

FILED
U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF TX

01 JUL 30 AM 11:28

CLERK, U.S. BANKRUPTCY
COURT

BY *[Signature]* DEPUTY

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

IN RE:)
)
JAMES W. ERNST)
)
)
)
DEBTOR.)

CASE NO. 98-42132
(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: 5/24/01

[Signature]
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: 7.23-01

UNITED STATES TRUSTEE

By: *[Signature]*

130
[Signature]

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

IN RE:)
)
JAMES W. ERNST) CASE NO. 98-42132
) (CHAPTER 7)
)
DEBTOR.)

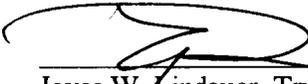
**TRUSTEE'S FINAL REPORT, APPLICATION FOR COMPENSATION AND
APPLICATION TO CLOSE CASE AND DISCHARGE TRUSTEE**

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: 5/24/01



Joyce W. Lindauer, Trustee
12900 Preston Road, Suite #1050
Dallas, Texas 75230
(972) 503-4033

SCHEDULE A-1

FINAL ACCOUNT AS OF:

A.	RECEIPTS	\$ 1,505.20
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>\$1,505.20</u>

TRUSTEE'S FINAL REPORT CASE SUMMARY

TRUSTEE:

LINDAUER

COMMENTS:

CASE NAME:

ERNST, JAMES

CASE NUMBER:

98-42132

DATE UST APPROVED:

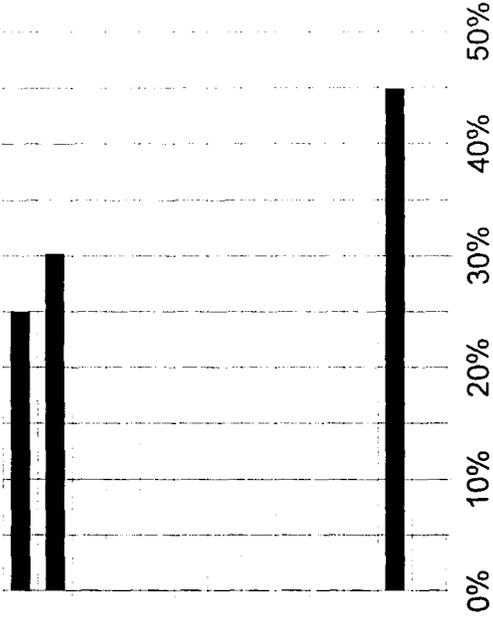
07-23-01

ESTATE INCOME:

TOTAL RECEIPTS: \$1,505.20 100.00%

ESTATE EXPENSES:

ESTATE EXPENSES:	AMOUNT	PERCENT
TRUSTEE'S COMMISSION	376.30	25.00%
TRUSTEE'S EXPENSES	453.72	30.14%
FIRM'S PROFESSIONAL FEES	0.00	0.00%
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	675.18	44.86%
OTHER(RETURN TO DEBTOR, ETC)	0.00	0.00%



UNSECURED CLAIMS ALLOWED

1,031,531.20

UNSECURED CLAIMS PAID

675.18

PERCENT RECOVERED FOR UNSECURED

0.07%

Form 1

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

Case Number: 98-42132 DRS Trustee: (631680) JOYCE LINDAUER
 Case Name: ERNST, JAMES W. Filed (f) or Converted (c): 06/25/98 (f)
 A/K/A JIM ERNST §341(a) Meeting Date: 08/14/98
 Period Ending: 05/23/01 Claims Bar Date: 11/27/98

17	1	2	3	4	5	6
Ref. #	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 (FA)/ Gross Value of Remaining Assets
12	IRA - DEAN WITTER	69,131.00	0.00		0.00	FA
13	IRA - OWENS ILLINOIS	0.00	0.00		0.00	FA
14	DIVORCE PROPERTY SETTLEMENT	34,000.00	34,000.00	DA	0.00	FA
15	1989 CHEVROLET	5,000.00	0.00		0.00	FA
16	ANIMALS	0.00	0.00		0.00	FA
Int	INTEREST (u)	Unknown	N/A		5.20	Unknown
17	Assets	Totals (Excluding unknown values)	\$184,125.00		\$1,505.20	\$0.00

