

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

In re: Peggy Sue Phillips	§	Case No. 23-00287
Forest Camden Phillips	§	
PrestonUrgentCareFamilyPractice,LLC/Dia	§	
mondRentalPropertiesLLC	§	
Forrest C. Phillips	§	
Preston Aesthetics & Spa, LLC	§	
Diamond Rental Properties, LLC	§	
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 06/14/2023. The undersigned trustee was appointed on 06/14/2023.
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 \$ 50,000.00

Funds were disbursed in the following amounts:

Payments made under an interim distribution	<u>0.00</u>
Administrative expenses	<u>0.00</u>
Bank service fees	<u>109.16</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>0.00</u>
Other payments to the debtor	<u>0.00</u>
Leaving a balance on hand of ¹	\$ <u>49,890.84</u>

The remaining funds are available for distribution.

¹The 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.

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

6. The deadline for filing non-governmental claims in this case was 10/18/2023 and the deadline for filing governmental claims was 01/18/2024. 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 \$5,750.00. 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 \$5,750.00, for a total compensation of \$5,750.00². In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of \$0.00 and now requests reimbursement for expenses of \$11.70 for total expenses of \$11.70².

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

Date: 12/06/2024

By: /s/ Thomas H. Fluharty
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

Exhibit A

Page: 1

Case No.: 23-00287

Case Name: Peggy Sue Phillips
Forest Camden Phillips

Trustee Name: (680230) Thomas H. Fluharty

Date Filed (f) or Converted (c): 06/14/2023 (f)

§ 341(a) Meeting Date: 07/12/2023

For Period Ending: 12/06/2024

Claims Bar Date: 10/18/2023

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 Formally Abandoned OA=§554(a) abandon.	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1 Sheraton Broadway Plantation timeshare in Myrtle Beach surrendering property Interval International & Vistana Signature Experiences hold liens.	15,000.00	13,834.00		0.00	FA
2 2020 Cadillac XT5, 41,000 miles United Bank holds lien.	30,000.00	0.00		0.00	FA
3 2019 Subaru Forester, 77,000 miles Truist Bank holds lien.	28,000.00	0.00		0.00	FA
4 household goods at residence	4,000.00	0.00		0.00	FA
5 electronics at residence	1,000.00	0.00		0.00	FA
6 pistol at residence	50.00	0.00		0.00	FA
7 clothing at residence	500.00	0.00		0.00	FA
8 jewelry at residence	1,000.00	0.00		0.00	FA
9 Cash	800.00	0.00		0.00	FA
10 Checking: Chase	3,500.00	0.00		0.00	FA
11 Savings: Chessie FCU	350.00	0.00		0.00	FA
12 Savings: Chessie FCU	65.00	0.00		0.00	FA
13 Preston Urgent Care Family Practice LLC, 100% ownership	0.00	0.00		0.00	FA
14 Diamond Rental Properties LLC, 50% ownership	0.00	0.00		0.00	FA
15 Preston Aesthetics and Spa LLC, 100% ownership	20,000.00	0.00		0.00	FA
16 Pension: UMWA; income only	0.00	0.00		0.00	FA
17 APRN-BC (family nurse practitioner license)	0.00	0.00		0.00	FA
18 AAA term life insurance policy: Peggy Phillips	0.00	0.00		0.00	FA
19 term life insurance policy with employer: Forest Phillips	0.00	0.00		0.00	FA
20 Penn Mutual whole life policy: Peggy Phillips	28,000.00	0.00		0.00	FA
21 Penn Mutual whole life policy: Forest Phillips	3,960.00	0.00		0.00	FA
22 potential claims against Hotel Hunters	Unknown	Unknown		0.00	FA

Form 1

Individual Estate Property Record and Report

Asset Cases

Exhibit A

Page: 2

Case No.: 23-00287

Case Name: Peggy Sue Phillips
Forest Camden Phillips

Trustee Name: (680230) Thomas H. Fluharty

Date Filed (f) or Converted (c): 06/14/2023 (f)

§ 341(a) Meeting Date: 07/12/2023

For Period Ending: 12/06/2024

Claims Bar Date: 10/18/2023

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 Formally Abandoned OA=\$554(a) abandon.	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
Ref. #						
23	Fraudulent R/E transfer to Son (u)	0.00	50,000.00		50,000.00	FA
23	Assets Totals (Excluding unknown values)	\$136,225.00	\$63,834.00		\$50,000.00	\$0.00

