

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

IN RE: )  
KENNEDY, TERRY WAYNE ) CASE NO. 98-91013  
KENNEDY, MARTHA SUSAN )  
DEBTOR(S) ) CHAPTER 7

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

Stephen J. Zayler, the Trustee of the estate of the above-named Debtor(s), certifies under penalty of perjury, to the Court and the United States Trustee, that the trustee has faithfully and properly fulfilled the duties of his office, that the Trustee has examined all proofs of claims as appropriate in preparation for the proposed distribution, and that the proposed distribution attached herewith is proper and consistent with the law and rules of the court. The Trustee hereby applies for commission and expenses set forth herein and states that they are reasonable and proper.

I hereby authorize the Office of the United States Trustee to file by electronic means this Trustee's Final Report, Application for Compensation and Report of Proposed Distribution on my behalf, and I agree and acknowledge that the designation of my signature on this document, once filed, constitutes my valid signature for the purposes of 11 U.S.C. §704(9) and Fed. R. Bankr. Pro. 9011.

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

DATE: December 31, 2003

/s/ Stephen J. Zayler  
Stephen J. Zayler  
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

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

By: \_\_\_\_\_

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

IN RE: )  
KENNEDY, TERRY WAYNE ) CASE NO. 98-91013  
KENNEDY, MARTHA SUSAN )  
DEBTOR(S) ) CHAPTER 7

**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 herein: 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 Schedule F as a summary of the assets and an estate property record. Any property scheduled under 11 U.S.C. Sec. 521(1) and not administered shall be deemed abandoned pursuant to 11 U.S.C. Sec. 554(c).
3. The Trustee has reduced all assets of this estate to cash or otherwise lawfully disposed of them, and the estate is ready to be closed.
4. The Trustee submits Schedule A 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 his approval of claims as filed, or he 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 upon filing of A Supplemental Final Report and Account and certification by the U.S. Trustee the trustee be discharged from office and that the case be closed.

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

Dated: December 31, 2003

/s/ Stephen J. Zayler

Stephen J. Zayler Trustee

## SCHEDULE A-1

FINAL ACCOUNT AS OF December 31, 2003

A. RECEIPTS		\$23,678.07
B. DISBURSEMENTS		
(1) Secured creditors	0.00	
(2) Administrative	909.54	
(3) Priority	0.00	
(4) Other	7,574.05	
TOTAL DISBURSEMENTS		\$8,483.59
		<hr/>
BALANCE OF FUNDS		\$15,194.48

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

Case No: 98-91013 BP9 Judge: BILL PARKER  
Case Name: KENNEDY, TERRY WAYNE  
KENNEDY, MARTHA SUSAN  
For Period Ending: 12/31/03

Trustee Name: Stephen J. Zayler  
Date Filed (f) or Converted (c): 06/08/98 (f)  
341(a) Meeting Date: 08/06/98  
Claims Bar Date: 02/02/99

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA=554(a) Abandon DA=554(c) Abandon	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1. HOMESTEAD	30,000.00	0.00		0.00	FA
2. WATER DEPOSIT	100.00	0.00		0.00	FA
3. AIR CONDITIONER;REFRIGERATOR	500.00	0.00		0.00	FA
4. COMPUTER	500.00	0.00		0.00	FA
5. HOUSEHOLD GOODS	1,500.00	0.00		0.00	FA
6. WEARING APPAREL	500.00	0.00		0.00	FA
7. FIREARMS	350.00	0.00		0.00	FA
8. PARTNERSHIP INTERESTS	Unknown	0.00	DA	0.00	FA
9. AMPI RETAINAGE Retainage is paid by Dairy Farmers of America over a 7 year period beginning sometime in 1999.	34,000.00	19,500.00		23,574.05	FA
10. TAX REFUND	1,500.00	0.00		0.00	FA
11. '92 CHEVY PICKUP	5,450.00	0.00		0.00	FA
12. '95 DODGE DAKOTA	8,500.00	0.00		0.00	FA
13. 1995 DODGE VAN	10,000.00	0.00		0.00	FA
14. LOGGING EQPT.	170,000.00	0.00		0.00	FA
15. TWO MULES	1,500.00	1,500.00	DA	0.00	FA
16. Post-Petition Interest Deposits (u)	Unknown	N/A		104.02	Unknown

				Gross Value of Remaining Assets
TOTALS (Excluding Unknown Values)	\$ 264,400.00	\$ 21,000.00	\$ 23,678.07	\$0.00
				(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:

Initial Projected Date of Final Report (TFR): 09/30/02      Current Projected Date of Final Report (TFR): 06/30/05

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

Case No: 98-91013 BP9 Judge: BILL PARKER  
Case Name: KENNEDY, TERRY WAYNE  
KENNEDY, MARTHA SUSAN

Trustee Name: Stephen J. Zayler  
Date Filed (f) or Converted (c): 06/08/98 (f)  
341(a) Meeting Date: 08/06/98  
Claims Bar Date: 02/02/99

**FORM 2**

**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Case No: 98-91013 BP9  
 Case Name: KENNEDY, TERRY WAYNE  
 KENNEDY, MARTHA SUSAN  
 Taxpayer ID No: 75-6556567  
 For Period Ending: 12/31/03

Trustee Name: Stephen J. Zayler  
 Bank Name: BANK OF AMERICA  
 Account Number: 3752492840 Checking - Non Interest

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

1	2	3	4	5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Deposits (\$)	Disbursements (\$)	Account Balance (\$)
12/31/03		Transfer from Acct #3753856757	BALANCE FORWARD Transfer In From MMA Account	15,194.48		15,194.48

COLUMN TOTALS	15,194.48	0.00	15,194.48
Less: Bank Transfers	<u>15,194.48</u>	<u>0.00</u>	
Subtotal	0.00	0.00	
Less: Payments to Debtors		<u>0.00</u>	
Net	0.00	0.00	

Page Subtotals 15,194.48 0.00

**FORM 2**

**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Case No: 98-91013 BP9  
 Case Name: KENNEDY, TERRY WAYNE  
 KENNEDY, MARTHA SUSAN  
 Taxpayer ID No: 75-6556567  
 For Period Ending: 12/31/03

Trustee Name: Stephen J. Zayler  
 Bank Name: BANK OF AMERICA  
 Account Number: 3753856757 Money Market - Interest Bearing