Major Activities Affecting Case Closing:

In the process of selling houses in New Jersey. These were recovered through a state court fraudulent transfer action prior to the bankruptcy filing. There are 9 properties to be liquidated. The Trustee is advised that most of these properties are low income housing units so the value may be difficult to ascertain. One claim filed in this case (filed late) Trustee is in the process of selling whatever interest she has in assets to creditor to enable case to be closed. Fraudulent transfer of assets has been appealed in state court expect transfer to be upheld and houses to remain property of this estate. Appeal still pending. Working on possible sale of assets. Motion to Sell Filed with Court. Interest in real property sold to only creditor of estate for \$1500.00. Appeal of sale to District Court. District Court Appeal dismissed after denial of stay pending appeal. Creditor has filed Motion for Sanctions which is still pending.

Initial Projected Date Of Final Report (TFR): August 31, 1999

Current Projected Date Of Final Report (TFR): May 31, 2001

Form 2

Cash Receipts And Disbursements Record

Case Number: 98-42132 DRS
 Case Name: ERNST, JAMES W.
 A/K/A JIM ERNST
 Taxpayer ID #: 13-7274593
 Period Ending: 05/23/01

Trustee: JOYCE LINDAUER (631680)
 Bank Name: THE CHASE MANHATTAN BANK
 Account: 312-8349152-65 - 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	5 Receipts \$	6 Disbursements \$	7 Money Market Account Balanc..
03/05/01	{1}	Olson Gibbons Wilbur Nicoud Birne & Gueck, L.L.P.	Purchase of Property	1,500.00		1,500.00
03/30/01	Int	THE CHASE MANHATTAN BANK	Interest posting at 1.7000%	1.75		1,501.75
04/30/01	Int	THE CHASE MANHATTAN BANK	Interest posting at 1.6000%	2.07		1,503.82
05/22/01	Int	Interest Posting	Current Interest Rate is 1.6000%	1.38		1,505.20
05/22/01		To Account #312834915266	Close MMA - Open DDA - Preparing Trustee's Final Report		1,505.20	0.00

ACCOUNT TOTALS	1,505.20
Less: Bank Transfers	1,505.20
Subtotal	0.00
Less: Payments to Debtors	0.00
NET Receipts / Disbursements	\$0.00

Form 2

Cash Receipts And Disbursements Record

Case Number: 98-42132 DRS
 Case Name: ERNST, JAMES W.
 A/K/A JIM ERNST
 Taxpayer ID #: 13-7274593
 Period Ending: 05/23/01

Trustee: JOYCE LINDAUER (631680)
 Bank Name: THE CHASE MANHATTAN BANK
 Account: 312-8349152-66 - 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 Balanc.
05/22/01		From Account #312834915265	Close MMA - Open DDA - Preparing Trustee's Final Report	1,505.20		1,505.20

ACCOUNT TOTALS
 Less: Bank Transfers 0.00
Subtotal 1,505.20
 Less: Payments to Debtors 0.00
NET Receipts / Disbursements \$0.00

TOTAL - ALL ACCOUNTS

	Net Receipts	Net Disbursements	Account Balances
MMA # 312-8349152-65	1,505.20	0.00	0.00
Checking # 312-8349152-66	0.00	0.00	1,505.20
	\$1,505.20	\$0.00	\$1,505.20

SCHEDULE B

APPLICATION FOR COMPENSATION

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

Total Receipts	1,505.20	25% of First \$5,000	\$ 376.30
Less	(5,000.00)		
Balance	<u>0.00</u>	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 \$ 376.30

UNREIMBURSED EXPENSES

Recording Fees	\$ 0.00
Premium on Trustee's Bond	\$ 0.00
Copy Costs (See Exhibit "A")	\$120.00
Postage Costs (See Exhibit "A")	\$33.72
Secretarial Time (See Exhibit "A")	\$300.00
Preservation of Estate	<u>\$0.00</u>