Major Activities Affecting Case Closing:

12-6-24: filed appl pay accountant fees / draft final report.
 12-5-24: drafted appl pay accountant's fees.
 10-21-24: called Bank, need TIN for Forest, IRS unable to give me 2nd #. They will work on getting one.
 10-18-24: received settlement funds, deposited // reviewed claims // drafted distribution to claims.
 10-17-24: drafted appl employ accounting firm.
 10-15-24: Court entered Order approving compromise.
 9-12-24: emailed atty for update on case.
 6-24-24: reviewed settlement - debtors to pay \$50,000 by July 31, 2024.
 4-2-24: agreement to settle with debtors for \$50,000.
 3-21-24: review order approving sp counsel
 3-6-24: filed appl employ special counsel Joe Supple.
 3-4-24: record room work on real estate
 1-16-24: drafted appl employ Joe Supple.
 1-10-24: hire Joe Supple to pursue potential fraud convey, etc.
 12-19-23: ordered asset report
 8-23-23: filed motion employ atty - THF / concluded 341 meeting.
 7-26-23: revised appl employ atty -THF.
 7-20-23: drafted appl employ atty for trustee-THF
 7-17-23: designate as asset case, fraudulent transfer of R/E to son & investigate potential timeshare claim.

Initial Projected Date Of Final Report (TFR): 09/30/2024

Current Projected Date Of Final Report (TFR): 09/30/2024

Form 2

Cash Receipts And Disbursements Record

Exhibit B

Page: 1

Case No.: 23-00287 Trustee Name: Thomas H. Fluharty (680230)
Case Name: Peggy Sue Phillips Bank Name: TriState Capital Bank
Forest Camden Phillips Account #: *****5112 Checking
Taxpayer ID #: **-***8325 Blanket Bond (per case limit): \$3,000,000.00
For Period Ending: 12/06/2024 Separate Bond (if applicable): N/A

1	2	3	4		5	6	7
Trans. Date	Check or Ref. #	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposit \$	Disbursement \$	Account Balance
10/18/24	{23}	Johnson Law, PLLC	settlement proceeds	1210-000	50,000.00		50,000.00
10/31/24		TriState Capital Bank	Bank and Technology Services Fees	2600-000		34.63	49,965.37
11/29/24		TriState Capital Bank	Bank and Technology Services Fees	2600-000		74.53	49,890.84

COLUMN TOTALS	50,000.00	109.16	\$49,890.84
Less: Bank Transfers/CDs	0.00	0.00	
Subtotal	50,000.00	109.16	
Less: Payments to Debtors		0.00	
NET Receipts / Disbursements	\$50,000.00	\$109.16	

Form 2

Exhibit B
Page: 2

Cash Receipts And Disbursements Record

Case No.: 23-00287
Case Name: Peggy Sue Phillips
Forest Camden Phillips
Taxpayer ID #: **_***8325
For Period Ending: 12/06/2024

Trustee Name: Thomas H. Fluharty (680230)
Bank Name: TriState Capital Bank
Account #: *****5112 Checking
Blanket Bond (per case limit): \$3,000,000.00
Separate Bond (if applicable): N/A

Net Receipts:	\$50,000.00
Plus Gross Adjustments:	\$0.00
Less Payments to Debtor:	\$0.00
Less Other Noncompensable Items:	\$0.00
Net Estate:	\$50,000.00

