

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

FILED  
02 DEC 13 PM 1:21  
CASE NO. 99-11944  
COURT  
CHAPTER 7  
DEPUTY

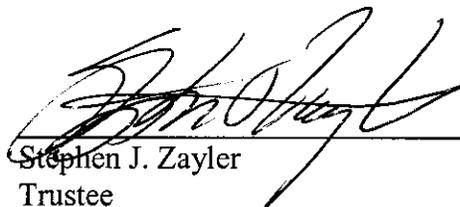
IN RE: )  
KIMBALL, ERIC C )  
KIMBALL, SHERRA M )  
DEBTOR(S) )

**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.

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

DATE: September 4, 2002

  
\_\_\_\_\_  
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: 12-2-02

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

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

IN RE: )  
KIMBALL, ERIC C ) CASE NO. 99-11944  
KIMBALL, SHERRA M )  
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: September 4, 2002

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

**SCHEDULE A-1**

FINAL ACCOUNT AS OF September 4, 2002

A. RECEIPTS \$44,938.82

B. DISBURSEMENTS

(1) Secured creditors 0.00

(2) Administrative 17,385.05

(3) Priority 0.00

(4) Other 4,772.00

TOTAL DISBURSEMENTS \$22,157.05

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BALANCE OF FUNDS \$22,781.77

**TRUSTEE'S FINAL REPORT CASE SUMMARY**

**TRUSTEE:**

**ZAYLER**

COMMENTS:

CASE NAME:

**KIMBALL, ERIC/SHERRA**

CASE NUMBER:

**99-11944**

DATE UST APPROVED:

**12-02-02**

ESTATE INCOME:

TOTAL RECEIPTS:

\$44,938.82

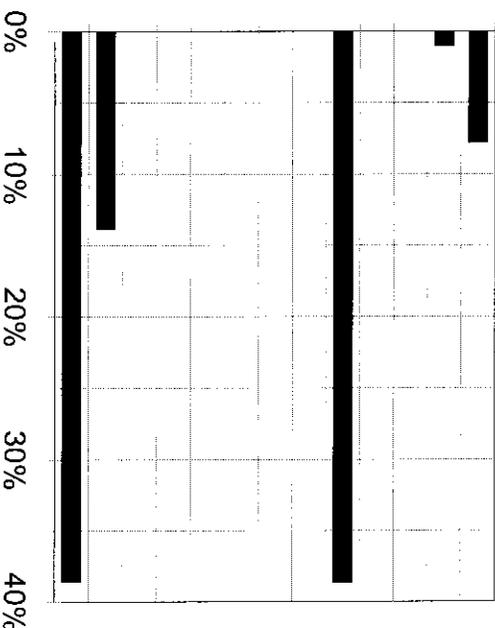
100.00%

ESTATE EXPENSES:

TRUSTEE'S COMMISSION  
 TRUSTEE'S EXPENSES  
 FIRM'S PROFESSIONAL FEES  
 FIRM'S PROFESSIONAL EXPENSES  
 OTHER ATTORNEY FEES  
 OTHER PROFESSIONAL FEES  
 COURT COSTS  
 ESTATE EXPENSES(TAXES, ETC)  
 PRIOR CHAPTER COSTS  
 SECURED CLAIMS PAID  
 PRIORITY CLAIMS PAID  
 UNSECURED CLAIMS PAID  
 OTHER(RETURN TO DEBTOR, ETC)

3,509.07  
 472.11  
 0.00  
 0.00  
 17,385.05  
 0.00  
 0.00  
 0.00  
 0.00  
 0.00  
 0.00  
 6,224.48  
 17,348.11

7.81%  
 1.05%  
 0.00%  
 0.00%  
 38.69%  
 0.00%  
 0.00%  
 0.00%  
 0.00%  
 0.00%  
 0.00%  
 13.85%  
 38.60%



UNSECURED CLAIMS ALLOWED

5,394.79

UNSECURED CLAIMS PAID

6,224.48

PERCENT RECOVERED FOR UNSECURED

115.38%

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

Case No: 99-11944 BPI Judge: BILL PARKER  
Case Name: KIMBALL, ERIC C  
KIMBALL, SHERRA M  
For Period Ending: 09/03/02

