

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

In re: Kittredge, Robert Bruce, Jr.

§ Case No. 3:14-00959-PMF

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Debtor(s)

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 28, 2014. The undersigned trustee was appointed on August 29, 2014.
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 \$ 40,000.00

Funds were disbursed in the following amounts:

Payments made under an interim distribution	0.00
Administrative expenses	14,663.05
Bank service fees	76.08
Other payments to creditors	0.00
Non-estate funds paid to 3rd Parties	0.00
Exemptions paid to the debtor	19,336.95
Other payments to the debtor	0.00
Leaving a balance on hand of ¹	\$ <u>5,923.92</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.

¹ 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 02/13/2015 and the deadline for filing governmental claims was 02/13/2015. 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 \$2,816.31. 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 \$2,816.31, for a total compensation of \$2,816.31.²In 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 \$0.00.²

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

Date: 10/18/2017 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.

²If 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: 3:14-00959-PMF

Trustee: (680230) Thomas H. Fluharty, Trustee

Case Name: Kittredge, Robert Bruce, Jr.

Filed (f) or Converted (c): 08/28/14 (f)

§341(a) Meeting Date: 10/09/14

Period Ending: 10/18/17

Claims Bar Date: 02/13/15

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 Abandoned OA=\$554(a)	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1	Primary Residence: 87 Aylesbury Lane, Martinsburg	170,000.00	0.00	0.00	FA
2	Rental Property: 993 Rock Cliff Drive, Martinsbu	70,000.00	0.00	0.00	FA
3	167th Federal Credit Union Checking Account	1,000.00	0.00	0.00	FA
4	Misc. Household Goods & Furniture	2,000.00	0.00	0.00	FA
5	Misc. Clothing	250.00	0.00	0.00	FA
6	9mm Pistol	500.00	0.00	0.00	FA
7	Term Life Insurance	0.00	0.00	0.00	FA
8	Thrift Savings Plan	5,000.00	0.00	0.00	FA
9	Possible WVCCPA Claim against Navy FCU. Amount I	21,003.00	3,997.00	40,000.00	FA
10	2012 Chevrolet Silverado 12,000 Miles	28,000.00	0.00	0.00	FA
11	2013 Hyundai Sonata 13,000 Miles	16,000.00	0.00	0.00	FA
11	Assets Totals (Excluding unknown values)	\$313,753.00	\$3,997.00	\$40,000.00	\$0.00

Major Activities Affecting Case Closing:

10-18-17: emailed signed final report to UST for review.

10-13-17: drafted final report for trustee's review.

10-14-16: emailed Hinkle's office for an update on case.

7-25-16: TC w/ S. Hinkle's office. They had a hearing on the consumer protection case today. The Judge in Federal Court has sent the case back to State Court. Still ongoing with no settlement.

7-18-16: sent correspondence to attorney for an update on case.

9-21-15: review correspondence from atty on the consumer protection case / motions have been filed / will make initial demand.

Settlement has been reached. The motion to compromise has been filed & granted. When funds received, I will review claims, do final report.

Employ atty Hinkle to pursue consumer violation lawsuit.

Initial Projected Date Of Final Report (TFR): September 30, 2015

Current Projected Date Of Final Report (TFR): October 18, 2017 (Actual)

Form 2 Cash Receipts And Disbursements Record

Case Number: 3:14-00959-PMF
Case Name: Kittredge, Robert Bruce, Jr.
Taxpayer ID #: **-***2777
Period Ending: 10/18/17

Trustee: Thomas H. Fluharty, Trustee (680230)
Bank Name: Rabobank, N.A.
Account: *****9666 - Checking Account
Blanket Bond: \$3,000,000.00 (per case limit)
Separate Bond: N/A

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
07/05/17	{9}	Navy Federal Credit Union	settlement proceeds	1129-000	40,000.00		40,000.00
07/25/17	101	Robert Bruce Kittredge, Jr.	Debtor's Exemption	8100-002		19,336.95	20,663.05
07/25/17	102	Sarah Hinkle, Esquire	Attorney fees	3210-000		14,663.05	6,000.00
07/31/17		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		44.10	5,955.90
08/31/17		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		21.98	5,933.92
09/29/17		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		10.00	5,923.92

ACCOUNT TOTALS	40,000.00	34,076.08	\$5,923.92
Less: Bank Transfers	0.00	0.00	
Subtotal	40,000.00	34,076.08	
Less: Payments to Debtors		19,336.95	
NET Receipts / Disbursements	\$40,000.00	\$14,739.13	

Net Receipts :	40,000.00
Less Payments to Debtor :	19,336.95
Net Estate :	\$20,663.05

TOTAL - ALL ACCOUNTS	Net Receipts	Net Disbursements	Account Balances
Checking # *****9666	40,000.00	14,739.13	5,923.92
	\$40,000.00	\$14,739.13	\$5,923.92

EXHIBIT C
ANALYSIS OF CLAIMS REGISTER

Claims Bar Date: February 13, 2015

Case Number: 3:14-00959-PMF
Debtor Name: Kittredge, Robert Bruce, Jr.

