GENERAL SAVINGS
 Blanket Bond (per case limit): \$ 300,000.00
 Separate Bond (if applicable):

1 Transaction Date	2 Check or Reference	3 Paid To / Received From	4 Description Of Transaction	5 Deposits (\$)	6 Disbursements (\$)	7 Account Balance (\$)
11/03/98	14	John and Linda Gardner 7707 Parkbrook Dr Frisco, TX 75034	Debtor's Purchase of Nonexempt Payment #1 of 18	277.77		277.77
11/30/98	14	NationsBank, N.A. John or Linda Gardner 7707 Parkbrook Dr Frisco, TX 75034	INTEREST REC'D FROM BANK Debtor's Purchase of Nonexempt Payment #2 of 18	0.50 277.77		278.27 556.04
12/28/98	14	John and Linda Gardner 7707 Parkbrook Dr Frisco, TX	Debtor's Purchase of Nonexempt Payment #3 of 18	277.77		833.81
12/31/98	15	NationsBank, N.A.	INTEREST REC'D FROM BANK	1.18		834.99
01/26/99	14	John & Linda Gardner 7707 Parkbrook Dr Frisco, TX 75034	Debtor's Purchase of Nonexempt Payment #4 of 18	277.77		1,112.76
01/29/99	15	NationsBank, N.A.	INTEREST REC'D FROM BANK	1.68		1,114.44
02/24/99	14	John and Linda Gardner 7707 Parkbrook Dr Frisco, TX 75034	Debtor's Purchase of Nonexempt Payment #5 of 18	277.77		1,392.21
02/26/99	15	NationsBank, N.A.	INTEREST REC'D FROM BANK	2.14		1,394.35
03/24/99	14	John and Linda Gardner 7707 Parkbrook Dr Frisco, TX	Debtor's Purchase of Nonexempt Payment #6 of 18	277.77		1,672.12
03/31/99	15	NationsBank, N.A.	INTEREST REC'D FROM BANK	3.17		1,675.29
04/21/99	14	John and Linda Gardner 7707 Parkbrook Dr Frisco, TX 75034	Debtor's Purchase of Nonexempt Payment #7 of 18.	277.77		1,953.06
04/30/99	15	NationsBank, N.A.	INTEREST REC'D FROM BANK	3.54		1,956.60
05/25/99	14	Linda or John Gardner 7707 Parkbrook Dr Frisco, TX 75034	Debtor's Purchase of Nonexempt Payment #8 of 18	277.77		2,234.37
05/28/99	15	NationsBank, N.A.	INTEREST REC'D FROM BANK	3.77		2,238.14
Page Subtotals				2,238.14	0.00	2,238.14

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

Case No: 98-41591 DRS
 Case Name: Gardner, John Wayne
 Gardner, Linda P. aka O'Sullivan
 Taxpayer ID No: 75-6532700
 For Period Ending: 05/05/00

Trustee Name: Mark A. Weisbart, Trustee
 Bank Name: Bank of America
 Account Number: 3753820000 GENERAL SAVINGS
 Blanket Bond (per case limit): \$ 300,000.00
 Separate Bond (if applicable):

1 Transaction Date	2 Check or Reference	3 Paid To / Received From	4 Description Of Transaction	5 Deposits (\$)	6 Disbursements (\$)	7 Account Balance (\$)
06/29/99	14	John & Linda Gardner 7707 Parkbrook Dr Frisco, TX 75034	Debtor's Purchase of Nonexempt Payment #9 of 18	277.77		2,515.91
06/30/99	15	NationsBank, N.A.	INTEREST REC'D FROM BANK	4.79		2,520.70
07/27/99	14	John & Linda Gardner 7707 Parkbrook Dr. Frisco, TX 75034	Payment # 10 of 18	277.77		2,798.47
07/30/99	15	NationsBank, N.A.	INTEREST REC'D FROM BANK	4.89		2,803.36
08/31/99	14	John and Linda Gardner 7707 Parkbrook Dr. Frisco, TX 75034	Debtor's Purchase of Nonexempt Payment # 11 of 18.	277.77		3,081.13
08/31/99	15	NationsBank, N.A.	INTEREST REC'D FROM BANK	5.78		3,086.91
09/30/99	15	NationsBank, N.A.	INTEREST REC'D FROM BANK	5.93		3,092.84
10/01/99	14	Linda or John Gardner 7707 Parkbrook Dr Frisco, TX 75034	Debtor's Purchase of Nonexempt Payment 12 of 18	277.77		3,370.61
10/21/99	14	John and Linda Gardner 7707 Parkbrook Dr. Frisco, TX 75034	Debtor's Purchase of Nonexempt Balance of amount due on purchase of nonexempt property representing payments #13-18.	1,666.76		5,037.37
10/29/99	15	NationsBank, N.A.	INTEREST REC'D FROM BANK	6.64		5,044.01
11/30/99	15	NationsBank, N.A.	INTEREST REC'D FROM BANK	10.40		5,054.41
12/31/99	15	NationsBank, N.A.	INTEREST REC'D FROM BANK	10.10		5,064.51
01/31/00	15	NationsBank, N.A.	INTEREST REC'D FROM BANK	10.09		5,074.60
02/29/00	15	Bank of America	INTEREST REC'D FROM BANK	9.46		5,084.06
03/31/00	15	Bank of America	INTEREST REC'D FROM BANK	10.13		5,094.19
04/28/00	15	Bank of America	INTEREST REC'D FROM BANK	9.17		5,103.36
05/04/00	15	Bank of America	INTEREST REC'D FROM BANK	1.64		5,105.00
		Transfer to acct #3754209675	Final Posting Transfer			0.00