TOTAL UNREIMBURSED EXPENSES: \$453.72

EXHIBIT "A"

TRUSTEE EXPENSES

Secretarial, Copies, Postage:	# Copies	Postage
(2) Trustee's Application to Sell Property of the Estate	110	\$ 6.80
Final Report	240	\$12.95
Supplemental Final Report	120	\$12.95
Distribution Checks	10	\$ 1.02

TOTALS:	
Secretarial Time = 6 hours @ \$ 50.00/hour	\$300.00
Copies = 480 @ \$.25/page	\$120.00
Postage	\$ 33.72

SECRETARIAL TIME

Date	Description of Services	Total Hours
05/04/99	Preparation of Trustee's Application to Sell Property of Estate	1.0
10/04/00	Preparation of Trustee's Application to Sell Property of Estate	1.0
05/22/01	Draft Final Report	2.0
05/23/01	Revise Final Report	.5
05/23/01	Finalize Final Report	.5
	Preparation of Supplemental Final Report	1.0
	Total Hours:	6.0

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	376.30	376.30	0.00	376.30
B. Expenses of Trustee	453.72	453.72	0.00	453.72
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>\$830.02</u>	<u>\$830.02</u>	<u>\$0.00</u>	<u>\$830.02</u>

SCHEDULE D
SECURED CLAIMS

Claim No.	Secured Claim (Creditor Name)	Amount Claimed	Amount Allowed	Previously Paid	Due
					\$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

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

2000 JUN 22 PM 3:28
CLERK, U.S. BANKRUPTCY COURT
BY *mb* DEPUTY

IN RE:

JAMES W. ERNST,

Debtor.

§
§
§
§
§

CASE NO. 98-42132S

EOD JUN 22 2000

ORDER ON
OBJECTION OF BANKERS SERVICES TO CLAIM OF
ESPRIT MARKETING SERVICES, INC. (CLAIM NO. 3)

On the 13th day of May, 2000, came on to be heard the Amended Objection to Claim of Esprit Marketing Services (Claim No. 3) filed by Bankers Services Group, Inc. Bankers Services appeared through counsel Robert M. Nicoud, Jr. Claimant Esprit Marketing Services appeared though counsel Graham Winegeart and its President James Ernst.

The Court then proceeded to hear testimony and receive evidence. Following the close of evidence the Court announced findings and conclusions from the bench. Such findings and conclusions are incorporated herein as if set forth verbatim. Upon consideration of the evidence presented the Court is of the opinion that the claim of Esprit Marketing Services should be allowed but should be subordinated to the claims of all other unsecured creditors..

It is therefore ORDERED that the claim of Esprit Marketing Services, Inc. (Claim No. 3) is hereby subordinated in its entirety to the claims of all other unsecured creditors in this case.

80

SIGNED this 22 day of June, 2000.

Donald R. Sharp
Donald R. Sharp,
Bankruptcy Judge Presiding

APPROVED AS TO FORM

Robert M. Nicoud, Jr.
Robert M. Nicoud, Jr.,
Attorney for Bankers Services Group, Inc.

see attached
Graham C. Winegeart,
Attorney for Esprit Marketing Services, Inc.

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

FILED
U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
2000 JUN 14 AM 8:21
CLERK, U.S. BANKRUPTCY COURT
BY *mb* DEPUTY

IN RE:

JAMES W. ERNST,

Debtor.

§
§
§
§
§

CASE NO. 98-42132S

EOD JUN 14 '00

**ORDER SUSTAINING
OBJECTION OF BANKER'S SERVICES TO CLAIM OF
LAW OFFICES OF RICHARD L. ARMSTRONG (CLAIM NO. 2)**

On this day came on to be considered the Objection to Claim of Law Offices of Richard L. Armstrong (Claim No. 2) filed by Bankers Services Group, Inc. Upon consideration of the evidence presented the Court is of the opinion that the Objection should be sustained.

