

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF WEST VIRGINIA  
NORTHERN DISTRICT OF WEST VIRGINIA DIVISION**

In re: Thompson, Elmer Grant, Jr.

§ Case No. 2:15-00803-PMF

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Debtor(s)

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**TRUSTEE'S FINAL REPORT (TFR)**

The undersigned trustee hereby makes this Final Report and states as follows:

1. A petition under Chapter 7 of the United States Bankruptcy Code was filed on August 17, 2015. The undersigned trustee was appointed on August 17, 2015.
2. The trustee faithfully and properly fulfilled the duties enumerated in 11 U.S.C. §704.
3. All scheduled and known assets of the estate have been reduced to cash, released to the debtor as exempt property pursuant to 11 U.S.C. § 522, or have been or will be abandoned pursuant to 11 U.S.C. § 554. An individual estate property record and report showing the disposition of all property of the estate is attached as **Exhibit A**.
4. The trustee realized the gross receipts of \$ 15,000.00

Funds were disbursed in the following amounts:

Payments made under an interim distribution	<u>0.00</u>
Administrative expenses	<u>7,980.00</u>
Bank service fees	<u>30.83</u>
Other payments to creditors	<u>0.00</u>
Non-estate funds paid to 3rd Parties	<u>0.00</u>
Exemptions paid to the debtor	<u>3,000.00</u>
Other payments to the debtor	<u>0.00</u>
Leaving a balance on hand of <sup>1</sup>	\$ <u>3,989.17</u>

The remaining funds are available for distribution.

5. Attached as **Exhibit B** is a cash receipts and disbursements record for each estate bank account.

<sup>1</sup> The balance of funds on hand in the estate may continue to earn interest until disbursed. The interest earned prior to disbursement will be distributed pro rata to creditors within each priority category. The trustee may receive additional compensation not to exceed the maximum compensation set forth under 11 U.S.C. § 326(a) on account of the disbursement of the additional interest.

6. The deadline for filing non-governmental claims in this case was 02/05/2016 and the deadline for filing governmental claims was 02/05/2016. All claims of each class which will receive a distribution have been examined and any objections to the allowance of claims have been resolved. If applicable, a claims analysis, explaining why payment on any claim is not being made, is attached as **Exhibit C**.

7. The Trustee's proposed distribution is attached as **Exhibit D**.

8. Pursuant to 11 U.S.C. § 326(a), the maximum compensation allowable to the trustee is \$1,950.00. To the extent that additional interest is earned before case closing, the maximum compensation may increase.

The trustee has received \$0.00 as interim compensation and now requests the sum of \$1,950.00, for a total compensation of \$1,950.00.<sup>2</sup>In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of \$0.00 and now requests reimbursement for expenses of \$0.00, for total expenses of \$0.00.<sup>2</sup>

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Date: 08/31/2017 By: /s/Thomas H. Fluharty, Trustee  
Trustee

**STATEMENT:** This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

<sup>2</sup> If the estate is administratively insolvent, the dollar amounts reflected in this paragraph may be higher than the amounts listed in the Trustee's Proposed Distribution (Exhibit D)

# Form 1

## Individual Estate Property Record and Report

### Asset Cases

Case Number: 2:15-00803-PMF

Trustee: (680230) Thomas H. Fluharty, Trustee

Case Name: Thompson, Elmer Grant, Jr.

Filed (f) or Converted (c): 08/17/15 (f)

§341(a) Meeting Date: 10/21/15

Period Ending: 08/31/17

Claims Bar Date: 02/05/16

1 Asset Description (Scheduled And Unscheduled (u) Property) Ref. #	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property <u>Abandoned</u> OA=\$554(a)	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1 Residence in Barbour County	74,000.00	0.00		0.00	FA
2 Checking at Freedom Bank	500.00	0.00		0.00	FA
3 Possible debt collection violation claims against United Recovery Systems and/or WesBanco.	Unknown	12,000.00		15,000.00	FA
4 Snowblower, buffet, etc. at residence	2,600.00	0.00		0.00	FA
5 Clothing at residence	200.00	0.00		0.00	FA
6 Term life insurance with Montgomery County	1.00	0.00		0.00	FA
7 Possible claim against Freedom Bank	Unknown	0.00		0.00	FA
8 Refund owed from Dish Network	729.00	0.00		0.00	FA
9 2013 Chevrolet Silverado LT, 42,000 miles, fair	24,000.00	0.00		0.00	FA
10 2008 Ford Explorer, 100,000+ miles, good conditi	10,000.00	7,473.50		0.00	FA
<b>10 Assets Totals (Excluding unknown values)</b>	<b>\$112,030.00</b>	<b>\$19,473.50</b>		<b>\$15,000.00</b>	<b>\$0.00</b>

**Major Activities Affecting Case Closing:**

8-3-16: attorney replied: 2 cases will be dismissed due to lack of evidence. 1 is in settlement negotiations.