Page Subtotals

2,866.86

5,105.00

FORM 2
ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 98-41591 DRS
 Case Name: Gardner, John Wayde
 Gardner, Linda P. aka O'Sullivan
 Taxpayer ID No: 75-6532700
 For Period Ending: 05/05/00

Trustee Name: Mark A. Weisbart, Trustee
 Bank Name: Bank of America
 Account Number: 3753820000 GENERAL SAVINGS

Blanket Bond (per case limit): \$ 300,000.00
 Separate Bond (if applicable):

1 Transaction Date	2 Check or Reference	3 Paid To / Received From	4 Description Of Transaction	5 Deposits (\$)	6 Disbursements (\$)	7 Account Balance (\$)
COLUMN TOTALS Less: Bank Transfers Subtotal Less: Payments to Debtors Net						
				5,105.00	5,105.00	0.00
				0.00	5,105.00	
				5,105.00	0.00	
				5,105.00	0.00	

Page Subtotals 0.00 0.00

FORM 2
ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 98-41591 DRS
 Case Name: Gardner, John Wayde
 Gardner, Linda P. aka O'Sullivan
 Taxpayer ID No: 75-6532700
 For Period Ending: 05/05/00

Trustee Name: Mark A. Weisbart, Trustee
 Bank Name: Bank of America
 Account Number: 3754209675 GENERAL CHECKING
 Blanket Bond (per case limit): \$ 300,000.00
 Separate Bond (if applicable):

1 Transaction Date	2 Check or Reference	3 Paid To / Received From	4 Description Of Transaction	5 Deposits (\$)	6 Disbursements (\$)	7 Account Balance (\$)
05/04/00	000101	Transfer from Acct #3753820000 Mark A. Weisbart	Transfer In From MMA Account	5,105.00	568.81	5,105.00
05/05/00		5950 Sherry Lane, Suite 222 Dallas, TX 75225				4,536.19

COLUMN TOTALS
 Less: Bank Transfers
 Subtotal
 Less: Payments to Debtors
 Net

TOTAL - ALL ACCOUNTS
 GENERAL SAVINGS - 3753820000
 GENERAL CHECKING - 3754209675

5,105.00	568.81	4,536.19
5,105.00	0.00	
0.00	568.81	
0.00	0.00	
0.00	568.81	
5,105.00	568.81	4,536.19

Page Subtotals 5,105.00 568.81

SCHEDULE A-1

FINAL ACCOUNT AS OF May 5, 2000

A. RECEIPTS

\$5,105.00

B. DISBURSEMENTS

(1) Secured Creditors

\$ + 0.00

(2) Administrative

\$ + 568.81

(3) Priority

\$ + 0.00

(4) Other

\$ + 0.00

TOTAL DISBURSEMENTS

\$568.81

CURRENT BALANCE

\$4,536.19

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

In Re: Case No: 98-41591 drs
 John Wayde Gardner Chapter: 7
 Linda P. Gardner
 Debtor(s)

FILED
 U.S. BANKRUPTCY COURT
 EASTERN DISTRICT OF TEXAS

MAR 17 2000 A.M.