Trustee Name: Stephen J. Zayler  
Date Filed (F) or Converted (C): 11/10/99 (F)  
341(a) Meeting Date: 01/07/00  
Claims Bar Date: 05/18/00

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
MESTEAD	30,000.00	0.00		0.00	FA
2. CKG. & SAV. ACCT.	200.00	0.00		0.00	FA
3. HOUSEHOLD GOODS	2,500.00	0.00		0.00	FA
4. WEARING APPAREL	1,000.00	0.00		0.00	FA
5. '93 CHEVROLET PU	3,000.00	0.00		0.00	FA
6. '91 LINCOLN TOWN CAR	2,500.00	0.00		0.00	FA
7. '94 SHRIMP BOAT	8,000.00	0.00		0.00	FA
8. SHRIMP NETS	800.00	0.00		0.00	FA
9. INT. IN LAWSUIT (u)	0.00	25,000.00		44,887.50	FA
This asset has been given a value as required by the reporting requirements. This is only a best guess estimate and may or may not be accurate.					
10. Post-Petition Interest Deposits (u)	Unknown	N/A		49.07	Unknown

7. A/S (Excluding Unknown Values) \$48,000.00

\$48,000.00

\$25,000.00

\$44,936.57

\$0.00

Gross Value of Remaining Assets  
(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:

Silber Pearman holding substantial amount of settlements. Request turnover. Most solvent defendants have settled. Most remaining defendants in bankruptcy. Trustee filed Motion to Approve Compromise Settlement Agreement and Application for Compensation and Reimbursement of Expenses of Special Counsel on 3/6/02. Claims folder received, no objections necessary.

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

Current Projected Date of Final Report (TFR): 12/31/02

FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 99-11944 BP1  
 Case Name: KIMBALL, ERIC C  
 KIMBALL, SHERRAM  
 Taxpayer ID No: 75-6653691  
 For Period Ending: 09/03/02

Trustee Name: Stephen J. Zayler  
 Bank Name: BANK OF AMERICA  
 Account Number: 3754900550 Checking - Non Interest  
 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 (\$)
			BALANCE FORWARD			0.00

COLUMN TOTALS  
 Less: Bank Transfers 0.00 0.00  
 Subtotal 0.00 0.00  
 Less: Payments to Debtors 0.00  
 Net 0.00 0.00

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

Case No: 99-11944 BPI  
 Case Name: KIMBALL, ERIC C  
 KIMBALL, SHERRA M  
 Taxpayer ID No: 75-6653691  
 For Period Ending: 09/03/02

Trustee Name: Stephen J. Zayler  
 Bank Name: BANK OF AMERICA  
 Account Number: 3754900505 Money Market - Interest Bearing  
 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 (\$)
07/08/02	9 000101	SILBER PEARLMAN, LLP SILBER PEARLMAN LLP 2711 N. HASKELL AVENUE 5TH FLOOR DALLAS, TEXAS 75204	BALANCE FORWARD PARTIAL SETTLEMENT PROCEEDS SPECIAL COUNSEL FEES & EXPENSES PER COUR ORDER 4/8/02	44,887.50	17,385.05	44,887.50 27,502.45
07/08/02	000102	SILBER PEARLMAN, LLP AND ERIC C. KIMBALL AND SHERRA M. KIMBALL 2711 N. HASKELL AVENUE 5TH FLOOR DALLAS, TEXAS 75204 BANK OF AMERICA	EXEMPTION AMOUNT BACK TO DEBTOR	25.89	4,772.00	22,756.34 22,779.52
07/31/02	10	BANK OF AMERICA	Interest Rate 1.200	23.18		22,779.52
08/30/02	10	BANK OF AMERICA	Interest Rate 1.200			

COLUMN TOTALS		44,936.57	22,157.05	22,779.52
Less: Bank Transfers		0.00	0.00	
Subtotal		44,936.57	22,157.05	
Less: Payments to Debtors			0.00	
Net		44,936.57	22,157.05	
TOTAL - ALL ACCOUNTS				
Checking - Non Interest - 3754900550		44,936.57	22,157.05	22,779.52
Money Market - Interest Bearing - 3754900505				