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

1	2	3	4	5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Deposits (\$)	Disbursements (\$)	Account Balance (\$)
			BALANCE FORWARD			0.00
09/20/99	9	DAIRY FARMERS OF AMERICA, INC.	NET ANNUAL RETAINAGE	1,406.72		1,406.72
09/30/99	16	BANK OF AMERICA	INTEREST REC'D FROM BANK	0.62		1,407.34
10/29/99	16	BANK OF AMERICA	INTEREST REC'D FROM BANK	2.63		1,409.97
11/30/99	16	BANK OF AMERICA	INTEREST REC'D FROM BANK	2.91		1,412.88
12/31/99	16	BANK OF AMERICA	INTEREST REC'D FROM BANK	2.82		1,415.70
01/31/00	16	BANK OF AMERICA	INTEREST REC'D FROM BANK	2.82		1,418.52
02/29/00	16	BANK OF AMERICA	INTEREST REC'D FROM BANK	2.64		1,421.16
03/31/00	16	BANK OF AMERICA	INTEREST REC'D FROM BANK	2.83		1,423.99
04/28/00	16	BANK OF AMERICA	Interest Rate 2.350	2.56		1,426.55
05/31/00	16	BANK OF AMERICA	Interest Rate 2.350	3.03		1,429.58
06/30/00	16	BANK OF AMERICA	Interest Rate 2.350	2.76		1,432.34
07/31/00	16	BANK OF AMERICA	Interest Rate 2.350	2.85		1,435.19
08/31/00	16	BANK OF AMERICA	Interest Rate 2.350	2.86		1,438.05
09/29/00	16	BANK OF AMERICA	Interest Rate 2.350	2.68		1,440.73
10/31/00	16	BANK OF AMERICA	Interest Rate 2.350	2.96		1,443.69
11/30/00	16	BANK OF AMERICA	Interest Rate 2.350	2.79		1,446.48
12/29/00	16	BANK OF AMERICA	Interest Rate 2.350	2.70		1,449.18
01/31/01	16	BANK OF AMERICA	Interest Rate 2.350	3.08		1,452.26
02/28/01	16	BANK OF AMERICA	Interest Rate 2.350	2.62		1,454.88
03/30/01	16	BANK OF AMERICA	Interest Rate 2.350	2.81		1,457.69
04/30/01	16	BANK OF AMERICA	Interest Rate 2.350	2.91		1,460.60
05/31/01	16	BANK OF AMERICA	Interest Rate 2.350	2.92		1,463.52
06/29/01	16	BANK OF AMERICA	Interest Rate 2.100	2.44		1,465.96
07/31/01	16	BANK OF AMERICA	Interest Rate 2.100	2.70		1,468.66
08/31/01	16	BANK OF AMERICA	Interest Rate 2.100	2.62		1,471.28
09/28/01	16	BANK OF AMERICA	Interest Rate 2.100	2.37		1,473.65
10/31/01	16	BANK OF AMERICA	Interest Rate 2.100	2.80		1,476.45

Page Subtotals 1,476.45 0.00

**FORM 2**

**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Case No: 98-91013 BP9  
 Case Name: KENNEDY, TERRY WAYNE  
 KENNEDY, MARTHA SUSAN  
 Taxpayer ID No: 75-6556567  
 For Period Ending: 12/31/03

Trustee Name: Stephen J. Zayler  
 Bank Name: BANK OF AMERICA  
 Account Number: 3753856757 Money Market - Interest Bearing

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

1	2	3	4	5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Deposits (\$)	Disbursements (\$)	Account Balance (\$)
11/30/01	16	BANK OF AMERICA	Interest Rate 1.500	2.14		1,478.59
12/31/01	16	BANK OF AMERICA	Interest Rate 1.500	1.88		1,480.47
01/31/02	16	BANK OF AMERICA	Interest Rate 1.500	1.89		1,482.36
02/28/02	16	BANK OF AMERICA	Interest Rate 1.500	1.71		1,484.07
03/29/02	16	BANK OF AMERICA	Interest Rate 1.200	1.56		1,485.63
04/30/02	16	BANK OF AMERICA	Interest Rate 1.200	1.47		1,487.10
05/31/02	16	BANK OF AMERICA	Interest Rate 1.200	1.52		1,488.62
06/28/02	16	BANK OF AMERICA	Interest Rate 1.200	1.46		1,490.08
07/31/02	16	BANK OF AMERICA	Interest Rate 1.200	1.53		1,491.61
08/30/02	16	BANK OF AMERICA	Interest Rate 1.200	1.51		1,493.12
09/30/02	16	BANK OF AMERICA	Interest Rate 1.200	1.48		1,494.60
10/31/02	16	BANK OF AMERICA	Interest Rate 1.200	1.52		1,496.12
11/29/02	16	BANK OF AMERICA	Interest Rate 0.850	1.21		1,497.33
12/31/02	16	BANK OF AMERICA	Interest Rate 0.850	1.09		1,498.42
01/31/03	16	BANK OF AMERICA	Interest Rate 0.850	1.08		1,499.50
02/28/03	16	BANK OF AMERICA	Interest Rate 0.850	0.98		1,500.48
03/31/03	16	BANK OF AMERICA	Interest Rate 0.500	0.68		1,501.16
04/30/03	16	BANK OF AMERICA	Interest Rate 0.500	0.62		1,501.78
05/30/03	16	BANK OF AMERICA	Interest Rate 0.500	0.64		1,502.42
06/30/03	16	BANK OF AMERICA	Interest Rate 0.500	0.62		1,503.04
07/31/03	16	BANK OF AMERICA	Interest Rate 0.200	0.26		1,503.30
08/29/03	16	BANK OF AMERICA	Interest Rate 0.200	0.25		1,503.55
09/30/03	16	BANK OF AMERICA	Interest Rate 0.200	0.25		1,503.80
10/17/03	9	DAIRY FARMERS OF AMERICA, INC .	AMPI RETAINAGE	22,167.33		23,671.13
10/31/03	16	BANK OF AMERICA	Interest Rate 0.200	1.34		23,672.47
11/28/03	16	BANK OF AMERICA	Interest Rate 0.200	3.88		23,676.35
12/03/03	000101	STEPHEN J. ZAYLER ATTORNEY AT LAW P. O. BOX 150743	ATTORNEY FOR TRUSTEE FEES & EXPENSE PER COURT ORDER ENTERED 12/1/03		909.54	22,766.81

Page Subtotals 22,199.90 909.54

FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 98-91013 BP9  
 Case Name: KENNEDY, TERRY WAYNE  
 KENNEDY, MARTHA SUSAN  
 Taxpayer ID No: 75-6556567  
 For Period Ending: 12/31/03

Trustee Name: Stephen J. Zayler  
 Bank Name: BANK OF AMERICA  
 Account Number: 3753856757 Money Market - Interest Bearing