It is therefore ORDERED that the claim of Richard L. Armstrong (Claim No. 2) is hereby disallowed in its entirety.

SIGNED this 13th day of June, 2000.

Donald R. Sharp
Donald R. Sharp,
Bankruptcy Judge Presiding

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

FILED
U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF TX
2000 JUN 22 PM 3:29
CLERK, U.S. BANKRUPTCY
COURT
BY *WLB* DEPUTY

IN RE:

JAMES W. ERNST,

Debtor.

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§
§
§

CASE NO. 98-42132S

**ORDER SUSTAINING
OBJECTION OF BANKERS SERVICES TO CLAIM OF
CUMBERLAND PARTNERS, LTD. (CLAIM NO. 4)**

EOP JUN 23 '00

On the 13th day of May, 2000, came on to be heard the Amended Objection to Claim of Cumberland Partners, Ltd. (Claim No. 4) filed by Bankers Services Group, Inc. Bankers Services appeared through counsel Robert M. Nicoud, Jr. Claimant Cumberland Partners, Ltd. appeared though counsel Linda Kennon and its Representative James Ernst.

The Court then proceeded to hear testimony and receive evidence. Following the close of evidence the Court announced findings and conclusions from the bench. Such findings and conclusions are incorporated herein as if set forth verbatim. Upon consideration of the evidence presented the Court is of the opinion that the claim of Cumberland Partners, Ltd. should be disallowed.

It is therefore ORDERED that the claim of Cumberland Partners, Ltd. (Claim No. 4) is hereby disallowed in its entirety.

79

SIGNED this 27th day of June, 2000.


Donald R. Sharp,
Bankruptcy Judge Presiding

APPROVED AS TO FORM


Robert M. Nicoud, Jr.,
Attorney for Bankers Services Group, Inc.

(see attached)
Linda Kennon
Attorney for Cumberland Partners, Ltd.

ORIGINAL

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

FILED
U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS

2001 JAN 23 AM 8:55

CLERK, U.S. BANKRUPTCY
COURT

BY mh DEPUTY

IN RE:

JAMES W. ERNST,

Debtor.

§
§
§
§
§

CASE NO. 98-42132S

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

EOO JAN 24 '01

On the 9th day of January, 2001 came on to be considered the Application of Joyce Lindauer, Trustee, to Sell Property of the Estate. Farmers & Merchants National Bank filed an Objection to the Application and Cumberland Partners, Ltd. filed a Response. No other objections or responses were filed. Upon receipt of all evidence and hearing the argument of counsel the Court is of the opinion that the Application should be approved.

It is ORDERED that the Trustee's Application be approved subject to the terms of this Order. The Trustee is authorized to sell the Estate's interest in the property described on the attached Exhibit "A" ("the Properties") to Bankers Services Group, Inc. for a total price of \$1,500.00. The Trustee is further authorized and directed to execute all appropriate deeds and instruments necessary to accomplish the sale to Bankers Services Group.

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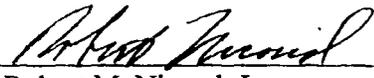
It is further ORDERED that the sale by the Trustee is expressly subject to the liens and encumbrances asserted against the Properties including the asserted liens, claims and encumbrances of Hudson United Bank, as successor-in-interest to Farmers & Merchants National Bank of Bridgeton, New Jersey, and the ownership claims of Cumberland Partners.

SIGNED this 22 day of January, 2001.


Donald R. Sharp,
Bankruptcy Judge Presiding

**APPROVED as an accurate rendition
of the court's ruling:**

OLSON GIBBONS WILBUR
NICLOUD BIRNE & GUECK, L.L.P.
2200 Ross Avenue, Suite 2525
Dallas, TX 75201-6770
Telephone: (214) 979-7300
Telecopier: (214) 979-7301

By: 

Robert M. Nicoud, Jr.
State Bar Number 15017900

ATTORNEYS FOR BANKERS SERVICES
GROUP, INC.