EOD

APR - 8 2002

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

02 APR - 8 PM 2:08  
COUNTY

IN RE:  
ERIC C. KIMBALL  
SSN 455-58-3180  
SHERRA M. KIMBALL  
SSN 464-80-4245  
DEBTORS

§  
§  
§  
§  
§  
§

CASE NO. 99-11944  
CHAPTER 7

**ORDER APPROVING APPLICATION FOR COMPENSATION AND REIMBURSEMENT OF EXPENSES FOR SPECIAL COUNSEL FOR TRUSTEE AS AN ADMINISTRATIVE EXPENSE**

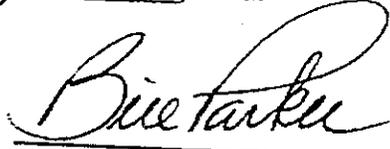
CAME ON this day to be considered the *Application for Compensation and Reimbursement of Expenses* filed by STEPHEN J. ZAYLER, Trustee, on behalf of ROBBIE PARTIDA-KIPNESS and the Law Firm of SILBER PEARLMAN, L.L.P., Special Counsel for the Bankruptcy Estate. The Court finds that the Motion was properly served pursuant to the Federal and Local Rules of Bankruptcy Procedure and that it contained the appropriate twenty (20) day negative notice language, pursuant to Local Rule of Bankruptcy Procedure 9007, which directed any party opposed to the granting of the relief sought by the Motion to file a written response within twenty (20) days or the Motion would be deemed by the Court to be unopposed. The Court finds that no objection or other written response to the motion has been timely filed by any party. The Court, having reviewed the Application and determined whether the services outlined in the Application were actual, reasonable and necessary, finds that good cause exists for the entry of the following Order.

IT IS, THEREFORE, ORDERED that the Application to pay Special Counsel is approved; and the Trustee is authorized to pay to ROBBIE PARTIDA-KIPNESS and the Law Firm of SILBER PEARLMAN, L.L.P., as an administrative expense the Bankruptcy Estate's prorata share of compensation for legal services rendered as Special Counsel for the Bankruptcy Estate, the sum of

**ORDER FOR COMPENSATION AND REIMBURSEMENT**

the amount of \$44,887.50. Trustee is further authorized to turn over to the Debtors, ERIC C. KIMBALL AND SHERRA M. KIMBALL, the gross sum of \$4,772.00, the amount claimed as exempt under 522(d)(5) from the proceeds of this settlement.

SIGNED this 5<sup>th</sup> day of April, 2002.



**BILL PARKER**  
**UNITED STATES BANKRUPTCY JUDGE**

**SCHEDULE B**

**APPLICATION FOR COMPENSATION**

**COMPUTATION OF COMMISSIONS**

Receipts	\$27,590.71	25% of First \$5,000	\$1,250.00
Less	-\$5,000	(\$1,250.00 Max)	
Balance	\$22,590.71	10% of Next \$45,000	\$2,259.07
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** \$3,509.07

**TRUSTEE EXPENSES:**

Premium on Trustee's Bond	\$0.00
Travel (0.00 at 0.00cents per mile)	\$0.00
Copies (638.00 page at 0.25 cents per copy)	\$159.50
Postage	\$32.11
Telephone Charges	\$3.00
Clerical/Secretarial (1.50 at 15.00 per hour)	\$22.50
Paralegal/Assistance (5.10 at 50.00 per hour)	\$255.00
Supplies/Stationary	\$0.00
Distribution Expenses	\$0.00
Miscellaneous	\$0.00

**TOTAL EXPENSES** \$472.11

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: 99-11944 BP1

Debtor: KIMBALL, ERIC C

### 1. COMPUTATION OF COMPENSATION

Total disbursements to other than the debtor are:

Pursuant to 11 U.S.C. § 326, compensation is computed as follows:			\$27,590.71
	\$27,590.71	25% of First \$5,000	\$1,250.00
Less -	\$5,000.00	(\$1,250 Maximum)	
Balance	\$22,590.71	10% of Next \$45,000	\$2,259.07
Less -	\$22,590.71	(\$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:			\$3,509.07
Less Previously Paid Compensation:			\$0.00
 TOTAL COMPENSATION REQUESTED:			\$3,509.07

### 2. TRUSTEE EXPENSES

The Trustee has incurred the following expenses:

02/10/00	COPY: Photocopy/Duplication Expense 1 page @ 0.2500 / page	\$0.25
02/10/00	POST: Postage 1 each @ 0.3300 / each	\$0.33
02/17/00	COPY: Photocopy/Duplication Expense 44 pages @ 0.2500 / page	\$11.00
02/17/00	POST: Postage 1 each @ 1.0000 / each	\$1.00
02/17/00	POST: Postage 1 each @ 0.9900 / each	\$0.99
02/17/00	POST: Postage 5 each @ 0.3300 / each	\$1.65
02/17/00	POST: Postage 1 each @ 0.3300 / each	\$0.33
02/25/00	COPY: Photocopy/Duplication Expense 2 pages @ 0.2500 / page	\$0.50
02/25/00	POST: Postage 1 each @ 0.3300 / each	\$0.33
03/15/00	COPY: Photocopy/Duplication Expense 2 pages @ 0.2500 / page	\$0.50
04/03/00	COPY: Photocopy/Duplication Expense 24 pages @ 0.2500 / page	\$6.00
04/04/00	POST: Postage 1 each @ 0.8800 / each	\$0.88
04/04/00	POST: Postage 1 each @ 2.2000 / each	\$2.20
06/19/00	COPY: Photocopy/Duplication Expense 1 page @ 0.2500 / page	\$0.25
07/03/00	COPY: Photocopy/Duplication Expense 1 page @ 0.2500 / page	\$0.25
07/03/00	POST: Postage 1 each @ 0.3300 / each	\$0.33

## Compensation and Expenses Worksheet

**Case Number: 99-11944 BP1**

**Debtor: KIMBALL, ERIC C**

08/23/00	COPY: Photocopy/Duplication Expense 7 pages @ 0.2500 / page	\$1.75
08/23/00	POST: Postage 1 each @ 0.5500 / each	\$0.55
02/21/01	PHONE: Telephone Expense 1 @ 1.0000 214-874-7000	\$1.00
02/22/01	COPY: Photocopy/Duplication Expense 1 page @ 0.2500 / page	\$0.25
02/22/01	POST: Postage 1 each @ 0.3400 / each	\$0.34
08/10/01	COPY: Photocopy/Duplication Expense 1 page @ 0.2500 / page	\$0.25
08/10/01	POST: Postage 1 each @ 0.3400 / each	\$0.34
10/22/01	PHONE: Telephone Expense 1 @ 1.0000 214-874-7000	\$1.00
10/25/01	COPY: Photocopy/Duplication Expense 2 pages @ 0.2500 / page	\$0.50
11/12/01	PHONE: Telephone Expense 1 @ 1.0000 214-874-7000	\$1.00
11/19/01	COPY: Photocopy/Duplication Expense 93 pages @ 0.2500 / page	\$23.25
03/05/02	COPY: Photocopy/Duplication Expense 237 pages @ 0.2500 / page	\$59.25
03/05/02	POST: Postage 12 each @ 0.3400 / each	\$4.08
03/05/02	POST: Postage 1 each @ 1.7100 / each	\$1.71
03/05/02	POST: Postage 16 each @ 0.3400 / each	\$5.44
03/08/02	COPY: Photocopy/Duplication Expense 3 pages @ 0.2500 / page	\$0.75
03/08/02	POST: Postage 1 each @ 1.0300 / each	\$1.03
05/08/02	COPY: Photocopy/Duplication Expense 4 pages @ 0.2500 / page	\$1.00
05/08/02	POST: Postage 1 each @ 0.3400 / each	\$0.34
09/04/02	COPY: Photocopy/Duplication Expense 215 pages @ 0.2500 / page	\$53.75
09/04/02	PARA: Paralegal Expense 5.1 @ 50.0000	\$255.00
09/04/02	POST: Postage 2 each @ 0.3700 / each	\$0.74
09/04/02	POST: Postage 2 each @ 0.8000 / each	\$1.60
09/04/02	POST: Postage 2 each @ 3.9500 / each	\$7.90
09/04/02	SEC: Secretarial Expense 1.5 @ 15.0000	\$22.50

### Expense Summary

COPY: Photocopy/Duplication Expense	\$159.50
PARA: Paralegal Expense	\$255.00
PHONE: Telephone Expense	\$3.00
POST: Postage	\$32.11
SEC: Secretarial Expense	\$22.50