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

1	2	3	4	5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Deposits (\$)	Disbursements (\$)	Account Balance (\$)
12/11/03	000102	LUFKIN, TX 75915-0743 TERRY AND MARTHA KENNEDY RT. 3 BOX 102 GRAPELAND, TEXAS 75844	EXEMPTION AMOUNT BACK TO DEBTOR PER STIPULATION ENTERED 3/30/99		7,574.05	15,192.76
12/31/03	16	BANK OF AMERICA	INTEREST REC'D FROM BANK	1.72		15,194.48
12/31/03		Transfer to Acct #3752492840	Final Posting Transfer		15,194.48	0.00

COLUMN TOTALS	23,678.07	23,678.07	0.00
Less: Bank Transfers	0.00	15,194.48	
Subtotal	23,678.07	8,483.59	
Less: Payments to Debtors		7,574.05	
Net	23,678.07	909.54	
TOTAL - ALL ACCOUNTS	NET DEPOSITS	NET DISBURSEMENTS	ACCOUNT BALANCE
Checking - Non Interest - 3752492840	0.00	0.00	15,194.48
Money Market - Interest Bearing - 3753856757	23,678.07	909.54	0.00
	23,678.07	909.54	15,194.48

Page Subtotals 1.72 22,768.53

**SCHEDULE B**

**APPLICATION FOR COMPENSATION**

COMPUTATION OF COMMISSIONS

Receipts	\$16,104.02	25% of First \$5,000	\$0.00
Less	-\$5,000	(\$1,250.00 Max)	
Balance	\$11,104.02	10% of Next \$45,000	\$0.00
Less	-\$45,000	(\$4,500.00 Max)	
Balance	\$0.00	5% of Next \$950,000	\$0.00
Less	-\$950,000	(\$47,500.00 Max)	
Balance	\$0.00	3% of Balance	\$0.00

TOTAL COMPENSATION REQUESTED \$2,360.40

TRUSTEE EXPENSES:

Premium on Trustee's Bond	\$0.00
Travel (0.00 at 0.00cents per mile)	\$0.00
Copies (387.00 page at 0.25 cents per copy)	\$96.75
Postage	\$44.04
Telephone Charges	\$15.00
Clerical/Secretarial (8.70 at 15.00 per hour)	\$130.50
Paralegal/Assistance (0.00 at 0.00 per hour)	\$0.00
Supplies/Stationary	\$2.00
Distribution Expenses	\$0.00
Miscellaneous	\$0.00

TOTAL EXPENSES \$288.29

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Records :	Trustee did not take possession of business or personal records of Debtor.	X _____
	Notice given debtor on to pick up business or personal records in hands of Trustee.	_____ _____

# Compensation and Expenses Worksheet

Case Number: 98-91013 BP9

Debtor: KENNEDY, TERRY WAYNE

Joint Debtor: KENNEDY, MARTHA SUSAN

## 1. COMPUTATION OF COMPENSATION

Total disbursements to other than the debtor are:

Pursuant to 11 U.S.C. § 326, compensation is computed as follows:			\$16,104.02
	\$16,104.02	25% of First \$5,000	\$1,250.00
Less -	\$5,000.00	(\$1,250 Maximum)	
Balance	\$11,104.02	10% of Next \$45,000	\$1,110.40
Less -	\$11,104.02	(\$4,500 Maximum)	
Balance	\$0.00	5% of Next \$950,000	\$0.00
Less -	\$0.00	(\$47,500 Maximum)	
Balance	\$0.00	3% of Balance	\$0.00
TOTAL COMPENSATION CALCULATED:			\$2,360.40
Less Previously Paid Compensation:			\$0.00
<b>TOTAL COMPENSATION REQUESTED:</b>			<b>\$2,360.40</b>

## 2. TRUSTEE EXPENSES

The Trustee has incurred the following expenses:

10/27/98	PHONE: Telephone Expense 1 @ 3.0000 903-595-0998	\$3.00
11/02/98	POST: Postage 1 each @ 0.6840 / each	\$0.68
12/02/98	PHONE: Telephone Expense 1 @ 1.0000 903-595-0998	\$1.00
01/18/99	PHONE: Telephone Expense 1 @ 1.0000 903-595-0998	\$1.00
01/25/99	COPY: Photocopy/Duplication Expense 2 pages @ 0.2500 / page	\$0.50
01/25/99	POST: Postage 1 each @ 0.3300 / each	\$0.33
02/11/99	PHONE: Telephone Expense 1 @ 1.0000 903-595-0998	\$1.00
02/18/99	COPY: Photocopy/Duplication Expense 6 pages @ 0.2500 / page	\$1.50
02/18/99	POST: Postage 1 each @ 0.5500 / each	\$0.55
06/17/99	POST: Postage 1 each @ 1.9800 / each	\$1.98
06/17/99	POST: Postage 1 each @ 0.8800 / each	\$0.88
09/23/99	COPY: Photocopy/Duplication Expense 2 pages @ 0.2500 / page	\$0.50

## Compensation and Expenses Worksheet

**Case Number: 98-91013 BP9**

**Debtor: KENNEDY, TERRY WAYNE**

**Joint Debtor: KENNEDY, MARTHA SUSAN**

09/23/99	POST: Postage 1 each @ 0.6600 / each	\$0.66
10/11/99	PHONE: Telephone Expense 1 @ 3.0000 817-410-4500	\$3.00
10/18/99	COPY: Photocopy/Duplication Expense 8 pages @ 0.2500 / page	\$2.00
12/30/99	COPY: Photocopy/Duplication Expense 24 pages @ 0.2500 / page	\$6.00
12/30/99	POST: Postage 1 each @ 1.1000 / each	\$1.10
04/12/00	COPY: Photocopy/Duplication Expense 6 pages @ 0.2500 / page	\$1.50
08/09/01	COPY: Photocopy/Duplication Expense 3 pages @ 0.2500 / page	\$0.75
08/09/01	POST: Postage 1 each @ 0.3400 / each	\$0.34
08/09/01	POST: Postage 1 each @ 0.3400 / each	\$0.34
08/29/01	COPY: Photocopy/Duplication Expense 3 pages @ 0.2500 / page	\$0.75
08/29/01	COPY: Photocopy/Duplication Expense 2 pages @ 0.2500 / page	\$0.50
08/29/01	POST: Postage 1 each @ 0.3400 / each	\$0.34
02/18/02	PHONE: Telephone Expense 1 @ 1.0000 905-590-1450	\$1.00
06/24/02	POST: Postage 1 each @ 1.0200 / each	\$1.02
06/24/02	POST: Postage 1 each @ 0.8000 / each	\$0.80
06/24/02	POST: Postage 1 each @ 4.1700 / each	\$4.17
06/25/02	COPY: Photocopy/Duplication Expense 39 pages @ 0.2500 / page	\$9.75
08/07/02	COPY: Photocopy/Duplication Expense 2 pages @ 0.2500 / page	\$0.50
08/07/02	POST: Postage 1 each @ 0.3700 / each	\$0.37
10/25/02	COPY: Photocopy/Duplication Expense 6 pages @ 0.2500 / page	\$1.50
10/25/02	POST: Postage 2 each @ 0.3700 / each	\$0.74
11/11/02	PHONE: Telephone Expense 1 @ 1.0000 816-801-6455	\$1.00
01/19/03	PHONE: Telephone Expense 1 @ 2.0000 903-595-0998	\$2.00
05/07/03	COPY: Photocopy/Duplication Expense 3 pages @ 0.2500 / page	\$0.75
10/17/03	COPY: Photocopy/Duplication Expense 3 pages @ 0.2500 / page	\$0.75
10/20/03	COPY: Photocopy/Duplication Expense 59 pages @ 0.2500 / page	\$14.75
10/20/03	POST: Postage 20 each @ 0.3700 / each	\$7.40
10/20/03	POST: Postage 2 each @ 0.6000 / each	\$1.20
10/27/03	COPY: Photocopy/Duplication Expense 95 pages @ 0.2500 / page	\$23.75
10/27/03	COPY: Photocopy/Duplication Expense 42 pages @ 0.2500 / page	\$10.50
10/27/03	PHONE: Telephone Expense 1 @ 0.0000	\$0.00
10/27/03	PHONE: Telephone Expense 1 @ 1.0000	\$1.00