TOTAL - ALL ACCOUNTS

*****5112 Checking

NET DEPOSITS	NET DISBURSEMENTS	ACCOUNT BALANCES
\$50,000.00	\$109.16	\$49,890.84
\$50,000.00	\$109.16	\$49,890.84

Exhibit C

Claims Register

Case: 23-00287 Peggy Sue Phillips AND Forest Camden Phillips

Claims Bar Date: 10/18/23 12:00

Claim #	Claimant Name/ <Category>, Priority	Claim Type/ Date Filed	Acct#/ Memo/Journal	Amount Filed/ Allowed	Paid to Date	Claim Balance
Acct Fees	Jack P. Lantzy Smith Elliott Kearns & Co. LLC 19405 Emerald Square, Suite 2300 Hagerstown, MD 21742 <3410-00 Accountant for Trustee Fees (Other Firm)>, 200	Admin Ch. 7 11/22/24		\$ 1,103.55 \$ 1,103.55	\$0.00	\$1,103.55
Atty Fees	Thomas H. Fluharty 408 Lee Avenue Clarksburg, WV 26301 <3110-00 Attorney for Trustee Fees (Trustee Firm)>, 200	Admin Ch. 7 10/18/24		\$ 2,300.00 \$ 2,300.00	\$0.00	\$2,300.00
FEE	Thomas H. Fluharty 408 Lee Avenue Clarksburg, WV 26301 <2100-00 Trustee Compensation>, 200	Admin Ch. 7 10/18/24		\$ 5,750.00 \$ 5,750.00	\$0.00	\$5,750.00
SP Couns Fees	Joe M. Supple 801 Viand Street Point Pleasant, WV 25550 <3110-00 Attorney for Trustee Fees (Trustee Firm)>, 200	Admin Ch. 7 10/21/24		\$ 4,080.00 \$ 4,080.00	\$0.00	\$4,080.00
TE	Thomas H. Fluharty 408 Lee Avenue Clarksburg, WV 26301 <2200-00 Trustee Expenses>, 200	Admin Ch. 7 11/22/24		\$ 11.70 \$ 11.70	\$0.00	\$11.70

Exhibit C
Claims Register

Case: 23-00287 Peggy Sue Phillips AND Forest Camden Phillips

Claims Bar Date: 10/18/23 12:00

Claim #	Claimant Name/ <Category>, Priority	Claim Type/ Date Filed	Acct#/ Memo/Journal	Amount Filed/ Allowed	Paid to Date	Claim Balance
1	Bankers Healthcare Group, LLC 201 Solar Street Syracuse, NY 13204 <7100-00 General Unsecured - § 726(a)(2)>, 610	Unsecured 07/28/23	money loaned.	\$ 115,221.14 \$ 115,221.14	\$0.00	\$115,221.14
2	Resurgent Receivables, LLC Resurgent Capital Services PO Box 10587 Greenville, SC 29603-0587 <7100-00 General Unsecured - § 726(a)(2)>, 610	Unsecured 08/13/23	installment acct #1448	\$ 41,518.66 \$ 41,518.66	\$0.00	\$41,518.66
3	Truist Bank Attn: Support Services P.O. Box 85092, Mail Code 306-40-06-10 Richmond, VA 23286 <4110-00 Real Estate - Consensual Liens (mortgages, deeds of trust)>, 100	Secured 08/22/23	8-22-23-filed in error	\$ 0.00 \$ 0.00	\$0.00	\$0.00
4	Truist Bank Attn: Support Services P.O. Box 85092, Mail Code 306-40-06-10 Richmond, VA 23286 <4110-00 Real Estate - Consensual Liens (mortgages, deeds of trust)>, 100	Secured 08/22/23	motor vehicle.	\$ 23,176.00 \$ 0.00	\$0.00	\$0.00

Exhibit C Claims Register

Case: 23-00287 Peggy Sue Phillips AND Forest Camden Phillips

Claims Bar Date: 10/18/23 12:00

Claim #	Claimant Name/ <Category>, Priority	Claim Type/ Date Filed	Acct#/ Memo/Journal	Amount Filed/ Allowed	Paid to Date	Claim Balance
5	CAN Capital, Inc., assignee of WebBank 1850 Parkway Place Suite 1150 Marietta, GA 30067 <7100-00 General Unsecured - § 726(a)(2)>, 610	Unsecured 09/14/23	personal guaranty of money loaned.	\$ 190,458.48 \$ 190,458.48	\$0.00	\$190,458.48
6	OneMain Financial Group, LLC PO Box 3251 Evansville, IN 47731 <7100-00 General Unsecured - § 726(a)(2)>, 610	Unsecured 09/26/23	money loaned - Forest	\$ 11,726.37 \$ 11,726.37	\$0.00	\$11,726.37
7	Funding Metrics, LLC 3220 Tillman Drive, Suite 200 Bensalem, PA 19020 <7100-00 General Unsecured - § 726(a)(2)>, 610	Unsecured 10/02/23	purchase of receipts	\$ 91,334.78 \$ 91,334.78	\$0.00	\$91,334.78
8	Clear Mountain Bank PO Box 205 Bruceton Mills, WV 26525 <7100-00 General Unsecured - § 726(a)(2)>, 610	Unsecured 10/10/23	Preston Aesthetics & Spa, LLC borrower	\$ 135,654.84 \$ 135,654.84	\$0.00	\$135,654.84
9	Clear Mountain Bank PO Box 205 Bruceton Mills, WV 26525 <7100-00 General Unsecured - § 726(a)(2)>, 610	Unsecured 10/10/23	Diamond Rental Properties, LLC & Preston Urgent CareFamily Practice, LLC borrowers	\$ 340,272.26 \$ 340,272.26	\$0.00	\$340,272.26