TOTAL EXPENSES CALCULATED:	\$472.11
Less Previously Paid Expenses:	\$0.00

# Compensation and Expenses Worksheet

Case Number: 99-11944 BP1

Debtor: KIMBALL, ERIC C

TOTAL EXPENSES REQUESTED:

\$472.11

TOTAL EXPENSES AND COMPENSATION REQUESTED:

\$3,981.18

DATED: 09/04/02

SIGNED



TRUSTEE: Stephen J. Zayler

P. O. Box 150743

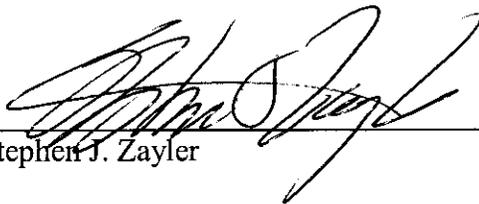
Lufkin, TX 75915-0743

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 Eric and Sherra Kimball 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 lawsuit, and had numerous conferences and correspondence with the debtor. 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 4th day of September, 2002.

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



ITEMIZATION OF PARALEGAL TIME

February 16, 2000 - Prepare Motion to Employ Attorney for Trustee along with it proposed Order;  
(SC - 1.00)

February 16, 2000 - Prepare Affidavit of Proposed Attorney;  
(SC - .30)

April 4, 2000 - Prepare Application to Special Counsel along with its proposed Order;  
(SC - 1.00)

April 4, 2000 - Prepare Affidavit of Special Counsel;  
(SC - .30)

March 5, 2002 - Prepare Motion to Approve Compromise and Settlement of District Court Cause of Action along with its proposed Order;  
(SC - 1.00)

March 5, 2002 - Prepare Application for Compensation and Reimbursement of Expenses along with its proposed Order;  
(SC - 1.00)

March 5, 2002 - Prepare Summary of Application and Reimbursement of Expenses;  
(SC - .50)

RECAP OF PARALEGAL TIME:

SHERRY CARNLEY (SC) - 5.10 hrs. @ \$50.00/per hr. = \$ 255.00

TOTAL 5.10 hrs. @ \$50.00/per hr. = \$ 255.00

RESUMES OF PARALEGAL ASSISTANTS TO THE TRUSTEE

Sherry Carnley

Employed by the Trustee December 1, 1994. Has 18 years broad legal experience in all areas of law.

Her duties performed for the Trustee include organizing files, preparation of various pleadings including applications and motions in contested matters, principal assistant to the attorney for the Trustee in the preparation of adversary proceeding complaints, discovery, pre-trial and post-trial pleadings, preparing monthly reports in operating Chapter 7's, principally responsible for assisting with the location, collection, and disposition of assets, assisting in the collection of sale proceeds and accounts receivable, answering general questions from creditors, preparation of correspondence, preparation of objections to claims, preparation of various miscellaneous and other legal documents.

ITEMIZATION OF SECRETARIAL AND CLERICAL TIME

February 17, 2000 - Load assets, lien, and exemption information;  
(RA - .40)

July 8, 2002 - Open bank account and loan bank account information;  
(CP - .20)

July 8, 2002 - Prepare W-9 Form;  
(CP - .10)

July 8, 2002 - Prepare deposit, post, and transmit;  
(CP - .20)

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

September 4, 2002 - Compile Trustee's Final Report for Submission to U. S.  
Trustee;  
(CP - .30)

September 4, 2002 - Transfer funds from MMA to checking account at Bank of  
America and post accrued interest;  
(CP - .20)

RECAP OF SECRETARIAL & CLERICAL TIME:

REBECCA ALLEN -	0.40 hrs. @ \$15.00/per hr. =	6.00
CARI PARRISH -	1.00 hrs. @ \$15.00/per hr. =	15.00
MILLIE REEVES -	0.10 hrs. @ \$15.00/per hr. =	1.50
TOTAL:	1.5 hrs. @ \$15.00/per hr. =	\$ 22.50

ITEMIZATION OF TRUSTEE TIME

November 11, 1999 - Initial review of Schedules and Statement of Financial Affairs;  
(SJZ - .20)

November 13, 1999 - Receipt of Notice of Appointment;  
(SJZ - .10)

November 17, 1999 - Receipt and review of Notice of 341a meeting;  
(SJZ - .10)