## Compensation and Expenses Worksheet

**Case Number: 98-91013 BP9**

**Debtor: KENNEDY, TERRY WAYNE**

**Joint Debtor: KENNEDY, MARTHA SUSAN**

903-597-6301

10/27/03	POST: Postage 1 each @ 2.4400 / each	\$2.44
10/27/03	POST: Postage 3 each @ 1.0600 / each	\$3.18
10/27/03	POST: Postage 25 each @ 0.3700 / each	\$9.25
10/28/03	PHONE: Telephone Expense 1 @ 1.0000 903-597-6301	\$1.00
12/31/03	COPY: Photocopy/Duplication Expense 82 pages @ 0.2500 / page	\$20.50
12/31/03	POST: Postage 1 each @ 4.4200 / each	\$4.42
12/31/03	POST: Postage 5 each @ 0.3700 / each	\$1.85
12/31/03	SEC: Secretarial Expense 8.7 @ 15.0000	\$130.50
12/31/03	SUPPLY: Supplies & Stationery 6 @ 0.1000 Manilla Folders	\$0.60
12/31/03	SUPPLY: Supplies & Stationery 1 @ 1.4000 Expandable Folder	\$1.40

### Expense Summary

COPY: Photocopy/Duplication Expense 387 pages @ 0.25 / page	\$96.75
PHONE: Telephone Expense 1 @ 0.00	\$0.00
PHONE: Telephone Expense 7 @ 1.00	\$7.00
PHONE: Telephone Expense 1 @ 2.00	\$2.00
PHONE: Telephone Expense 2 @ 3.00	\$6.00
POST: Postage 1 each @ 0.33 / each	\$0.33
POST: Postage 3 each @ 0.34 / each	\$1.02
POST: Postage 53 each @ 0.37 / each	\$19.61
POST: Postage 1 each @ 0.55 / each	\$0.55
POST: Postage 2 each @ 0.60 / each	\$1.20
POST: Postage 1 each @ 0.66 / each	\$0.66
POST: Postage 1 each @ 0.68 / each	\$0.68
POST: Postage 1 each @ 0.80 / each	\$0.80
POST: Postage 1 each @ 0.88 / each	\$0.88
POST: Postage 1 each @ 1.02 / each	\$1.02
POST: Postage 3 each @ 1.06 / each	\$3.18
POST: Postage 1 each @ 1.10 / each	\$1.10
POST: Postage 1 each @ 1.98 / each	\$1.98
POST: Postage 1 each @ 2.44 / each	\$2.44
POST: Postage 1 each @ 4.17 / each	\$4.17
POST: Postage 1 each @ 4.42 / each	\$4.42

# Compensation and Expenses Worksheet

**Case Number: 98-91013 BP9**

**Debtor: KENNEDY, TERRY WAYNE**

**Joint Debtor: KENNEDY, MARTHA SUSAN**

SEC: Secretarial Expense 8.7 @ 15.00 \$130.50

SUPPLY: Supplies & Stationery 6 @ 0.10 \$0.60

SUPPLY: Supplies & Stationery 1 @ 1.40 \$1.40

TOTAL EXPENSES CALCULATED: \$288.29

Less Previously Paid Expenses: \$0.00

**TOTAL EXPENSES REQUESTED: \$288.29**

**TOTAL EXPENSES AND COMPENSATION REQUESTED: \$2,648.69**

**DATED: 12/31/03**

*/s/ Stephen J. Zayler*

**SIGNED** \_\_\_\_\_

**TRUSTEE: Stephen J. Zayler**

**P. O. Box 150743**

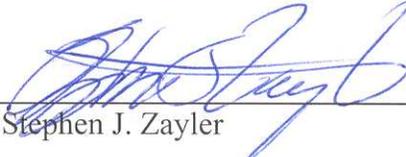
**Lufkin, TX 75915-0743**

THE STATE OF TEXAS )

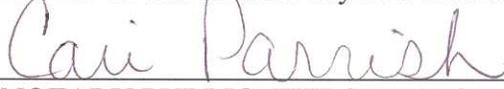
COUNTY OF )

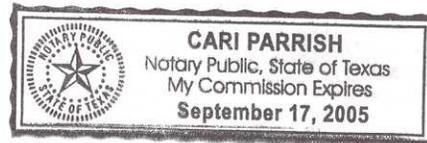
BEFORE ME, the undersigned authority on this date personally appeared Stephen J. Zayler, and under oath stated the following:

"I, Stephen J. Zayler, am the duly appointed Trustee in the Terry and Martha Kennedy bankruptcy proceeding. I am hereby making application for the maximum amount of Trustee fees, as it is my opinion that the maximum amount was earned by me in carrying out my duties as Trustee. I held the 341a meeting, collected funds from Dairy Farmers of America, and had numerous conferences and correspondence with the debtor, and the debtors' attorney. Further, I performed all other numerous duties of a Trustee, including, but not limited to, preparing Trustee's Final Report, will make disbursements and will prepare the Supplemental Final Report.

  
\_\_\_\_\_  
Stephen J. Zayler

SWORN TO AND SUBSCRIBED TO before me on this the 31st day of December, 2003.