BILL OF COURT COSTS

CLERK, U.S. BANKRUPTCY COURT
 BY: _____
 DEPUTY _____

To: **Mark A. Weisbart**
5950 Sherry Lane, Ste 222
Dallas, TX 75225

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: **March 17, 2000**

JAMES D. TOKOPH
 Clerk of Court

By: *Debra Hornsby*
 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.

Compensation and Expenses Worksheet

Case Number: 98-41591 DRS
Debtor: Gardner, John Wayde

1. COMPUTATION OF COMPENSATION

Total disbursements to other than the debtor are:

Pursuant to 11 U.S.C. § 326, compensation is computed as follows:		\$5,105.00
	\$5,105.00	25% of First \$5,000
Less -	\$5,000.00	(\$1,250 Maximum)
Balance	\$105.00	10% of Next \$45,000
Less -	\$105.00	(\$4,500 Maximum)
Balance	\$0.00	5% of Next \$950,000
Less -	\$0.00	(\$47,500 Maximum)
Balance	\$0.00	3% of Balance
 TOTAL COMPENSATION CALCULATED:		\$1,260.50
Less Previously Paid Compensation:		\$0.00
 TOTAL COMPENSATION REQUESTED:		\$1,260.50

2. TRUSTEE EXPENSES

The Trustee has incurred the following expenses:

10/18/98	PARA: Paralegal Expense 0.5 @ 50.00 Enter properties for Form 1	\$25.00
11/04/98	PARA: Paralegal Expense 0.3 @ 65.00 Prepare banking file and initial deposit	\$19.50
12/02/98	PARA: Paralegal Expense 0.1 @ 65.00 Prepare deposit	\$6.50
12/29/98	PARA: Paralegal Expense 0.1 @ 65.00 Prepare deposit	\$6.50
01/28/99	PARA: Paralegal Expense 0.1 @ 65.00 Prepare deposit	\$6.50
02/26/99	PARA: Paralegal Expense 0.1 @ 65.00 Prepare deposit	\$6.50
03/26/99	PARA: Paralegal Expense 0.1 @ 65.00 Prepare deposit	\$6.50
04/23/99	PARA: Paralegal Expense 0.1 @ 65.00 Prepare deposit	\$6.50
05/15/99	PARA: Paralegal Expense 0.3 @ 65.00	\$19.50

Compensation and Expenses Worksheet

Case Number: 98-41591 DRS
Debtor: Gardner, John Wayne

	Balance bank statements	
05/27/99	PARA: Paralegal Expense 0.1 @ 65.00 Prepare deposit	\$6.50
07/01/99	PARA: Paralegal Expense 0.1 @ 65.00 Prepare deposit	\$6.50
07/28/99	PARA: Paralegal Expense 0.1 @ 65.00 Prepare deposit	\$6.50
09/02/99	PARA: Paralegal Expense 0.1 @ 65.00 Prepare deposit	\$6.50
10/08/99	PARA: Paralegal Expense 0.1 @ 65.00 Prepare deposit	\$6.50
10/15/99	PARA: Paralegal Expense 0.3 @ 65.00 Balance bank statements	\$19.50
10/22/99	PARA: Paralegal Expense 0.1 @ 65.00 Prepare deposit	\$6.50
03/15/00	PARA: Paralegal Expense 0.3 @ 65.00 Balance bank statements	\$19.50
03/17/00	PARA: Paralegal Expense 2 @ 0.60 Printed out claims from PACER	\$1.20
05/05/00	COPY: Photocopy/Duplication Expense 210 pages @ 0.20 / page Copy final report, bank statements and supplemental final report.	\$42.00
05/05/00	PARA: Paralegal Expense 2 @ 65.00 Prepare final report and supplemental final report	\$130.00
05/05/00	POST: Postage 1 charge @ 32.00 / charge Mail out final report, disbursement checks and supplemental final report	\$32.00

Expense Summary

COPY: Photocopy/Duplication Expense 210 pages @ 0.20 / page	\$42.00
PARA: Paralegal Expense 2 @ 0.60	\$1.20
PARA: Paralegal Expense 0.5 @ 50.00	\$25.00
PARA: Paralegal Expense 4.4 @ 65.00	\$286.00
POST: Postage 1 charge @ 32.00 / charge	\$32.00

TOTAL EXPENSES CALCULATED:	\$386.20
Less Previously Paid Expenses:	\$0.00

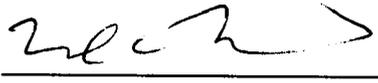
TOTAL EXPENSES REQUESTED:	\$386.20
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TOTAL EXPENSES AND COMPENSATION REQUESTED:	\$1,646.70
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Compensation and Expenses Worksheet