TRUST.LAW.FIRM, P.C.
2121 San Jacinto Street
1830 San Jacinto Tower
Dallas, Texas 75201
Telephone: (214) 720-0632
Telecopier: (214) 720-0636

By: Alan Trust (see attached)
Alan S. Trust
State Bar No. 20258350

ATTORNEYS FOR FARMERS &
MERCHANTS NATIONAL BANK

NIX & WINEGEART, P.C.
717 North Crockett Street
Sherman, Texas 75090-4979
Telephone: (903) 870-0212
Telecopier: (903) 870-0109

By: Graham Winegeart (see attached)
Graham C. Winegeart
State Bar No. 24008289

ATTORNEYS FOR CUMBERLAND
PARTNERS, LTD.

Joyce Lindauer (see attached)
Joyce W. Lindauer
Chapter 7 Trustee
12900 Preston Road, Suite 900
Dallas, Texas 75230
Telephone: (972) 503-4033
Telecopier: (972) 503-4034

EXHIBIT "A"

The following properties located in the City of Bridgeton, Cumberland County, New Jersey and more particularly described as follows:

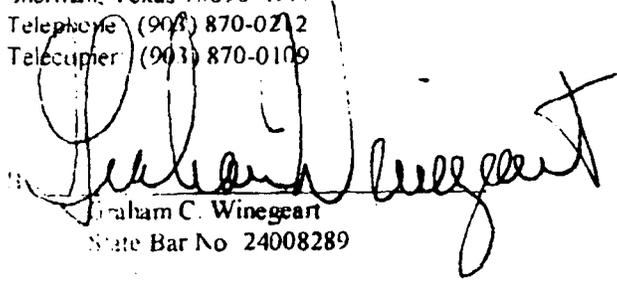
- A. Block 12, Lot 5;**
- B. Block 14, Lot 10;**
- C. Block 50, Lot 2;**
- D. Block 51, Lot 5;**
- E. Block 59, Lot 22;**
- F. Block 68, Lot 9;**
- G. Block 82, Lot 13**
- H. Block 92, Lot 20; and**
- I. Block 93, Lot 45.**

TRUST LAW FIRM, P.C.
2121 San Jacinto Street
1830 San Jacinto Tower
Dallas, Texas 75201
Telephone: (214) 720-0632
Telecopier (214) 720-0636

By _____
Alan S. Trust
State Bar No. 20258350

ATTORNEYS FOR FARMERS &
MERCHANTS NATIONAL BANK

NIX & WINEGEART, P.C.
717 North Crockett Street
Sherman, Texas 75090-4979
Telephone (903) 870-0212
Telecopier (903) 870-0109


Abraham C. Winegeart
State Bar No. 24008289

ATTORNEYS FOR CUMBERLAND
PARTNERS LTD

Joyce W. Lindauer
Chapter 7 Trustee
12900 Preston Road, Suite 900
Dallas, Texas 75230
Telephone: (972) 503-4033
Telecopier (972) 503-4034

TRUST LAW FIRM, P.C.
2121 San Jacinto Street
1830 San Jacinto Tower
Dallas, Texas 75201
Telephone: (214) 720-0632
Telecopier: (214) 720-0636

By: 
Alan S. Frust
State Bar No. 20258350

ATTORNEYS FOR FARMERS &
MERCHANTS NATIONAL BANK

NIX & WINEGEART, P.C.
707 North Crockett Street
Sperman, Texas 75090-4979
Telephone: (903) 870-0212
Telecopier: (903) 870-0109

By: _____
Graham C. Winegeart
State Bar No. 24008289

ATTORNEYS FOR CUMBERLAND
PARTNERS, LTD.