  
\_\_\_\_\_  
NOTARY PUBLIC, THE STATE OF TEXAS



ITEMIZATION OF SECRETARIAL AND CLERICAL TIME

September 20, 1999 - Load assets, lien, and exemption information;  
(RA - .40)

September 20, 1999 - Open bank account and loan bank account information;  
(RA - .20)

September 20, 1999 - Prepare W-9 Form;  
(RA - .10)

September 20, 1999 - Prepare deposit, post, and transmit;  
(RA - .60)

October 14, 1999 - Reconcile Bank Statement;  
(CP - .10)

November 15, 1999 - Reconcile Bank Statement;  
(BH - .10)

December 15, 1999 - Reconcile Bank Statement;  
(SC - .10)

January 18, 2000 - Reconcile Bank Statement;  
(JW - .10)

February 16, 2000 - Reconcile Bank Statement;  
(RA - .10)

March 22, 2000 - Reconcile Bank Statement;  
(RA - .10)

April 13, 2000 - Reconcile Bank Statement;  
(SB - .10)

May 16, 2000 - Reconcile Bank Statement;  
(SB - .10)

June 16, 2000 - Reconcile Bank Statement;  
(SB - .10)

July 14, 2000 - Reconcile Bank Statement;  
(SB - .10)

August 11, 2000 - Reconcile Bank Statement;  
(SB - .10)

September 14, 2000 Reconcile Bank Statement;  
(SB - .10)

October 20, 2000 - Reconcile Bank Statement;  
(SB - .10)

November 15, 2000 - Reconcile Bank Statement;  
(SB - .10)

December 13, 2000 - Reconcile Bank Statement;  
(SB - .10)

January 16, 2001 - Reconcile Bank Statement;  
(MR - .10)

February 13, 2001 - Reconcile Bank Statement;  
(MR - .10)

March 14, 2001- Reconcile Bank Statement;  
(MR - .10)

April 12, 2001 - Reconcile Bank Statement;  
(MR - .10)

May 15, 2001 - Reconcile Bank Statement;  
(MR - .10)

June 13, 2001 - Reconcile Bank Statements;  
(MR - .10)

July 12, 2001 - Reconcile Bank Statements;  
(MR - .10)

August 13, 2001 - Reconcile Bank Statement;  
(MR - .10)

September 17, 2001 - Reconcile Bank Statements;  
(MR - .10)

October 15, 2001 - Reconcile Bank Statements;  
(MR - .10)

November 16, 2001 - Reconcile Bank Statement;  
(MR - .10)

December 13, 2001 - Reconcile Bank Statement;  
(MR - .10)

January 17, 2002 - Reconcile Bank Statement;  
(MR - .10)

February 12, 2002 - Reconcile Bank Statement;  
(MR - .10)

March 11, 2002 - Reconcile Bank Statement;  
(MR - .10)

April 11, 2002 - Reconcile Bank Statement;  
(MR - .10)

May 15, 2002 - Reconcile Bank Statement;  
(MR - .10)

June 13, 2002 - Reconcile Bank Statement;  
(MR - .10)

July 12, 2002 - Reconcile Bank Statement;  
(MR - .10)

August 13, 2002 - Reconcile Bank Statement;  
(MR - .10)

September 11, 2002 - Reconcile Bank Statement;  
(MR - .10)

October 11, 2002 - Reconcile Bank Statement;  
(CP - .10)

November 14, 2002 - Reconcile Bank Statement;  
(MR - .10)

December 13, 2002 - Reconcile Bank Statement;  
(MR - .10)

January 13, 2003 - Reconcile Bank Statement;  
(MR - .10)

February 12, 2003 - Reconcile Bank Statement;  
(MR - .10)

March 12, 2003 - Reconcile Bank Statement;  
(MR - .10)

April 11, 2003 - Reconcile Bank Statement;  
(MR - .10)

May 14, 2003 - Reconcile Bank Statement;  
(MR - .10)

June 13, 2003 - Reconcile Bank Statement;  
(MR - .10)

July 15, 2003 - Reconcile Bank Statement;  
(MR - .10)

August 12, 2003 - Reconcile Bank Statement;  
(MR - .10)

September 12, 2003 - Reconcile Bank Statement;  
(MR - .10)

October 15, 2003 - Reconcile Bank Statement;  
(MR - .10)

October 17, 2003 - Prepare deposit, post, and transmit;  
(CP - .20)

October 27, 2003 - Load Claim Information;  
(CP - .50)

October 28, 2003 - Request Court Costs;  
(CP - .20)

November 17, 2003 - Reconcile Bank Statement;  
(MR - .10)

December 3, 2003 - Prepare check to Stephen J. Zayler for fees and expenses for attorney for Trustee;  
(SJZ - .20)

December 11, 2003 - Prepare check to Terry and Martha Kennedy for debtor's portion of funds collected per agreed stipulation;  
(SJZ - .20)

December 17, 2003 - Reconcile Bank Statement;  
(MB - .10)

December 31, 2003 - Compile Trustee's Final Report for Submission to U. S. Trustee;  
(CP - .30)

December 31, 2003 - Transfer funds from MMA to checking account at Bank of America and post accrued interest;  
(CP - .20)

RECAP OF SECRETARIAL & CLERICAL TIME:

REBECCA ALLEN -	1.50 hrs. @ \$15.00/per hr. =	\$ 22.50
JANIE WINSLOW -	0.10 hrs. @ \$15.00/per hr. =	1.50
SANDY BELSCHNER -	0.90 hrs. @ \$15.00/per hr. =	13.50
BEVERLY HATCHER -	0.60 hrs. @ \$15.00/per hr. =	9.00
SHERRY CARNLEY -	0.10 hrs. @ \$15.00/per hr. =	1.50
CARI PARRISH -	2.00 hrs. @ \$15.00/per hr. =	30.00
MILLIE REEVES -	3.50 hrs. @ \$15.00/per hr. =	<u>52.50</u>
TOTAL:	8.70 hrs. @ \$15.00/per hr. =	\$ 130.50

ITEMIZATION OF TRUSTEE TIME

June 8, 1998 - Initial review of Schedules and Statement of Financial Affairs;  
(SJZ - .20)

June 17, 1998 - Receipt of Notice of Appointment;  
(SJZ - .10)

June 17, 1998 - Receipt and review of Notice of 341a meeting;  
(SJZ - .10)

August 5, 1998 - Review file prior to conducting 341a hearing;  
(SJZ - .20)

August 5, 1999 - Prepare sign-in sheet;  
(SJZ - .20)

August 6, 1998- Conduct 341a Hearing;  
(SJZ - .10)

August 6, 1998 - Prepare Proceeding Memo;  
(SJZ - .10)

