

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

In re: Mayle, Edward F., Sr. &
Mayle, Scarlett R.

§ Case No. 1:17-01072-PMF
§
§
§

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 October 31, 2017. The undersigned trustee was appointed on November 01, 2017.
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 \$ 100,000.00

Funds were disbursed in the following amounts:

Payments made under an interim distribution	0.00
Administrative expenses	40,989.97
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	43,084.00
Other payments to the debtor	0.00
Leaving a balance on hand of ¹	\$ <u>15,926.03</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 05/17/2018 and the deadline for filing governmental claims was 05/17/2018. 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 \$6,095.80. 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 \$6,095.80, for a total compensation of \$6,095.80.²In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of \$0.00 and now requests reimbursement for expenses of \$14.10, for total expenses of \$14.10.²

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

Date: 07/30/2019 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: 1:17-01072-PMF

Trustee: (680230) Thomas H. Fluharty, Trustee

Case Name: Mayle, Edward F., Sr. &
Mayle, Scarlett R.

Filed (f) or Converted (c): 10/31/17 (f)

§341(a) Meeting Date: 12/13/17

Period Ending: 07/30/19

Claims Bar Date: 05/17/18

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 <u>Abandoned</u> OA=\$554(a)	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
Ref. #					
1	Checking account: Checking Account with Huntingt	406.00	0.00	0.00	FA
2	Household Goods	1,885.00	0.00	0.00	FA
3	Clothing	600.00	0.00	0.00	FA
4	2012 Chevy Equinox with 83000 miles in fair cond	7,725.00	0.00	0.00	FA
5	Wrongful termination against NRG debtor amended petition to include this asset: claim against third party employment suit settlement.	24,794.00	75,206.00	100,000.00	FA
6	VOID	0.00	0.00	0.00	FA
6	Assets Totals (Excluding unknown values)	\$35,410.00	\$75,206.00	\$100,000.00	\$0.00

Major Activities Affecting Case Closing:

6-27-19: emailed TFR to UST for review.

5-21-19: rec'd call from atty's office, returned call & left message about amending exemptions for debtor, he has exemptions available to receive funds on wrongful termination suit.

5-15-19: received funds.

5-1-19: rec'd update on wrongful termination suit, should received funds next week.

unscheduled asset: wrongful termination of employment against NRG.

Matt Hansberry handling wrongful termination case - will employ/ Employed 4-2018

Initial Projected Date Of Final Report (TFR): December 31, 2019

Current Projected Date Of Final Report (TFR): June 27, 2019 (Actual)

Form 2

Cash Receipts And Disbursements Record

Case Number: 1:17-01072-PMF
Case Name: Mayle, Edward F., Sr. & Mayle, Scarlett R.
Taxpayer ID #: **-***5707
Period Ending: 07/30/19

Trustee: Thomas H. Fluharty, Trustee (680230)
Bank Name: Rabobank, N.A.
Account: *****7566 - 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
05/06/19		NRG Energy Services, LLC	settlement proceeds		81,710.00		81,710.00
	{5}		gross settlement proceeds	100,000.00 1249-000			81,710.00
		Edward Mayle	exemption for lost wages	-18,290.00 8100-002			81,710.00
05/08/19		Transition Transfer Debit		9999-000		81,710.00	0.00

ACCOUNT TOTALS	81,710.00	81,710.00	\$0.00
Less: Bank Transfers	0.00	81,710.00	
Subtotal	81,710.00	0.00	
Less: Payments to Debtors		18,290.00	
NET Receipts / Disbursements	\$81,710.00	\$-18,290.00	

Form 2 Cash Receipts And Disbursements Record

Case Number: 1:17-01072-PMF
Case Name: Mayle, Edward F., Sr. & Mayle, Scarlett R.
Taxpayer ID #: **-***5707
Period Ending: 07/30/19

Trustee: Thomas H. Fluharty, Trustee (680230)
Bank Name: Metropolitan Commercial Bank
Account: *****7682 - 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
05/08/19		Transition Transfer Credit	Transition Transfer Credit	9999-000	81,710.00		81,710.00
05/15/19	10101	Matthew B. Hansberry, Esquire	Attorney fees & expenses			40,989.97	40,720.03
			40,000.00	3210-000			40,720.03
			989.97	3220-000			40,720.03
07/16/19	10102	Edward Mayle	Debtor's exemption	8100-002		24,794.00	15,926.03