Exhibit C
Claims Register

Case: 23-00287 Peggy Sue Phillips AND Forest Camden Phillips

Claims Bar Date: 10/18/23 12:00

Claim #	Claimant Name/ <Category>, Priority	Claim Type/ Date Filed	Acct#/ Memo/Journal	Amount Filed/ Allowed	Paid to Date	Claim Balance
10	Rapid Finance c/o LCS Financial Services Corporation 6782 S Potomac St #100 Centennial, CO 80112 <7100-00 General Unsecured - § 726(a)(2)>, 610	Unsecured 10/18/23	line of credit xxxxxx0174	\$ 45,742.01 \$ 45,742.01	\$0.00	\$45,742.01
Case Total:					\$0.00	\$985,173.79

TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 23-00287

Case Name: Peggy Sue Phillips AND

Forest Camden Phillips

Trustee Name: Thomas H. Fluharty

Balance on hand: \$ 49,890.84

Claims of secured creditors will be paid as follows:

Claim No.	Claimant	Claim Asserted	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
3	Truist Bank	0.00	0.00	0.00	0.00
4	Truist Bank	23,176.00	0.00	0.00	0.00

Total to be paid to secured creditors: \$ 0.00Remaining balance: \$ 49,890.84

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	5,750.00	0.00	5,750.00
Trustee, Expenses - Thomas H. Fluharty	11.70	0.00	11.70
Attorney for Trustee Fees - Thomas H. Fluharty	2,300.00	0.00	2,300.00
Attorney for Trustee Fees - Joe M. Supple	4,080.00	0.00	4,080.00
Accountant for Trustee Fees (Other Firm) - Jack P. Lantzy	1,103.55	0.00	1,103.55

Total to be paid for chapter 7 administrative expenses: \$ 13,245.25Remaining balance: \$ 36,645.59

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

Reason/Applicant	Total Requested	Interim Payments	Proposed Payment
None			

Total to be paid for prior chapter administrative expenses: \$ 0.00Remaining balance: \$ 36,645.59

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: \$ 36,645.59

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 \$971,928.54 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 3.8 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	Bankers Healthcare Group, LLC	115,221.14	0.00	4,344.30
2	Resurgent Receivables, LLC	41,518.66	0.00	1,565.42
5	CAN Capital, Inc., assignee of WebBank	190,458.48	0.00	7,181.05
6	OneMain Financial Group, LLC	11,726.37	0.00	442.13
7	Funding Metrics, LLC	91,334.78	0.00	3,443.69
8	Clear Mountain Bank	135,654.84	0.00	5,114.73
9	Clear Mountain Bank	340,272.26	0.00	12,829.62
10	Rapid Finance	45,742.01	0.00	1,724.65

Total to be paid for timely general unsecured claims: \$ 36,645.59
 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 tardily filed 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

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

RE: Phillips, Peggy Sue
Phillips, Forest Camden

Debtor(s)

Case No.: 23-00287

Chapter 7

**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 \$2,300.00 and reimbursement of expenses in the amount of \$11.70 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 \$ 50,000.00

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>50,000.00</u>	25% of First \$5,000	\$ <u>1,250.00</u>
Less	\$ <u>-5,000.00</u>	(\$1,250.00 Maximum)	
Balance	\$ <u>0.00</u>	10% of next \$45,000	\$ <u>4,500.00</u>
Less	\$ <u>-45,000.00</u>	(\$4,500.00 Maximum)	
Balance	\$ <u>0.00</u>	5% of next \$950,000	\$ <u>0.00</u>
Less	\$ <u>-950,000.00</u>	(\$47,500.00 Maximum)	
Balance	\$ <u>0.00</u>	3% of Balance	\$ <u>0.00</u>