August 6, 1998 - Review of typed proceeding memo and execute same;  
(SJZ - .10)

August 6, 1998 - Correspondence to Court transmitting proceeding memo and execute same;  
(SJZ - .20)

October 27, 1998 - Conference with Debtor's Attorney regarding nonexempt portion;  
(SJZ - .30)

November 4, 1998 - Receive and review Order Setting Bar Date;  
(SJZ - .10)

November 10, 1998 - Receipt of and calendar bar date;  
(SJZ - .10)

November 13, 1998 - Receive and review correspondence from Chrysler financial regarding notice of default and acceleration;  
(SJZ - .10)

December 1, 1998 - Telephone conference with TNRCC regarding filing proof of claim and wants to know what assets are potentially available;  
(SJZ - .20)

December 2, 1998 - Follow up telephone conference to debtor's attorney regarding status of agreement to split AMPI Capital retains;  
(SJZ - .10)

December 7, 1998 - Receive and review Proof of Claim filed by TNRCC; priority Claim;  
(SJZ - .10)

December 8, 1998 - Receive and review Proof of Claim filed by Chrysler;  
(SJZ - .10)

January 18, 1999 - Conference with J. Thigpen (Debtor's Attorney) regarding possible agreement with Debtor's on Capital Retains on AMPI;  
(SJZ - .10)

January 19, 1999 - Discuss Agreement with Debtor's attorney Joe Thigpen on Entitlement of estate to portion of Capital retains account;  
(SJZ - .20)

January 21, 1999 - Prepare letter to Debtors' attorney confirming the agreement regarding the AMPI capital retains account;  
(SJZ - .20)

January 23, 1999 - Receive and review Amended Proof of Claim filed by Chrysler Financial;  
(SJZ - .20)

January 25, 1999 - Receipt of Amended Proof of Claim of Chrysler Financial;  
(SJZ - .10)

February 1, 1999 - Receive and review correspondence from Debtor's attorney regarding agreement on split of AMPI capital retains payment with estate;  
(SJZ - .10)

February 11, 1999 - Telephone conference with Joe Thigpen regarding Negotiation Agreement on Allocating payments on capital retains account;  
(SJZ - .10)

February 18, 1999 - Receive and review proposed stipulation on division of capital retains from AMPI and Motion /Order to Approve Stipulation;  
(SJZ - .10)

February 26, 1999 - Receive and review Motion for Approval of Stipulation for Modification of Automatic Stay;  
(SJZ - .10)

April 5, 1999 - Receive and review Notice of Entry of Order granting Motion to Approve Stipulation in Part;  
(SJZ - .10)

May 18, 1999 - Receipt of and review bank statement;  
(SJZ - .10)

June 2, 1999 - Receive and review correspondence from Debtor's attorney and AMPI regarding payment of capital retains to estate;  
(SJZ - .10)

June 3, 1999 - Receive and review correspondence from Joe Thigpen and documents enclosed regarding retainage payments by Dairy Farmers;  
(SJZ - .10)

June 16, 1999 - Receipt of and review bank statement;  
(SJZ - .10)

June 17, 1999 - Review and execute Motion to Employ Attorney for Trustee;  
(SJZ - .10)

July 10, 1999 - Receive and and review Notice of Entry of Order employ SJZ;  
(SJZ - .10)

July 14, 1999 - Receipt of and review bank statement;  
(SJZ - .10)

August 16, 1999 - Receipt of and review bank statement;  
(SJZ - .10)

September 20, 1999 - Correspondence to NationsBank transmitting deposit, notice of appointment, W-9 Form and execute;  
(SJZ - .30)

September 20, 1999 - Review of W-9 for NationsBank and execute same;  
(SJZ - .10)

September 20, 1999 - Review of deposit and initial deposit;  
(SJZ - .10)

September 21, 1999 - Receive and review bank stamped deposit slip;  
(SJZ - .10)

September 23, 1999 - Review file for status of administration;  
(SJZ - .10)

September 23, 1999 - Prepare letter to Dairy Farmers of America regarding  
accounting that was requested;  
(SJZ - .20)

October 8, 1999 - Receive and review correspondence and accounting from Dairy  
Farmers of America, Inc. outlining amount and basis for set off of debt to  
capital;  
(SJZ - .10)

October 11, 1999 - Receive and review correspondence from Pam Hackler with  
Dairy Farmers of America;  
(SJZ - .10)

October 11, 1999 - Telephone conference with Pam Hackler regarding explanation  
as to how AMPI payments are determined and discuss with Trustee;  
(SJZ - .10)

October 12, 1999 - Prepare Form 1 and Form 2;  
(SJZ - .30)

October 14, 1999 - Receipt of and review bank statements;  
(SJZ - .10)

October 21, 1999 - Prepare memo to file as to AMPI payments;  
(SJZ - .20)

October 27, 1999 - Receive and review correspondence from IRS regarding tax ID  
number;  
(SJZ - .10)

November 15, 1999 - Receipt of and review bank statements;  
(SJZ - .10)

December 15, 1999 - Receipt of and review bank statement;  
(SJZ - .10)

January 18, 2000 - Receipt of and review bank statement;  
(SJZ - .10)

February 16, 2000 - Receipt of and review bank statement;  
(SJZ - .10)

March 22, 2000 - Receipt of and review bank statement;  
(SJZ - .10)

April 9, 2000 - Prepare Form 1 & Form 2;  
(SJZ - .30)

April 13, 2000 - Receipt of and review bank statement;  
(SJZ - .10)

May 16, 2000 - Receipt of and review bank statement;  
(SJZ - .10)

June 16, 2000 - Receipt of and review bank statement;  
(SJZ - .10)

July 14, 2000 - Receipt of and review bank statement;  
(SJZ - .10)

August 8, 2000 - Receive and review correspondence from Dairy Farmers of America regarding equity balance and offer to discount for payment now;  
(SJZ - .10)

August 8, 2000 - Review file to determine amount of equity balance payment and amount of claims and discuss with Trustee to which avenue to take;  
(SJZ - .10)

August 11, 2000 - Receipt of and review bank statements;  
(SJZ - .10)

August 30, 2000 - Telephone conference with U.S. Attorney regarding status;  
(SJZ - .10)

August 11, 2000 - Receipt of and review bank statement;  
(SJZ - .10)

September 14, 2000 - Receipt of and review bank statement;  
(SJZ - .10)

September 28, 2000 - Review file for status of administration;  
(SJZ - .10)

October 3, 2000 - Prepare Form 1 and Form 2;  
(SJZ - .30)

October 20, 2000 - Receipt of and review bank statement;  
(SJZ - .10)