Steve W. Lindauer
Chapter 7 Trustee
12900 Preston Road, Suite 900
Dallas, Texas 75230
Telephone: (972) 503-4033
Telecopier: (972) 503-4034

TRUST LAW FIRM, P.C.
2121 San Jacinto Street
1830 San Jacinto Tower
Dallas, Texas 75201
Telephone: (214) 720-0632
Telecopier: (214) 720-0636

By: _____
Alan S. Trust
State Bar No. 20258350

**ATTORNEYS FOR FARMERS &
MERCHANTS NATIONAL BANK**

NIX & WINEGEART, P.C.
717 North Crockett Street
Sherman, Texas 75090-4979
Telephone: (903) 870-0212
Telecopier: (903) 870-0109

By: _____
Graham C. Winegeart
State Bar No. 24008289

**ATTORNEYS FOR CUMBERLAND
PARTNERS, LTD.**



Joyce W. Lindauer
Chapter 7 Trustee
12900 Preston Road, Suite 900
Dallas, Texas 75230
Telephone: (972) 503-4033
Telecopier: (972) 503-4034

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

In Re: Case No: 98-42132 drs

James W. Ernst Chapter: 7

Debtor(s)

FILED
U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
MAY - 7 2001
AM
P.M.
CLERK, U.S. BANKRUPTCY COURT
BY: DEPUTY

BILL OF COURT COSTS

To: **Joyce W. Lindauer**
12900 Preston Rd. Ste. 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 **\$0.00**.

These costs are itemized as follows:

NOTICES

\$.25 per notice in excess of 50 notices mailed prior to 1/1/87.	\$0.00
\$.50 per notice for all notices mailed 1/1/87 between 1/1/98.	\$0.00

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

0.00 Chapter 7 Adversary Proceeding filed @ \$120.00/150.00 each.	\$0.00
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NOTE: For all Adversary Proceedings filed after 12/18/96 the filing fee is \$150.00.

TOTAL AMOUNT DUE	\$0.00
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Check to be made payable to Clerk, U.S. Bankruptcy Court

Date: May 7, 2001

JAMES D. TOKOPH
Clerk of Court

By: Lori Carter
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.

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

98-42132 In re: James W. Ernst
Case type: bk Chapter: 7 Asset: y Vol: v Case filed: 06/25/98
Judge: Donald R. Sharp

98 - 42132	<i>Debtor Name:</i> Ernst , James W.	<i>Last Date to File Claims:</i> 11/27/98 <i>Last Date to File (govt):</i> 02/24/99
Claim Number: 1	<i>Creditor Name:</i> Bankers Services Group, Inc. c/o Robert M. Nicoud, Jr. 2200 Ross Avenue, Suite 2525 Dallas, TX 75202-6770	<i>Nature of Claim:</i> <i>Deficiency:</i> <i>Unliquidated:</i>
<i>Claim date:</i> 11/30/98		
Amount	Class	Remarks
1,031,531.20	g	
<i>Total:</i> \$ 1,031,531.20		
<i>Amount Allowed:</i> N/A	<i>Description:</i>	<i>Order Action:</i>

98 - 42132	<i>Debtor Name:</i> Ernst , James W.	<i>Last Date to File Claims:</i> 11/27/98 <i>Last Date to File (govt):</i> 02/24/99
Claim Number: 2	<i>Creditor Name:</i> Law Offices of Richard L. Armstrong 101 E. Park Boulevard Suite 555 Plano, TX 75074	<i>Nature of Claim:</i> <i>Deficiency:</i> <i>Unliquidated:</i>
<i>Claim date:</i> 05/21/99		
Amount	Class	Remarks
17,235.42	g	
<i>Total:</i> \$ 17,235.42		
<i>Amount Allowed:</i> N/A	<i>Description:</i>	<i>Order Action:</i>

98 - 42132	<i>Debtor Name:</i> Ernst , James W.	<i>Last Date to File Claims:</i> 11/27/98 <i>Last Date to File (govt):</i> 02/24/99
Claim Number: 3	<i>Creditor Name:</i> Esprit Marketing Services Inc. 2901 Shadycove Place Plano, TX 75075	<i>Nature of Claim:</i> <i>Deficiency:</i> <i>Unliquidated:</i>
<i>Claim date:</i> 05/21/99		
Amount	Class	Remarks
9,511.55	g	
<i>Total:</i> \$ 9,511.55		