7-25-16: attorney replied with an update. Consumer suits are progressing. (possible 3 cases).

7-18-16: sent attorney an email asking for an update on consumer protection case.

Received funds, claims have been reviewed, do final report.

Consumer protection case is still ongoing. Depositions are to be taken, Wednesday, July 27, 2016.

Monitoring consumer protection case.

Employ Todd Johnson to pursue consumer violation case.

Initial Projected Date Of Final Report (TFR): September 30, 2016

Current Projected Date Of Final Report (TFR): September 30, 2017

## Form 2

### Cash Receipts And Disbursements Record

**Case Number:** 2:15-00803-PMF  
**Case Name:** Thompson, Elmer Grant, Jr.

**Trustee:** Thomas H. Fluharty, Trustee (680230)  
**Bank Name:** Rabobank, N.A.  
**Account:** \*\*\*\*\*4766 - Checking Account  
**Blanket Bond:** \$3,000,000.00 (per case limit)  
**Separate Bond:** N/A

**Taxpayer ID #:** \*\*-\*\*\*2175  
**Period Ending:** 08/31/17

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
06/21/17	{3}	Alltran Financial, LP	settlement proceeds	1129-000	15,000.00		15,000.00
06/30/17		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		10.00	14,990.00
07/25/17	101	Elmer Grant Thompson, Jr.	Exemption	8100-002		3,000.00	11,990.00
07/25/17	102	Todd B. Johnson, Esquire	Attorney Fees	3210-000		7,980.00	4,010.00
07/31/17		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		20.83	3,989.17

<b>ACCOUNT TOTALS</b>	<b>15,000.00</b>	<b>11,010.83</b>	<b>\$3,989.17</b>
Less: Bank Transfers	0.00	0.00	
<b>Subtotal</b>	<b>15,000.00</b>	<b>11,010.83</b>	
Less: Payments to Debtors		3,000.00	
<b>NET Receipts / Disbursements</b>	<b>\$15,000.00</b>	<b>\$8,010.83</b>	

Net Receipts :	15,000.00
Less Payments to Debtor :	3,000.00
Net Estate :	\$12,000.00

<b>TOTAL - ALL ACCOUNTS</b>	<b>Net Receipts</b>	<b>Net Disbursements</b>	<b>Account Balances</b>
<b>Checking # *****4766</b>	<b>15,000.00</b>	<b>8,010.83</b>	<b>3,989.17</b>
	<b>\$15,000.00</b>	<b>\$8,010.83</b>	<b>\$3,989.17</b>

# **EXHIBIT C** **ANALYSIS OF CLAIMS REGISTER**

**Claims Bar Date:** February 5, 2016

**Case Number:** 2:15-00803-PMF  
**Debtor Name:** Thompson, Elmer Grant, Jr.

Page: 1

**Date:** August 31, 2017  
**Time:** 09:49:41 AM

Claim #	Creditor Name & Address	Claim Type	Claim Ref. No. / Notes	Amount Allowed	Paid to Date	Claim Balance
200	Thomas H. Fluharty, Trustee 408 Lee Avenue Clarksburg, WV 26301	Admin Ch. 7		\$1,950.00	\$0.00	1,950.00
200	Todd B. Johnson, Esquire Johnson Law, PLLC P.O. Box 519 Morgantown,, WV 26507	Admin Ch. 7		\$7,980.00	\$7,980.00	0.00
2570	Internal Revenue Service Post Office Box 7346 Philadelphia, PA 19101-7346	Priority		\$537.31	\$0.00	537.31
12100	Elmer Grant Thompson, Jr. c/o Todd Johnson, Esquire P.O. Box 519 Morgantown,, WV 26507	Secured		\$3,000.00	\$3,000.00	0.00
1610	Discover Bank Discover Products, Inc. P.O. Boc 3025 New Albany,, OH 43054-3025	Unsecured		\$3,894.38	\$0.00	3,894.38
2A610	Internal Revenue Service Post Office Box 7346 Philadelphia, PA 19101-7346	Unsecured		\$44.55	\$0.00	44.55
3610	Capital One Bank (USA), NA Post Office Box 71083 Charlotte,, NC 28272-1083	Unsecured		\$161.73	\$0.00	161.73
4610	American Express Centurion Bank c/o Becket and Lee, LLP Post Office Box 3001 Malvern,, PA 19355-0701	Unsecured		\$451.22	\$0.00	451.22
5610	Ally Bank P.O. Box 130424 Roseville,, MN 55113-0004	Unsecured		\$9,780.61	\$0.00	9,780.61
6610	Credit First/CFNA Bk 13 Credit Operations P.O. Box 818011 Cleveland,, OH 44181	Unsecured		\$763.81	\$0.00	763.81
7610	Springleaf Financial Services Post Office Box 3251 Evansville,, IN 47731-3251	Unsecured		\$4,993.01	\$0.00	4,993.01
8610	PYOD, LLC of Citibank, NA Resurgent Capital Services Post Office Box 19008 Greenville,, SC 29602	Unsecured		\$2,887.59	\$0.00	2,887.59
9610	PYOD, LLC of Citibank, N.A. Resurgent Capital Services Post Office Box 19008 Greenville,, SC 29602	Unsecured		\$513.41	\$0.00	513.41