January 6, 2000 - Review of file prior to conducting 341a hearing;  
(SJZ - .10)

January 6, 2000 - Prepare sign-in sheet;  
(SJZ - .10)

January 7, 2000 - Conduct 341a hearing;  
(SJZ - .20)

January 10, 2000 - Prepare Proceeding Memo;  
(SJZ - .10)

January 19, 2000 - Review of typed proceeding memo and execute same;  
(SJZ - .10)

January 19, 2000 - Correspondence to Court transmitting proceeding memo and execute same;  
(SJZ - .20)

February 9, 2000 - Prepare letter regarding information needed on lawsuit;  
(SJZ - .30)

February 17, 2000 - Receive and Execute Request to Set Bar Date;  
(SJZ - .10)

February 17, 2000 - Review and execute Motion to Employ Attorney;  
(SJZ - .10)

February 24, 2000 - Receive and calendar bar date;  
(SJZ - .10)

February 25, 2000 - Prepare letter regarding employing attorney;  
(SJZ - .30)

March 5, 2000 - Review and execute Trustee's Application to Approve Compromise Settlement Agreement;  
(SJZ - .10)

March 5, 2000 - Receive and execute Trustee's Application for Compensation and Reimbursement of Expenses to Special Counsel;  
(SJZ - .10)

April 4, 2000 - Receive and execute Application to Retain Special Counsel;  
(SJZ - .10)

April 25, 2000 - Receive and review Notice of Entry of Order Employing Ralph Levy;  
(SJZ - .10)

August 22, 2000 - Prepare letter to Attorney Ralpal Lery regarding personal injury case;  
(SJZ - .30)

September 29, 2000 - Review file for status of administration;  
(SJZ - .10)

October 23, 2000 - Prepare Form 1 & Form 2;  
(SJZ - .30)

February 21, 2001 - Telephone conference with attorney Raphael Lery;  
(SJZ - .10)

February 21, 2001 - Prepare letter to Raphael Lery requesting information on asbestos case;  
(SJZ - .10)

April 25, 2001 - Prepare Form 1 & Form 2;  
(SJZ - .30)

July 16, 2001 - Telephone conference with Raphael Levy regarding settlements;  
(SJZ - .10)

August 9, 2001 - Prepare letter to Raphael Levy regarding status of case for our 6 month reports;  
(SJZ - .30)

October 14, 2001 - Prepare Form 1 & Form 2;  
(SJZ - .30)

October 22, 2001 - Telephone call to Silber Pearlman requesting status of case;  
(SJZ - .10)

November 12, 2001 - Telephone conference with Robbie Partida requesting fees and expenses;  
(SJZ - .10)

November 13, 2001 - Telephone conference with Robbie Partida requesting fees and expenses;  
(SJZ - .10)

November 16, 2001 - Receive and review information regarding attorney's fees;  
(SJZ - .10)

January 8, 2002 - Review and sign W-9 Form;  
(SJZ - .10)

January 8, 2002 - Review and initial deposit;  
(SJZ - .10)

March 8, 2002 - Load claim information;  
(SJZ - .40)

March 8, 2002 - Correspondence to Court returning claims folder;  
(SJZ - .30)

April 15, 2002 - Receive and review Order Approving Application to pay Special Counsel;  
(SJZ - .10)

April 15, 2002 - Receive and review Order on Trustee's Motion to Approve Compromise Settlement Agreement;  
(SJZ - .10)

April 16, 2002 - Prepare Form 1 and Form 2;  
(SJZ - .20)

July 11, 2002 - Receive and review bank stamped deposit slip;  
(SJZ - .10)

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

TOTAL ITEMIZED TRUSTEE TIME: 6.2 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	3,509.07	3,509.07	0.00	3,509.07
B. Trustee - Expense	472.11	472.11	0.00	472.11
C. SPECIAL ATTY FEES	17,385.05	17,385.05	17,385.05	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:	\$21,366.23	\$21,366.23	\$17,385.05	\$3,981.18

