

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

In re: BROUGHTON, DIANE ROBERTA

§ Case No. 1:18-01049-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 November 13, 2018. The undersigned trustee was appointed on November 13, 2018.
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 \$ 13,791.47

Funds were disbursed in the following amounts:

Payments made under an interim distribution	0.00
Administrative expenses	0.00
Bank service fees	0.00
Other payments to creditors	0.00
Non-estate funds paid to 3rd Parties	0.00
Exemptions paid to the debtor	0.00
Other payments to the debtor	0.00
Leaving a balance on hand of ¹	\$ <u>13,791.47</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 04/25/2019 and the deadline for filing governmental claims was 05/12/2019. 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 \$1,711.44. 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 \$1,711.44, for a total compensation of \$1,711.44.²In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of \$0.00 and now requests reimbursement for expenses of \$53.15, for total expenses of \$53.15.²

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

Date: 08/12/2019 By: /s/MARTIN P. SHEEHAN
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: 1:18-01049-PMF

Trustee: (680060) MARTIN P. SHEEHAN

Case Name: BROUGHTON, DIANE ROBERTA

Filed (f) or Converted (c): 11/13/18 (f)

§341(a) Meeting Date: 01/10/19

Period Ending: 08/12/19

Claims Bar Date: 04/25/19

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)	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
Ref. #					
1	2009 HAMIL AVENUE, CLARKSBURG, WV 26301	40,600.00	0.00	0.00	FA
2	CHECKING ACCOUNT: WES BANCO	1,000.00	OA	0.00	FA
3	CHECKING ACCOUNT: WES BANCO	100.00	OA	0.00	FA
4	SAVINGS ACCOUNT: WES BAN CO	14,000.00	OA	0.00	FA
5	HOUSEHOLD GOODS AND FURNISHINGS	3,000.00	OA	0.00	FA
6	ELECTRONICS	200.00	OA	0.00	FA
7	CLOTHING	100.00	OA	0.00	FA
8	JEWELRY	200.00	OA	0.00	FA
9	FIREARMS	100.00	100.00	0.00	FA
10	INT. IN INS. POLICIES: LINCOLN AAA-2 TERM POLICI	1.00	OA	0.00	FA
11	RETIREMENT ACCOUNT: NEW YORK STATE AND WV STATE	Unknown	Unknown	0.00	FA
12	2017 HONDA CRV	28,000.00	OA	0.00	FA
13	PETS	10.00	OA	0.00	FA
14	PREFERENCE ACTION vs DISCOVER (u)	13,791.47	13,791.47	13,791.47	FA
14	Assets Totals (Excluding unknown values)	\$101,102.47	\$13,891.47	\$13,791.47	\$0.00

Major Activities Affecting Case Closing:

8/6/19 -- Filed Motion to Dismiss AP

8/5/19 -- Received funds from Discover

7/24/19 -- filed request for Default

6/9/19 -- Complaint filed against Discover

1/28/19 -- Sent 10-day preference demand letter to Discover; filed Notice of Abandonment; Objections due 2/11/19

1/22/19 -- Researching increasing value of property over 19-year period; possible litigation re: refinancing

Form 1

Individual Estate Property Record and Report

Asset Cases

Case Number: 1:18-01049-PMF
Case Name: BROUGHTON, DIANE ROBERTA

Trustee: (680060) MARTIN P. SHEEHAN
Filed (f) or Converted (c): 11/13/18 (f)
§341(a) Meeting Date: 01/10/19
Claims Bar Date: 04/25/19

Period Ending: 08/12/19

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
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Initial Projected Date Of Final Report (TFR): January 30, 2020

Current Projected Date Of Final Report (TFR): January 30, 2020

Form 2 Cash Receipts And Disbursements Record

Case Number: 1:18-01049-PMF
Case Name: BROUGHTON, DIANE ROBERTA
Taxpayer ID #: **-***7544
Period Ending: 08/12/19

Trustee: MARTIN P. SHEEHAN (680060)
Bank Name: Rabobank, N.A.
Account: *****5966 - Checking Account
Blanket Bond: \$3,000,000.00 (per case limit)
Separate Bond: N/A

1	2	3	4	5	6	7	
Trans. Date	{Ref #} / Check #	Paid To / Received From	Description of Transaction	T-Code	Receipts \$	Disbursements \$	Checking Account Balance
08/05/19	{14}	Discover	PAYMENT ON PREFERENCE	1241-000	13,791.47		13,791.47

ACCOUNT TOTALS	13,791.47	0.00	\$13,791.47
Less: Bank Transfers	0.00	0.00	
Subtotal	13,791.47	0.00	
Less: Payments to Debtors		0.00	
NET Receipts / Disbursements	\$13,791.47	\$0.00	