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**E X H I B I T   C**  
**ANALYSIS OF CLAIMS REGISTER**

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**Claims Bar Date:** February 5, 2016

**Case Number:** 2:15-00803-PMF  
**Debtor Name:** Thompson, Elmer Grant, Jr.

Page: 2

**Date:** August 31, 2017  
**Time:** 09:49:41 AM

Claim #	Creditor Name & Address	Claim Type	Claim Ref. No. / Notes	Amount Allowed	Paid to Date	Claim Balance
10 610	Capital Recovery V, LLC c/o Recovery Management Systems Corp 25 SE 2nd Avenue, Suite 1120 Miami, FL 33131-1605	Unsecured		\$3,131.52	\$0.00	3,131.52
11 610	Capital Recovery V, LLC c/o Recovery Management Systems Corp 25 SE 2nd Avenue, Suite 1120 Miami, FL 33131-1605	Unsecured		\$430.18	\$0.00	430.18
<< Totals >>				40,519.32	10,980.00	29,539.32

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**TRUSTEE'S PROPOSED DISTRIBUTION**

Exhibit D

Case No.: 2:15-00803-PMF

Case Name: Thompson, Elmer Grant, Jr.

Trustee Name: Thomas H. Fluharty, Trustee

**Balance on hand:** \$ 3,989.17

Claims of secured creditors will be paid as follows:

Claim No.	Claimant	Claim Asserted	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
None					

Total to be paid to secured creditors: \$ 0.00Remaining balance: \$ 3,989.17

Applications for chapter 7 fees and administrative expenses have been filed as follows:

Reason/Applicant	Total Requested	Interim Payments to Date	Proposed Payment
Trustee, Fees - Thomas H. Fluharty, Trustee	1,950.00	0.00	1,950.00
Attorney for Trustee, Fees - Todd B. Johnson, Esquire	7,980.00	7,980.00	0.00

Total to be paid for chapter 7 administration expenses: \$ 1,950.00Remaining balance: \$ 2,039.17

Applications for prior chapter fees and administrative expenses have been filed as follows:

Reason/Applicant	Total Requested	Interim Payments to Date	Proposed Payment
None			

Total to be paid for prior chapter administrative expenses: \$ 0.00Remaining balance: \$ 2,039.17

In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$537.31 must be paid in advance of any dividend to general (unsecured) creditors.

Allowed priority claims are:

Claim No	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
2	Internal Revenue Service	537.31	0.00	537.31

Total to be paid for priority claims: \$ 537.31Remaining balance: \$ 1,501.86

The actual distribution to wage claimants included above, if any, will be the proposed payment less applicable withholding taxes (which will be remitted to the appropriate taxing authorities).

Timely claims of general (unsecured) creditors totaling \$ 27,052.01 have been allowed and will be paid *pro rata* only after all allowed administrative and priority claims have been paid in full. The timely allowed general (unsecured) dividend is anticipated to be 5.6 percent, plus interest (if applicable).