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Date: October 18, 2017
Time: 02:18:57 PM

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		\$2,816.31	\$0.00	2,816.31
200	Sarah Hinkle, Esquire Hinkle Law, PLLC 142 N. Queen Street Martinsburg,, WV 25401	Admin Ch. 7		\$14,663.05	\$14,663.05	0.00
9 100	Robert Bruce Kittredge, Jr. c/o David Hinkle, Esquire 142 N. Queen Street Martinsburg,, WV 25401	Secured	debtor agreed to reduced his exemption amount for unsecured creditors.	\$19,336.95	\$19,336.95	0.00
1 610	USAA Federal Savings Bank c/o Weinstein, Pinson & Riley, PS 2001 Western Avenue, Ste 400 Seattle,, WA 98121	Unsecured	8214 credit card	\$11,495.04	\$0.00	11,495.04
2 610	Capital Recovery V, LLC c/o Recovery Management Systems Corp 25 SE 2nd Avenue, Suite 1120 Miami,, FL 33131-1605	Unsecured	Lowes	\$4,701.28	\$0.00	4,701.28
3 610	Capital Recovery V, LLC c/o Recovery Management Systems Corp 25 SE 2nd Avenue, Suite 1120 Miami,, FL 33131-1605	Unsecured	2647 GECRAF-Nationwide/Brand Direct	\$2,019.50	\$0.00	2,019.50
4 610	Capital Recovery V, LLC c/o Recovery Management Systems Corp 25 SE 2nd Avenue, Suite 1120 Miami,, FL 33131-1605	Unsecured	2647 Carecredit / Synchrony Bank	\$5,620.61	\$0.00	5,620.61
5 610	Navy Federal Credit Union Post Office Box 3000 Merrifield,, VA 22119	Unsecured		\$14,015.55	\$0.00	14,015.55
6 610	Navy Federal Credit Union Post Office Box 3000 Merrifield,, VA 22119	Unsecured		\$12,415.82	\$0.00	12,415.82
7 610	PYOD, LLC assignee of Citibank, NA Resurgent Capital Services Post Office box 19008 Greenville,, SC 29602	Unsecured	9797 Citibank credit card	\$8,549.65	\$0.00	8,549.65
8 610	PYOD, LLC assignee of Citibank, NA Resurgent Capital Services Post Office box 19008 Greenville,, SC 29602	Unsecured	8642 Zales	\$240.18	\$0.00	240.18
<< Totals >>				95,873.94	34,000.00	61,873.94

TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 3:14-00959-PMF
 Case Name: Kittredge, Robert Bruce, Jr.
 Trustee Name: Thomas H. Fluharty, Trustee

Balance on hand: \$ 5,923.92

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: \$ 0.00

Remaining balance: \$ 5,923.92

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	2,816.31	0.00	2,816.31
Attorney for Trustee, Fees - Sarah Hinkle, Esquire	14,663.05	14,663.05	0.00

Total to be paid for chapter 7 administration expenses: \$ 2,816.31

Remaining balance: \$ 3,107.61

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: \$ 0.00

Remaining balance: \$ 3,107.61

In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$0.00 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
None				

Total to be paid for priority claims: \$ 0.00

Remaining balance: \$ 3,107.61

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 \$ 59,057.63 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 5.3 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	USAA Federal Savings Bank	11,495.04	0.00	604.87
2	Capital Recovery V, LLC	4,701.28	0.00	247.38
3	Capital Recovery V, LLC	2,019.50	0.00	106.27
4	Capital Recovery V, LLC	5,620.61	0.00	295.76
5	Navy Federal Credit Union	14,015.55	0.00	737.49
6	Navy Federal Credit Union	12,415.82	0.00	653.32
7	PYOD, LLC assignee of Citibank, NA	8,549.65	0.00	449.88
8	PYOD, LLC assignee of Citibank, NA	240.18	0.00	12.64

Total to be paid for timely general unsecured claims: \$ 3,107.61
 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:
Kittredge, Robert Bruce, Jr.

Case No. 14-00959 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 \$2,816.31 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 \$ 20,663.05

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>20,663.05</u>		\$ <u>1,250.00</u>
Less	-5,000.00	25% of First \$5,000 (\$1,250 Maximum)	
Balance	\$ <u>15,663.05</u>	10% of Next \$45,000	\$ <u>1,566.31</u>
Less	-45,000.00	(\$4,500 Maximum)	
Balance	\$ <u>0.00</u>	5% of Next \$950,000	\$ <u>0.00</u>
Less	-950,000.00	(\$47,500 Maximum)	
Balance	\$ <u>0.00</u>	3% of Balance	\$ <u>0.00</u>

TOTAL COMPENSATION REQUESTED \$ 2,816.31

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	\$	<u>0.00</u>
 TOTAL REQUESTED FEES AND EXPENSES	\$	<u>2,816.31</u>

WHEREFORE, the Trustee request this application be approved by the Court and that the Trustee be awarded \$2,816.31 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: October 18, 2017

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