<i>Amount Allowed: N/A</i>	<i>Description:</i>	<i>Order Action:</i>
98 - 42132	Debtor Name: Ernst , James W.	<i>Last Date to File Claims: 11/27/98</i> <i>Last Date to File (govt): 02/24/99</i>
<u>Claim Number: 4</u>	<i>Creditor Name: Cumberland Partners, Ltd.</i> c/o Perlman & Robison 3626 N. Hall St., Suite 610 Dallas, TX 75219	<i>Nature of Claim:</i> <i>Deficiency:</i> <i>Unliquidated:</i>
<i>Claim date: 06/23/99</i>		
Amount	Class	Remarks
<i>Total: \$ 0.00</i>		
<i>Amount Allowed: N/A</i>	<i>Description: Amount/class to be determined</i>	<i>Order Action:</i>

Report Criteria

Claim Number(s): All

End of Claims Register Report

PACER Service Center			
Transaction Receipt			
05/15/2001 10:59:32			
PACER Login:	li0081	Client Code:	
Description:	claim register	Case Number:	1998-42132
Billable Pages:	1	Cost:	0.07



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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:)
)
JAMES W. ERNST) CASE NO. 98-42132
) (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	\$1,505.20
ii.	Administrative Expenses to be paid	\$830.02
iii.	Priority Claims to be paid	\$0.00
iv.	Secured Claims to be paid	\$0.00
v.	Unsecured Claims to be paid	\$675.18
vi.	Miscellaneous distributions to be paid	\$0.00
vii.	Total Distributions to be made	<u>\$1,505.20</u>
viii.	Zero Balance	<u>\$ 0.00</u>

Dated: 5/21/01



Joyce W. Lindauer, Trustee
12900 Preston Road, Suite 1050
Dallas, Texas 75230
(972) 503-4033

Claims Proposed Distribution
Trustee: Joyce W. Lindauer

Case: JAMES W. ERNST
Case Balance: \$1,505.20

Total Proposed Payment: \$1,505.20

Remaining Balance: \$1,505.20

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	\$453.72	\$453.72	\$0.00	\$453.72	\$453.72	\$1,051.48
	Clerk, U.S. Bankruptcy Court	Admin Ch 7	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,051.48
	Joyce W. Lindauer Fees - Trustee (Ch 7)	Admin Ch 7	\$376.30	\$376.30	\$0.00	\$376.30	\$376.30	\$675.18
	Fees - Trustee's Atty (Ch 7)	Admin Ch 7	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$675.18
1	Bankers Services Group, Inc.	Un- secured	\$1,031,531.20	\$1,031,531.20	\$0.00	\$1,031,531.20	\$675.18	\$0.00
2	Richard L. Armstrong	Un- secured	\$17,235.42	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3	Espirit Marketing Services, Inc.	Un- secured	\$9,511.55	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
4	Cumberland Partners	Un- Secured	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total for Case No. 98-42132			\$1,059,107.70	\$1,032,360.80	\$0.00	\$1,032,360.80	\$1,505.20	\$0.00

CASE SUMMARY

	Amount Filed	Amount Allowed	Paid to Date	Proposed Balance
Total Administrative Claims:	\$ 830.02	\$ 830.02	0.00	\$ 830.02
Total Priority Claims:	0.00	0.00	0.00	0.00
Total Secured Claims:	0.00	0.00	0.00	0.00
Total Unsecured Claims:	\$1,058,278.17	\$1,031,531.20	0.00	\$1,031,531.20

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

IN RE: JAMES W. ERNST / BANKRUPTCY CASE: 98-42132
/
/ 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>376.30</u>	<u>453.72</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>\$ 1505.20</u>	<u>\$ 0.00</u>	<u>\$ 1505.20</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 \$ 1031531.20 .
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:)
)
JAMES W. ERNST) CASE NO. 98-42132
) (CHAPTER 7)
)
DEBTOR.)

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