Case Number: 98-41591 DRS
Debtor: Gardner, John Wayde

DATED: 05/05/00

SIGNED  _____

TRUSTEE: Mark A. Weisbart, Trustee
5950 Sherry Lane, Suite 222
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	1,260.50	1,260.50	0.00	1,260.50
B. Expenses of Trustee	386.20	386.20	0.00	386.20
C. Compensation of Attorney to Trustee	568.81	568.81	568.81	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
TOTALS:	<u>\$2,215.51</u>	<u>\$2,215.51</u>	<u>\$568.81</u>	<u>\$1,646.70</u>

SCHEDULE C-2

Expenses incurred in connection with the sale of real property

\$0.00

Title Insurance Policy

\$0.00

Escrow Fee

\$0.00

Realtor's Fee

\$0.00

Filing Fee

\$0.00

\$0.00

SCHEDULE D

SECURED CLAIMS

Claim No.	Amount Claimed	Amount Not Determined	Amount Allowed	Previously Paid	Due
_____	_____	_____	_____	_____	_____

IDENTIFICATION OF SECURED PARTIED AFFECTED:

Claim No.	Name of Creditor	Claim No.	Name of Creditor
_____	_____	_____	_____

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				
TOTALS:	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>

PRIORITY PARTIES AFFECTED:

Claim No.	Name of Creditor	Claim No.	Name of Creditor
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FILED UNSECURED CLAIMS TOTAL: \$8,970.89
SUBORDINATE UNSECURED CLAIM: \$

EXHIBIT A
ANALYSIS OF CLAIMS REGISTER

Case Number: 98-41591

Page 1

Date: May 05, 2000

Debtor Name: Gardner, John Wayne

Claim Class Sequence

Code #	Creditor Name & Address	Claim Class	Notes	Amount Allowed	Paid to Date	Claim Balance
0	Mark A. Weisbart	Administrative		\$568.81	\$568.81	\$0.00
221	5950 Sherry Lane, Suite 222		Attorney Fees: \$517.50			
222	Dallas, TX 75225		Exp.: \$51.31			
3	Banc One Credit Co.	Secured		\$0.00	\$0.00	\$0.00
120	8620 N. 22nd Av., #103		Order disallowing			
120	Phoenix, AZ 85021					
1	First National Bank of Atlanta	Unsecured		\$8,417.81	\$0.00	\$8,417.81
400	d/b/a Wachovia Bankcard					
400	P O Box 14009					
	Atlanta, GA 30324					
2	American Express Travel	Unsecured		\$553.08	\$0.00	\$553.08
400	c/o Becket & Lee					
400	P O Box 3001					
	Malvern, PA 19355					
Case Totals:				\$9,539.70	\$568.81	\$8,970.89

Code #: Trustee's Claim Number, Priority Code, Claim Type

Press RETURN to continue: all

Processing claims register for case 98-41591. Please stand by.

Would you like to see the claims register
in paginated or continuous format(p/c)? c
HJ

Eastern District of Texas
CLAIMS REGISTER

03/17/00 Last Date to File Claims: 11/02/98 98-41591 drs Page 1
Last Date to File Claims for Governmental Unit: 01/30/99
Linda P. Gardner
John Wayde Gardner

Name and Address of Claimant	Amount of Claims Filed and Allowed	Remarks
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No: 1 Filed: 08/27/98

Filed Amt:
8,417.81 g

Wachovia Bankcard Services
P.O. Box 14009
Atlanta, GA 30324

OK

No: 2 Filed: 08/31/98

Filed Amt:
553.08 g

American Express Travel Related S
c/o Becket & Lee LLP
P. O. Box 3001
Malvern, PA 19355-0701

OK

No: 3 Filed: 10/09/98

Filed Amt:
15,691.63 s

Banc One Credit Company
P. O.Box 167248
Irving, TX 75016-7248

order disallowing

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

FILED
U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF TX

2000 APR 26 AM 11:22

CLERK, U.S. BANKRUPTCY
COURT

BY W. M. [Signature] DEPUTY

IN RE:

JOHN WADE AND LINDA P. GARDNER,
Debtors.