Timely allowed general (unsecured) claims are as follows:

Claim No	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
1	Discover Bank	3,894.38	0.00	216.22
2A	Internal Revenue Service	44.55	0.00	2.47
3	Capital One Bank (USA), NA	161.73	0.00	8.98
4	American Express Centurion Bank	451.22	0.00	25.05
5	Ally Bank	9,780.61	0.00	543.00
6	Credit First/CFNA	763.81	0.00	42.40
7	Springleaf Financial Services	4,993.01	0.00	277.20
8	PYOD, LLC of Citibank, NA	2,887.59	0.00	160.31
9	PYOD, LLC of Citibank, N.A.	513.41	0.00	28.50
10	Capital Recovery V, LLC	3,131.52	0.00	173.85
11	Capital Recovery V, LLC	430.18	0.00	23.88

Total to be paid for timely general unsecured claims: \$ 1,501.86

Remaining balance: \$ 0.00

Tardily filed claims of general (unsecured) creditors totaling \$ 0.00 have been allowed and will be paid *pro rata* only after all allowed administrative, priority and timely filed general (unsecured) claims have been paid in full. The tardily filed claim dividend is anticipated to be 0.0 percent, plus interest (if applicable).

Tardily filed general (unsecured) claims are as follows:

Claim No	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
None				

Total to be paid for tardy general unsecured claims: \$ 0.00

Remaining balance: \$ 0.00



Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling \$ 0.00 have been allowed and will be paid pro rata only after all allowed administrative, priority and general (unsecured) claims have been paid in full. The dividend for subordinated unsecured claims is anticipated to be 0.0 percent, plus interest (if applicable).

Subordinated unsecured claims for fines, penalties, forfeitures or damages and claims ordered subordinated by the Court are as follows:

Claim No	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
None				

Total to be paid for subordinated claims: \$ 0.00

Remaining balance: \$ 0.00

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF WEST VIRGINIA

RE:

Thompson, Elmer Grant, Jr.

Case No. 15-00803 PMF

Chapter 7

Debtor(s)

TRUSTEE'S APPLICATION FOR COMPENSATION  
AND REIMBURSEMENT OF EXPENSES

Pursuant to 11 U.S.C. Section 330, the undersigned Trustee hereby requests compensation in the amount of \$1,950.00 and reimbursement of expenses in the amount of \$0.00 for this case. The Trustee has, by prior authorization, received no such compensation and no such reimbursement of expenses.

COMPUTATION OF COMPENSATION AND EXPENSES

Total disbursements to other than debtor will be \$ 12,000.00

Pursuant to 11 U.S.C. Section 326, compensation to the trustee is computed as follows:

(For cases filed on or after October 23, 1994)

	\$ <u>12,000.00</u>	25% of First \$5,000	\$ <u>1,250.00</u>
Less	<u>-5,000.00</u>	(\$1,250 Maximum)	
Balance	\$ <u>7,000.00</u>	10% of Next \$45,000	\$ <u>700.00</u>
Less	<u>-45,000.00</u>	(\$4,500 Maximum)	
Balance	\$ <u>0.00</u>	5% of Next \$950,000	\$ <u>0.00</u>
Less	<u>-950,000.00</u>	(\$47,500 Maximum)	
Balance	\$ <u>0.00</u>	3% of Balance	\$ <u>0.00</u>

TOTAL COMPENSATION REQUESTED \$ 1,950.00

TRUSTEE'S EXPENSES (ITEMIZED):

Premium on Trustee's bond .....	\$ <u>0.00</u>
Necessary travel (0 miles @0.0 cents/mile) .....	\$ <u>0.00</u>
Necessary copies (0 @0.0 cents/copy) .....	\$ <u>0.00</u>
Postage .....	\$ <u>0.00</u>
Telephone charges .....	\$ <u>0.00</u>
Clerical/Secretarial Staff (0.0 hrs @ \$0.00/hr) .....	\$ <u>0.00</u>
Paralegal Staff (0.0 hrs @ \$0.00/hr) .....	\$ <u>0.00</u>

Supplies/Stationery.....	\$	<u>0.00</u>
Distribution.....	\$	<u>0.00</u>
Professional .....	\$	<u>0.00</u>
Other.....	\$	<u>0.00</u>

TOTAL EXPENSES CLAIMED .....\$ 0.00

TOTAL REQUESTED FEES AND EXPENSES .....\$ 1,950.00

WHEREFORE, the Trustee request this application be approved by the Court and that the Trustee be awarded \$1,950.00 as compensation and \$0.00 for reimbursement of expenses. The Trustee certifies that no payments have been made or promised to him/her for services rendered in any capacity in this case. No agreement or understanding exists between the Trustee and any other person or entity, other than his/her law firm, for sharing compensation or to be received.

Dated: August 31, 2017

/s/ Thomas H. Fluharty  
 Thomas H. Fluharty  
 Bar No. 1231  
 408 Lee Avenue  
 Clarksburg, WV 26301  
 (304) 624-7832