	Net Receipts	Net Disbursements	Account Balances
TOTAL - ALL ACCOUNTS			
Checking # *****5966	13,791.47	0.00	13,791.47
	\$13,791.47	\$0.00	\$13,791.47

EXHIBIT C
ANALYSIS OF CLAIMS REGISTER

Claims Bar Date: April 25, 2019

Case Number: 1:18-01049-PMF

Page: 1

Date: August 12, 2019

Debtor Name: BROUGHTON, DIANE ROBERTA

Time: 01:32:55 PM

Claim #	Creditor Name & Address	Claim Type	Claim Ref. No. / Notes	Amount Allowed	Paid to Date	Claim Balance
200	U.S. BANKRUPTCY COURT PO BOX 70 WHEELING, WV 26003	Admin Ch. 7	AP Filing fee = \$350	\$350.00	\$0.00	350.00
200	MARTIN P. SHEEHAN BANKRUPTCY TRUSTEE 41 FIFTEENTH STREET WHEELING, WV 26003-2941	Admin Ch. 7	[Updated by Surplus to Debtor Report based on Net Estate Value: 9614.40]	\$1,711.44	\$0.00	1,711.44
200	MARTIN P. SHEEHAN BANKRUPTCY TRUSTEE 41 FIFTEENTH STREET WHEELING, WV 26003-2941	Admin Ch. 7		\$53.15	\$0.00	53.15
1 610	MONTGOMERY WARD C/O CREDITORS BANKRUPTCY SERVICE P.O. BOX 800849 DALLAS, TX 75380	Unsecured		\$990.05	\$0.00	990.05
2 610	THE SWISS COLONY C/O CREDITORS BANKRUPTCY SERVICE P.O. BOX 800849 DALLAS, TX 75380	Unsecured		\$566.53	\$0.00	566.53
3 610	GINNY'S C/O CREDITORS BANKRUPTCY SERVICE P.O. BOX 800849 DALLAS, TX 75380	Unsecured		\$599.96	\$0.00	599.96
4 610	DIRECTV, LLC BY AMERICAN INFOSOURCE AS AGENT 4515 N SANTA FE AVENUE OKLAHOMA CITY, OK 73118	Unsecured		\$97.32	\$0.00	97.32
5 610	PYOD, LLC RESURGENT CAPITAL SERVICES PO BOX 19008 GREENVILLE, SC 29602	Unsecured		\$1,480.34	\$0.00	1,480.34
6 610	SYNCHRONY BANK C/O PRA RECEIVABLES MANAGEMENT, LLC PO BOX 41021 NORFOLK, VA 23541	Unsecured		\$2,156.46	\$0.00	2,156.46
7 610	SYNCHRONY BANK C/O PRA RECEIVABLES MANAGEMENT, LLC PO BOX 41021 NORFOLK, VA 23541	Unsecured		\$1,410.39	\$0.00	1,410.39
11 640	MONTGOMERY WARD C/O CREDITORS BANKRUPTCY SERVICE P.O. BOX 800849 DALLAS, TX 75380	Unsecured		\$0.00	\$0.00	0.00
21 640	THE SWISS COLONY C/O CREDITORS BANKRUPTCY SERVICE P.O. BOX 800849 DALLAS, TX 75380	Unsecured		\$0.00	\$0.00	0.00

EXHIBIT C
ANALYSIS OF CLAIMS REGISTER

Claims Bar Date: April 25, 2019

Case Number: 1:18-01049-PMF

Page: 2

Date: August 12, 2019

Debtor Name: BROUGHTON, DIANE ROBERTA

Time: 01:32:55 PM

Claim #	Creditor Name & Address	Claim Type	Claim Ref. No. / Notes	Amount Allowed	Paid to Date	Claim Balance
31 640	GINNY'S C/O CREDITORS BANKRUPTCY SERVICE P.O. BOX 800849 DALLAS, TX 75380	Unsecured		\$0.00	\$0.00	0.00
41 640	DIRECTV, LLC BY AMERICAN INFOSOURCE AS AGENT 4515 N SANTA FE AVENUE OKLAHOMA CITY, OK 73118	Unsecured		\$0.00	\$0.00	0.00
51 640	PYOD, LLC RESURGENT CAPITAL SERVICES PO BOX 19008 GREENVILLE, SC 29602	Unsecured		\$0.00	\$0.00	0.00
61 640	SYNCHRONY BANK C/O PRA RECEIVABLES MANAGEMENT, LLC PO BOX 41021 NORFOLK, VA 23541	Unsecured		\$0.00	\$0.00	0.00
71 640	SYNCHRONY BANK C/O PRA RECEIVABLES MANAGEMENT, LLC PO BOX 41021 NORFOLK, VA 23541	Unsecured		\$0.00	\$0.00	0.00
SURPLUS 650	BROUGHTON, DIANE ROBERTA 4 EATON COURT MARLBORO, NJ 07746	Unsecured		\$4,177.07	\$0.00	4,177.07
<< Totals >>				13,592.71	0.00	13,592.71

TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 1:18-01049-PMF
 Case Name: BROUGHTON, DIANE ROBERTA
 Trustee Name: MARTIN P. SHEEHAN

Balance on hand: \$ 13,791.47

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: \$ 13,791.47

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 - MARTIN P. SHEEHAN	1,711.44	0.00	1,711.44
Trustee, Expenses - MARTIN P. SHEEHAN	53.15	0.00	53.15
Charges, U.S. Bankruptcy Court	350.00	0.00	350.00

Total to be paid for chapter 7 administration expenses: \$ 2,114.59

Remaining balance: \$ 11,676.88

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: \$ 11,676.88

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: \$ 11,676.88

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 \$ 7,301.05 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 100.0 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	MONTGOMERY WARD	990.05	0.00	990.05
2	THE SWISS COLONY	566.53	0.00	566.53
3	GINNY'S	599.96	0.00	599.96
4	DIRECTV, LLC	97.32	0.00	97.32
5	PYOD, LLC	1,480.34	0.00	1,480.34
6	SYNCHRONY BANK	2,156.46	0.00	2,156.46
7	SYNCHRONY BANK	1,410.39	0.00	1,410.39

Total to be paid for timely general unsecured claims: \$ 7,301.05
 Remaining balance: \$ 4,375.83

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: \$ 4,375.83

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: \$ 4,375.83

To the extent funds remain after payment in full of all allowed claims, interest will be paid at the legal rate of 2.7% pursuant to 11 U.S.C. § 726(a)(5). Funds available for interest are \$198.76. The amounts proposed for payment to each claimant, listed above, shall be increased to include the applicable interest.

The amount of surplus returned to the debtor after payment of all claims and interest is \$4,177.07.

Trustee's Compensation**Debtor:** BROUGHTON, DIANE ROBERTA**Case:** 18-01049**Computation of Compensation**

Total disbursements to other than the debtor are:		9,614.40
Pursuant to 11 U.S.C. 326, compensation is computed as follows:		
25% of First \$5,000	5,000.00 =	1,250.00
10% of Next \$45,000	4,614.40 =	461.44
5% of Next \$950,000	0.00 =	0.00
3% of Balance	0.00 =	0.00
		<hr/>
	Calculated Total Compensation:	\$1,711.44
	Plus Adjustment:	0.00
		<hr/>
	Total Compensation:	\$1,711.44
	Less Previously Paid:	0.00
		<hr/>
	Total Compensation Requested:	\$1,711.44

Trustee Expenses

Premium on Trustee's Bond		0.00
Travel	0.0 miles at 0.0 cents per mile	0.00
Copies	8 copies at 25.0 cents per copy	2.00
Postage		1.15
Telephone Charges		0.00
Clerical / Secretarial	0.00 hours at 0.00 dollars per hour	0.00
Paralegal Assistance	0.00 hours at 0.00 dollars per hour	0.00
Supplies / Stationery		20.00
Distribution Expenses		30.00
Professional Expenses		0.00
Other Expenses		0.00
Other Expenses 2		0.00
		<hr/>
	Subtotal Expenses:	\$53.15
	Plus Adjustment:	0.00
		<hr/>
	Total Expenses:	\$53.15
	Less Previously Paid:	0.00
		<hr/>
	Total Expenses Requested:	\$53.15

The undersigned Trustee certifies under penalty of perjury that the foregoing is true and correct to the best of his/her knowledge and requests the United States Trustee to approve this report and accounts and requests the Court to provide for notice and opportunity for a hearing under 11 U.S.C. 330(a), 502(b), and 503(b) and to thereafter award final compensation or reimbursement of expenses and to make final allowance for the purposes of distribution to claims, administrative expenses, and other payments stated in this report and account.

WHEREFORE, the Trustee requests that this application be approved by this Court and that the Trustee be granted an allowance of \$1,711.44 as compensation and \$53.15 for reimbursement of expenses. The Trustee further states that no payments have been made or promised to him/her for services rendered or to be rendered in any capacity in this case. No agreement or understanding exists between applicant and any other person for sharing compensation received or to be received.

Dated: 08/12/19

Signed: /s/ MARTIN P. SHEEHAN

MARTIN P. SHEEHAN
 BANKRUPTCY TRUSTEE
 41 FIFTEENTH STREET
 WHEELING, WV 26003-2941