§
§
§
§

Case No. 98-41591
Chapter 7

EOD
APR 26 2000

ORDER APPROVING
FIRST AND FINAL APPLICATION OF TRUSTEE'S COUNSEL
FOR PAYMENT OF FEES AND REIMBURSEMENT OF EXPENSES

Came on to be heard the Trustee's First and Final Application of Trustee's Counsel for Payment of Fees and Reimbursement of Expenses and, after appropriate notice and opportunity for hearing, the Court finds the Application should be approved. Therefore, it is

ORDERED that Malouf Lynch Jackson Kessler & Collins (including Mark A. Weisbart) are awarded fees of \$517.50 and expenses of \$51.31.

DATED: April 19, 2000

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

33

THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

FILED
U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF TX

2000 JAN 18 PH 1:03

CLERK, U.S. BANKRUPTCY
COURT

CASE NO. 98-41591
DEPUTY
Chapter 7

IN RE:
JOHN WAYDE AND
LINDA P. GARDNER, AKA
LINDA P. O'SULLIVAN,
DEBTORS.

§
§
§
§

EOD
JAN 19 2000

ORDER REGARDING
THE CLAIM OF BANC ONE CREDIT CORP.
CLAIM #3

Came on for consideration the Objection to the Claim of Banc One Credit Corp., Claim #3,
filed by the Trustee. For cause shown, it is hereby

ORDERED that claim #3 filed by Banc One Credit Corp. in the amount of \$15,691.63 is
disallowed for purposes of disbursement.

DATED: January 18, 2000



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

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

FILED
OCT 22 PM 3:46
CLERK OF COURT

IN RE:

JOHN WAYDE GARDNER
and LINDA P. GARDNER

Debtors

EOD

OCT 27 1998

§
§
§
§
§
§

CASE NO. 98-41591S

Chapter 7

AGREED ORDER ON TRUSTEE'S OBJECTION TO EXEMPTIONS

On October 7, 1998 came on for hearing the Objection to Exemptions filed by Mark A. Weisbart, Trustee. The parties announced a settlement, the terms of which are approved and contained below. Wherefore, it is

ORDERED that the Debtors shall acquire all interest of the bankruptcy estate in the property subject to the Trustee's Objection upon payment of \$5,000 in 18 consecutive monthly installments of \$277.77 each, commencing on the first day of the month following entry of this Order; and it is further

ORDERED that the Trustee's right to pursue his Objection shall be preserved pending final payment of the settlement amount, which final payment, once made, shall extinguish all claims of the bankruptcy estate to the property subject to the Objection.

DATED this 27th day of October, 1998.


HONORABLE DONALD R. SHARP
UNITED STATES BANKRUPTCY JUDGE

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

IN RE:	§	
GARDNER, JOHN AND LINDA,	§	
	§	CASE NO. 98-41591- 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		\$4,536.19
2.	ADMINISTRATIVE EXPENSES TO BE PAID *(NOTE)	\$1,646.70	
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)	\$2,889.49	
6.	OTHER DISTRIBUTIONS TO BE PAID *(NOTE)	\$0.00	
7.	TOTAL DISTRIBUTIONS TO BE MADE (SUM OF LINES 2 THROUGH 6)		\$4,536.19
8.	ZERO BALANCE AFTER ALL DISTRIBUTIONS (LINE 1 LESS LINE 7)		\$0.00

*(SEE ATTACHED SCHEDULE OF PAYEES AND AMOUNTS)

Date: May 5, 2000.



MARK A. WEISBART, CHAPTER 7 TRUSTEE

PROPOSED DISTRIBUTION

Case Number: 98-41591

Page 1

Date: May 5, 2000

Debtor Name: Gardner, John Wayde \ Gardner, Linda P. aka O'Sullivan

Claim #	Payee Name	Class	Priority	Amount	Paid to Date	Claim Balance	Proposed Pymt	Funds Remaining
Beginning Balance								\$4,536.19
	Mark A. Weisbart, Trustee - Fees COMPENSATION	Admin		\$1,260.50	\$0.00	\$1,260.50	\$1,260.50	\$3,275.69
	Mark A. Weisbart, Trustee - Exp EXPENSES	Admin		\$386.20	\$0.00	\$386.20	\$386.20	\$2,889.49
0	Mark A. Weisbart	Admin	221	\$568.81	\$568.81	\$0.00	\$0.00	\$2,889.49
1	First National Bank of Atlanta	Unsec	400	\$8,417.81	\$0.00	\$8,417.81	\$2,711.35	\$178.14
2	American Express Travel	Unsec	400	\$553.08	\$0.00	\$553.08	\$178.14	\$0.00
<< Totals >>				\$11,186.40	\$568.81	\$10,617.59	\$4,536.19	\$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.