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

02 JUL 11 PM 3:32

**In Re:**  
  
Eric C. Kimball  
Sherra M. Kimball

**Bankruptcy Case:** 99-11944  
Chapter 7 bp DEBTOR

**Debtor(s):**

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**BILL OF COURT COSTS**

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

**DEFERRED ADVERSARY FILING FEES**

0 Chapter 7 Adversary Proceeding(s) filed @ \$150.00 each. \$0.00

**TOTAL AMOUNT DUE** \$0.00

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

Date: July 11, 2002

JAMES D. TOKOPH  
Clerk of Court

BY: *P. English*  
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

---

IDENTIFICATION OF SECURED PARTIES 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) Amount Paid	(4) Due
1. For Credit extended - Sec. 364(e)(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. Taxes - Sec. 507(a)(7)	0.00	0.00	0.00	0.00
8. Other (No Basis):	0.00	0.00	0.00	0.00
<b>TOTALS:</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

SCHEDULE E

PARTIES AFFECTED:

Priority No.	Name of Creditor	Priority No.	Name of Creditor
FILED UNSECURED CLAIMS TOTAL:	22,742.90	22,742.90	4,772.00
SUBORDINATED UNSECURED CLAIMS			17,970.90
TOTAL:	0.00	0.00	0.00

EXHIBIT A  
ANALYSIS OF CLAIMS REGISTER

Case Number: 99-11944

Page 1

Date: September 04, 2002

Debtor Name: KIMBALL, ERIC C

Claim Type Sequence

Code #	Creditor Name & Address	Claim Class	Notes	Amount Allowed	Paid to Date	Claim Balance
080 BD	SILBER PEARLMAN, LLP AND ERIC C. KIMBALL AND SHERRA M. KIMBALL 2711 N. HASKELL AVENUE 5TH FLOOR DALLAS, TEXAS 75204	Unsecured		\$4,772.00	\$4,772.00	\$0.00
080 BD	ERIC AND SHERRA KIMBALL 7098 WILLOW STREET GROVES, TEXAS 77619	Unsecured		\$12,576.11	\$0.00	\$12,576.11
025 SAF	SILBER PEARLMAN LLP 2711 N. HASKELL AVENUE 5TH FLOOR DALLAS, TEXAS 75204	Administrative		\$17,385.05	\$17,385.05	\$0.00
00001 070 UC	Sears Roebuck & Co. P.O. Box 3671 Des Moines, IA 50322	Unsecured		\$2,510.11	\$0.00	\$2,510.11
00002 070 UC	Bank of America c/o P.O. Box 2278 Norfolk, VA 23501-2278	Unsecured		\$2,884.68	\$0.00	\$2,884.68
Case Totals:				\$40,127.95	\$22,157.05	\$17,970.90

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

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

IN RE:	)	
KIMBALL, ERIC C	)	CASE NO. 99-11944
KIMBALL, SHERRA M	)	
	)	CHAPTER 7
DEBTOR(S)	)	

TRUSTEE'S REPORT OF  
PROPOSED FINAL DISTRIBUTIONS

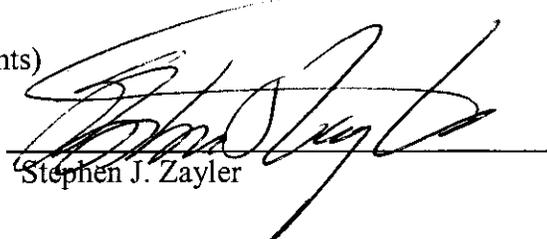
The undersigned trustee of the estate hereby submits to the Court and to the United States Trustee this Report of Proposed Final Distributions.

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	\$22,781.77
2. ADMINISTRATIVE EXPENSES TO BE PAID * (note)	\$3,981.18
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)	\$5,394.79
6. OTHER DISTRIBUTIONS TO BE PAID * (note)	\$829.69
Interest Paid on Unsecured Claims	\$12,576.11
Excess Funds Back to Debtor	
7. TOTAL DISTRIBUTIONS TO BE MADE (Sum of lines 2 through 6)	\$22,781.77
8. ZERO BALANCE AFTER ALL DISTRIBUTIONS (Line 1 less line 7)	\$0.00

\* (See attached schedule of payees and amounts)