November 15, 2000 - Receipt of and review bank statement;  
(SJZ - .10)

December 13, 2000 - Receipt of and review bank statement;  
(SJZ - .10)

January 16, 2001 - Receipt of and review bank statement;  
(SJZ - .10)

February 13, 2001 - Receipt of and review bank statement;  
(SJZ - .10)

March 13, 2001 - Receipt of and review bank statement;  
(SJZ - .10)

April 10, 2001 - Prepare Form 1 and Form 2;  
(SJZ - .30)

April 12, 2001 - Receipt of and review bank statement;  
(SJZ - .10)

May 15, 2001 - Receipt of and review bank statement;  
(SJZ - .10)

June 13, 2001 - Receipt of and review bank statement;  
(SJZ - .10)

July 12, 2001 - Receipt of and review bank statement;  
(SJZ - .10)

August 13, 2001 - Receipt of and review bank statement;  
(SJZ - .10)

September 17, 2001 - Receipt of and review bank statement;  
(SJZ - .10)

October 15, 2001 - Receipt of and review bank statement;  
(SJZ - .10)

October 22, 2001 - Prepare Form 1 and Form 2;  
(SJZ - .30)

November 16, 2001 - Receipt of and review bank statement;  
(SJZ - .10)

December 13, 2001 - Receipt of and review bank statement;  
(SJZ - .10)

January 17, 2002 - Receipt of and review bank statement;  
(SJZ - .10)

February 12, 2002 - Receipt of and review bank statement;  
(SJZ - .10)

February 18, 2002 - Telephone conference to Sam Baker, U. S. Trustee's office,  
regarding projected TFR date;  
(SJZ - .10)

March 11, 2002 - Receipt of and review bank statement;  
(SJZ - .10)

April 11, 2002 - Receipt of and review bank statement;  
(SJZ - .10)

April 16, 2002 - Prepare Form 1 and Form 2;  
(SJZ - .30)

May 15, 2002 - Receipt of and review bank statement;  
(SJZ - .10)

June 13, 2002 - Receipt of and review bank statement;  
(SJZ - .10)

June 25, 2002 - Review and execute Objection to Proof of Claim No. 1, East  
Texas Medical Center;  
(SJZ -.10)

July 12, 2002 - Receipt of and review bank statement;  
(SJZ - .10)

August 13, 2002 - Receipt of and review bank statement;  
(SJZ - .10)

September 11, 2002 - Receipt of and review bank statement;  
(SJZ - .10)

November 11, 2002 - Telephone conference to DTA - directed to another number  
to call;  
(SJZ - .10)

November 14, 2002 - Receipt of and review bank statements;  
(SJZ - .10)

December 13, 2002 - Receipt of and review bank statements;  
(SJZ - .10)

January 13, 2003 - Receipt of and review bank statements;  
(SJZ - .10)

February 12, 2003 - Receipt of and review bank statements;  
(SJZ - .10)

March 12, 2003 - Receipt of and review bank statements;  
(SJZ - .10)

April 11, 2003 - Receipt of and review bank statements;  
(SJZ - .10)

April 16, 2003 - Prepare Form 1 and Form 2;  
(SJZ - .30)

May 14, 2003 - Receipt of and review bank statements;  
(SJZ - .10)

June 13, 2003 - Receipt of and review bank statements;  
(SJZ - .10)

July 15, 2003 - Receipt of and review bank statements;  
(SJZ - .10)

August 12, 2003 - Receipt of and review bank statements;  
(SJZ - .10)

September 12, 2003 - Receipt of and review bank statements;  
(SJZ - .10)

October 15, 2003 - Receipt of and review bank statements;  
(SJZ - .10)

October 17, 2003 - Review of deposit and initial deposit;  
(SJZ - .10)

October 20, 2003 - Prepare Motion to Employ CPA with proposed Order;  
(SJZ - .50)

October 24, 2003 - Receive and review bank stamped deposit slip;  
(SJZ - .10)

October 27, 2003 - Telephone conference with M. McNally regarding Claim Number  
2;  
(SJZ - .10)

October 28, 2003 - Telephone conference with M. McNally regarding Proof of  
Claim;  
(SJZ - .10)

November 5, 2003 - Receive and review Order to Employ David Tamminga;  
(SJZ - .10)

November 17, 2003 - Receipt of and review bank statements;  
(SJZ - .10)

December 1, 2003 - Review and execute Objection to Proof of Claim No. 2,  
Austin Bank;

(SJZ - .10)

December 3, 2003 - Review and execute check for Attorney for Trustee for fees and expenses;

(SJZ - .10)

December 11, 2003 - Review and execute check made payable to Terry and Martha Kennedy for portion of their proceeds;

(SJZ - .10)

December 17, 2003 - Receipt of and review bank statements;

(SJZ - .10)

December 29, 2003 - Receive and review Order disallowing claim no. 2, Austin Bank;

(SJZ - .10)

TOTAL ITEMIZED TRUSTEE TIME: 15.30 hrs.

**Additional Trustee time to be incurred:**

Evaluation of case for administration and disposition of assets;

Continuous monitor of case administration;

Preparation of disbursement checks to creditors and Trustee fees and expenses;

Preparation of dividend letter to creditors;

Review additional bank statements;

Preparation of additional Form 1's and 2's as necessary;

Preparation of Trustee's Supplemental Final Report.

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) Court Costs and Fees	0.00	0.00	0.00	0.00
2. 11 U.S.C. Sec. 503(b)(1)(a) Preservation of Estate	0.00	0.00	0.00	0.00
3. 11 U.S.C. Sec. 503(b)(2) Post-Petition taxes and related penalties	0.00	0.00	0.00	0.00
4. 11 U.S.C. Sec. 503(b)(2) Compensation and Reimbursements				
A. Trustee - Compensation	0.00	0.00	0.00	0.00
B. Trustee - Expense	0.00	0.00	0.00	0.00
C. TRUSTEE ATTORNEY FEES	909.54	909.54	909.54	0.00
5. Court Special Charges (Excess Notices)	0.00	0.00	0.00	0.00
6. United States Trustee Fees	0.00	0.00	0.00	0.00
BkMk6 TOTALS:	\$909.54	\$909.54	\$909.54	\$0.00

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

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**In Re:**

Terry Wayne Kennedy  
Martha Susan Kennedy

**Bankruptcy** 98-91013  
**Case:** bp  
**Chapter 7**

**Debtor(s):**

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**BILL OF COURT COSTS**

---

**TO: Stephen Zayler  
123 E. Lufkin Avenue  
PO Box 150743  
Lufkin , TX 75915-0743**

03 OCT 30 AM 10:59  
CLERK OF DISTRICT COURT  
LUFKIN, TEXAS

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

These costs are itemized as follows

**NOTICES**

\$0.25 per notice in excess of 50 notices mailed prior to 1/1/87. --	<b>\$0 (Prior to 1/1/87)</b>
\$0.50 per notice for all notices mailed after to 1/1/87. --	<b>\$0 (After 1/1/87)</b>