ACCOUNT TOTALS	81,710.00	65,783.97	\$15,926.03
Less: Bank Transfers	81,710.00	0.00	
Subtotal	0.00	65,783.97	
Less: Payments to Debtors		24,794.00	
NET Receipts / Disbursements	\$0.00	\$40,989.97	

Net Receipts :	81,710.00
Plus Gross Adjustments :	18,290.00
Less Payments to Debtor :	43,084.00
Net Estate :	\$56,916.00

	Net Receipts	Net Disbursements	Account Balances
TOTAL - ALL ACCOUNTS			
Checking # *****7566	81,710.00	-18,290.00	0.00
Checking # *****7682	0.00	40,989.97	15,926.03
	\$81,710.00	\$40,989.97	\$15,926.03

EXHIBIT C
ANALYSIS OF CLAIMS REGISTER

Claims Bar Date: May 17, 2018

Case Number: 1:17-01072-PMF
Debtor Name: Mayle, Edward F., Sr. &

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Date: July 30, 2019
Time: 01:57:03 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		\$14.10	\$0.00	14.10
200	Thomas H. Fluharty, Trustee 408 Lee Avenue Clarksburg, WV 26301	Admin Ch. 7		\$6,095.80	\$0.00	6,095.80
200	Matthew B. Hansberry, Esquire Hansberry Law Office, PLCL 1400 Johnson Avenue, Suite 4-P Bridgeport,, WV 26330	Admin Ch. 7		\$40,000.00	\$40,000.00	0.00
200	Matthew B. Hansberry, Esquire Hansberry Law Office, PLCL 1400 Johnson Avenue, Suite 4-P Bridgeport,, WV 26330	Admin Ch. 7		\$989.97	\$989.97	0.00
7 100	Edward Mayle 147 Opekiska Road Fairmont, WV 26554	Secured	wildcard exemption	\$24,794.00	\$24,794.00	0.00
1 610	Discover Personal Loans P.O. Box 6105 Carol Stream, IL 60197	Unsecured	9273	\$794.96	\$0.00	794.96
2 610	Quantum3 Group, LLC MOMA Funding, LLC P.O. Box 788 Kirkland,, WA 98083-0788	Unsecured	8101 Bon Ton	\$907.46	\$0.00	907.46
3 610	Discover Bank Discover Products, Inc. P.O. Box 3025 New Albany,, OH 43054-3025	Unsecured	3563	\$18,121.83	\$0.00	18,121.83
4 610	Systems & Services Technologies, Inc. Best Egg 4315 Pickett Road St. Joseph,, MO 64503	Unsecured	5600 6-19-19 order sustaining objection- Order sustaining objection 6-19-19.	\$0.00	\$0.00	0.00
5 610	PYOD, LLC. of Citibank, N.A. Resurgent Capital Services P.O. Box 19008 Greenville,, SC 29602	Unsecured	5881 Sears	\$347.61	\$0.00	347.61
6 610	Portfolio Recovery Associates, LLC. P.O. Box 12914 Norfolk,, VA 23541	Unsecured	6896 JCPenney Mastercard	\$1,179.95	\$0.00	1,179.95
<< Totals >>				93,245.68	65,783.97	27,461.71

TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 1:17-01072-PMF
 Case Name: Mayle, Edward F., Sr. &
 Trustee Name: Thomas H. Fluharty, Trustee

Balance on hand: \$ 15,926.03

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: \$ 15,926.03

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	6,095.80	0.00	6,095.80
Trustee, Expenses - Thomas H. Fluharty, Trustee	14.10	0.00	14.10
Attorney for Trustee, Fees - Matthew B. Hansberry, Esquire	40,000.00	40,000.00	0.00
Attorney for Trustee, Expenses - Matthew B. Hansberry, Esquire	989.97	989.97	0.00

Total to be paid for chapter 7 administration expenses: \$ 6,109.90

Remaining balance: \$ 9,816.13

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: \$ 9,816.13

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: \$ 9,816.13

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 \$ 21,351.81 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 46.0 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	Discover Personal Loans	794.96	0.00	365.47
2	Quantum3 Group, LLC	907.46	0.00	417.19
3	Discover Bank	18,121.83	0.00	8,331.20
4	Systems & Services Technologies, Inc.	0.00	0.00	0.00
5	PYOD, LLC. of Citibank, N.A.	347.61	0.00	159.81
6	Portfolio Recovery Associates, LLC.	1,179.95	0.00	542.46

Total to be paid for timely general unsecured claims: \$ 9,816.13
 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