  
 \_\_\_\_\_ (Trustee)  
 Stephen J. Zayler

**PROPOSED DISTRIBUTION**

Case Number: 99-11944

Page 1

Date: September 4, 2002

Debtor Name: KIMBALL, ERIC C \ KIMBALL, SHERRA M

Claim #	Payee Name	Class	Priority	Amount	Paid to Date	Claim Balance	Proposed Payment	Interest Paid To Date	Proposed Interest	Total Proposed Pymt	Funds Remaining
Beginning Balance											
	Stephen J. Zayler COMPENSATION	Admin		\$3,509.07	\$0.00	\$3,509.07	\$3,509.07	\$0.00	\$0.00	\$3,509.07	\$19,272.70
	Stephen J. Zayler EXPENSES	Admin		\$472.11	\$0.00	\$472.11	\$472.11	\$0.00	\$0.00	\$472.11	\$18,800.59
	SILBER PEARLMAN LLP	Admin	025	\$17,385.05	\$17,385.05	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$18,800.59
00001	Sears Roebuck & Co.	Unsec	070	\$2,510.11	\$0.00	\$2,510.11	\$2,510.11	\$0.00	\$386.04	\$2,896.15	\$15,904.44
00002	Bank of America	Unsec	070	\$2,884.68	\$0.00	\$2,884.68	\$2,884.68	\$0.00	\$443.65	\$3,328.33	\$12,576.11
	SILBER PEARLMAN, LLP AND	Unsec	080	\$4,772.00	\$4,772.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$12,576.11
	ERIC AND SHERRA KIMBALL	Unsec	080	\$12,576.11	\$0.00	\$12,576.11	\$12,576.11	\$0.00	\$0.00	\$12,576.11	\$0.00
<< Totals >>				\$44,109.13	\$22,157.05	\$21,952.08	\$21,952.08	\$0.00	\$829.69	\$22,781.77	\$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.

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

IN RE: ERIC & SHERRA KIMBALL / BANKRUPTCY CASE: 99-11944  
/  
/ 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, 300 Willow, Suite 100, Beaumont, Texas 77701, or at the trustee's office whose name and address is as follows:

STEVE ZAYLER 123 E. LUFKIN PO BOX 150743 LUFKIN, TX 75915

The following Applications for Compensation have been filed:

<u>Applicants</u>	<u>Fees Requested</u>	<u>Expenses Requested</u>
<u>STEVE ZAYLER</u>	<u>3509.07</u>	<u>472.11</u>
Trustee	<u>0.00</u>	<u>0.00</u>
<u>Attorney for Trustee</u>	<u>0.00</u>	<u>0.00</u>
<u>U. S. Bankruptcy Court</u>	<u>0.00</u>	<u>0.00</u>

The trustee's account shows:

<b>Total Receipts</b>	<b>Total Disbursements</b>	<b>Balance</b>
<u>\$ 44938.82</u>	<u>\$ 22157.05</u>	<u>\$ 22781.77</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 \$ 5394.79 .  
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 The Jack Brooks Federal Courthouse, Room 112, Beaumont, Texas 77701 .

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

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

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

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

IN RE:	)	
KIMBALL, ERIC C	)	CASE NO. 99-11944
KIMBALL, SHERRA M	)	
	)	CHAPTER 7
DEBTOR(S)	)	

TRUSTEE'S REPORT OF  
PROPOSED FINAL DISTRIBUTIONS

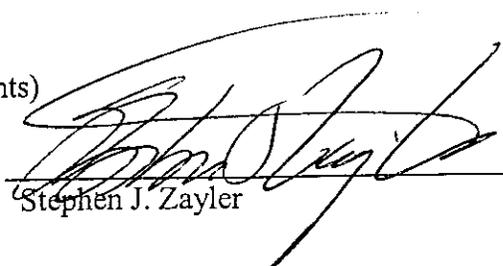
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\* (See attached schedule of payees and amounts)

  
 \_\_\_\_\_ (Trustee)  
 Stephen J. Zayler

**PROPOSED DISTRIBUTION**

Debtor Name: KIMBALL, ERIC C \ KIMBALL, SHERRA M

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	SILBER PEARLMAN, LLP AND	Unsec	080	\$4,772.00	\$4,772.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$12,576.11
	ERIC AND SHERRA KIMBALL,	Unsec	080	\$12,576.11	\$0.00	\$12,576.11	\$12,576.11	\$0.00	\$0.00	\$12,576.11	\$0.00
<< Totals >>				\$44,109.13	\$22,157.05	\$21,952.08	\$21,952.08	\$0.00	\$829.69	\$22,781.77	\$0.00

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