**NOTE:** For Chapter 7 cases filed after 12/1/92, there will be NO NOTICE FEES.  
(Do Not Bill for \$0.50 per notice)

**NOTE:** For all other Chapters filed after 1/1/98, there will be NO NOTICE FEES.  
(Do Not Bill for \$0.50 per notice)

**PROCESSING CLAIMS**

**NOTE:** The fee of \$0.25 for clerical processing of each claim in excess of 10 in. cases filed under the Act or Code has been eliminated

**DEFERRED ADVERSARY FILING FEES**

**0(Deferred Adversaries) Chapter 7 Adversary Proceeding(s) filed @ \$120.00/\$150.00 each.**

\$0

TOTAL AMOUNT DUE

\$0

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

Date: October 30, 2003

JAMES D. TOKOPH  
Clerk of Court

BY: Shaun Rocaforte  
Deputy Clerk

SCHEDULE D

SECURED CLAIMS

Claim no.	Amount Claimed	Amount Not Determined	Amount Allowed	Previously Paid	Due
TOTALS	0.00		0.00	0.00	0.00

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IDENTIFICATION OF SECURED PARTIES AFFECTED:

Claim No.	Name of Creditor	Claim No.	Name of Creditor
000002B	AUSTIN BANK	000004	CHRYSLER FINANCIAL CORP



EXHIBIT A  
ANALYSIS OF CLAIMS REGISTER

Case Number: 98-91013

Page 1

Date: December 31, 2003

Debtor Name: KENNEDY, TERRY WAYNE

Claim Number Sequence

Code #	Creditor Name & Address	Claim Class	Notes	Amount Allowed	Paid to Date	Claim Balance
025 TAF	STEPHEN J. ZAYLER ATTORNEY AT LAW P. O. BOX 150743 LUFKIN, TX 75915-0743	Administrative		\$909.54	\$909.54	\$0.00
080 BD	TERRY AND MARTHA KENNEDY RT. 3 BOX 102 GRAPELAND, TEXAS 75844	Unsecured		\$7,574.05	\$7,574.05	\$0.00
000001	East Texas Medical Center c/o Sanders, Baker & Jesko P.O. Box 2667 Amarillo, TX 79105	Unsecured	Order Disallowing Claim No 1 entered 7/23/02	\$1,404.10	\$0.00	\$1,404.10
000002A 070 UC	Austin Bank c/oMichael J. McNally P.O. Box 1080 Tyler, TX 75710-1080	Unsecured	Objection to Claim No. 2 to disallow secured and allow unsecured portion filed 12/1/03	\$55,363.83	\$0.00	\$55,363.83
000002B	Austin Bank c/oMichael J. McNally P.O. Box 1080 Tyler, TX 75710-1080	Secured	Order disallowing Claim No. 2 as secured and allow the unsecured portion entered 12/30/03	\$6,000.00	\$0.00	\$6,000.00
000003 070 UC	Tx Natural Resource C.C. Edith Stuart Phillips, Asst. Atty. Gen. P.O. Box 12548 Austin, TX 78711-2548	Unsecured		\$2,150.00	\$0.00	\$2,150.00
000004 050 SC	Chrysler Financial Corp P.O. Box 1453 Houston, TX 77251-1453 Attn: Tobi Tsokos-Brasher	Secured	AMENDED BY CLAIM NO. 6	\$5,016.69	\$0.00	\$5,016.69
000005 070 UC	Greenwood Trust Co. NOVUS Services, Inc. P.O. box 8003 Hilliard, OH 43026	Unsecured		\$5,737.13	\$0.00	\$5,737.13
000006 070 UC	Chrysler Financial Corp P.O. Box 1453 Houston, TX 77251-1453 Attn: Tobi Tsokos-Brasher	Unsecured	AMENDS CLAIM NO. 4	\$2,468.93	\$0.00	\$2,468.93
Case Totals:				\$86,624.27	\$8,483.59	\$78,140.68

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

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

IN RE:	)	
KENNEDY, TERRY WAYNE	)	CASE NO. 98-91013
KENNEDY, MARTHA SUSAN	)	
	)	CHAPTER 7
DEBTOR(S)	)	

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	\$15,194.48
2. ADMINISTRATIVE EXPENSES TO BE PAID * (note)	\$0.00
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)	\$15,194.48
6. OTHER DISTRIBUTIONS TO BE PAID * (note)	\$0.00
7. TOTAL DISTRIBUTIONS TO BE MADE (Sum of lines 2 through 6)	\$15,194.48
8. ZERO BALANCE AFTER ALL DISTRIBUTIONS (Line 1 less line 7)	\$0.00

\* (See attached schedule of payees and amounts)

/s/ Stephen J. Zayler

(Trustee)

## PROPOSED DISTRIBUTION

Case Number: 98-91013 BP9

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Date: December 31, 2003

Debtor Name: KENNEDY, TERRY WAYNE \ KENNEDY, MARTHA SUSAN

Claim #	Payee Name	Class	Priority	Amount	Paid to Date	Claim Balance	Proposed Pymt	Funds Remaining
Beginning Balance								\$15,194.48
	Stephen J. Zayler COMPENSATION	Admin		\$2,360.40	\$0.00	\$2,360.40	\$2,360.40	\$12,834.08
	Stephen J. Zayler EXPENSES	Admin		\$288.29	\$0.00	\$288.29	\$288.29	\$12,545.79
	STEPHEN J. ZAYLER	Admin	025	\$909.54	\$909.54	\$0.00	\$0.00	\$12,545.79
000002A	Austin Bank	Unsec	070	\$55,363.83	\$0.00	\$55,363.83	\$10,568.84	\$1,976.95
000003	Tx Natural Resource C.C.	Unsec	070	\$2,150.00	\$0.00	\$2,150.00	\$410.43	\$1,566.52
000005	Greenwood Trust Co.	Unsec	070	\$5,737.13	\$0.00	\$5,737.13	\$1,095.21	\$471.31
000006	Chrysler Financial Corp	Unsec	070	\$2,468.93	\$0.00	\$2,468.93	\$471.31	\$0.00
	TERRY AND MARTHA KENNEDY	Unsec	080	\$7,574.05	\$7,574.05	\$0.00	\$0.00	\$0.00
<< Totals >>				\$76,852.17	\$8,483.59	\$68,368.58	\$15,194.48	\$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.