TOTAL COMPENSATION REQUESTED \$ 5,750.00

TRUSTEE'S EXPENSES (ITEMIZED):

Premium on Trustee's bond	\$ <u>0.00</u>
Necessary travel (<u>0</u> miles @ <u>0.0</u> cents/mile)	\$ <u>0.00</u>
Necessary copies (<u>1229</u> @ <u>15.0</u> cents/copy)	\$ <u>0.00</u>
Postage.....	\$ <u>11.70</u>
Telephone charges	\$ <u>0.00</u>
Clerical/Secretarial staff (<u>0.0</u> hrs @ <u>\$0.00</u> /hr)	\$ <u>0.00</u>
Paralegal Staff (<u>0.0</u> hrs @ <u>\$0.00</u> /hr).....	\$ <u>0.00</u>


Supplies/Stationery.....	\$	0.00
Distribution.....	\$	0.00
Professional	\$	0.00
Other.....	\$	0.00

TOTAL EXPENSES CLAIMED\$ 11.70

TOTAL REQUESTED FEES AND EXPENSES\$ 5,761.70

WHEREFORE, the Trustee request this application be approved by the Court and that the Trustee be awarded \$2,300.00 as compensation and \$11.70 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: 1-3-25


/s/ Thomas H. Fluharty
Thomas H. Fluharty, Trustee

WV Bar No.: 1231

408 Lee Avenue

Clarksburg, WV 26301

(304) 624-7832

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

In Re: Phillips, Peggy Sue
Phillips, Forest Camden

Bk.No.: 23-00287

Debtors.

**APPLICATION BY ATTORNEY FOR
TRUSTEE FOR COMPENSATION**

The Chapter 7 Trustee makes this statement in support of his application for attorney fees as counsel for Trustee. The Debtors, Peggy Sue Phillips and Forest Camden Phillips filed a voluntary Chapter 7 bankruptcy petition on the 14th day of June, 2023, with the Chapter 7 Trustee being appointed on June 14, 2023. Your applicant was appointed as counsel for Trustee pursuant to an Order entered by the Court herein on September 7, 2023, with services beginning on October 1, 2023. The services contemplated and included in this application were performed for the Trustee to maximize any return to creditors. Counsel for Trustee seeks compensation at the rate of \$400.00 per hour. This is a final application for fees and there have been no interim applications. The time periods for services contemplated by this application are from October 1, 2023 through December 6, 2024.

The assets of the estate of the Debtor administered by said Trustee have a value of approximately \$50,000.00 and his disbursements in such operation were approximately \$109.16, leaving a balance of cash on hand of approximately \$49,890.84. Total costs and expenses of the Trustee total \$5,761.70. All funds on hand are available for distribution to creditors filing claims and secured creditors whose liens attached to the funds. The Trustee's Final Report is expected to be filed with the Office of the Assistant U.S. Trustee by December 11, 2024. Barring any objection to this application and the Final Report, the case should be completed by February 24, 2025 and funds distributed by March 10, 2025. All services included therein were provided by counsel and his office staff.

Attached hereto as "Exhibit A" is a detailed accounting of services rendered in connection with this representation.

Attached as "Exhibit B" are project categories and abbreviations utilized in describing

services rendered in Exhibit A.

Attached as “Exhibit C” is a Summary Sheet that synthesizes compensation and expenses requested, prior compensation and expenses awarded, if applicable, the billing rate for each person billed time, total hours billed, total amounts of billing for person who billed time and a blended hourly rate.

WHEREFORE, your applicant prays that an allowance is made to him in the sum of \$2,300.00 which represents \$2,300.00 as compensation and \$0.00 in expenses, for professional services rendered in this proceeding.

Dated: December 10, 2024

Submitted by:

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

Attorney Timesheet Report
Trustee: Thomas H. Fluharty (680230)
Period: 07/17/23 - 12/05/24

Case Number: 23-00287	Case Name: PEGGY S. PHILLIPS AND FORES...
Case Type: Asset	Judge: David L. Bissett

Category	Name	Date	Description	Hours/Unit	Rate	Total
Taxes	Thomas Fluharty, Attorney, Other	10/17/24	emailed documents for accountant review for tax filing	0.50	\$400.00	\$200.00
Subtotal for Category: Taxes				0.50		\$200.00

Attorney Timesheet Report
Trustee: Thomas H. Fluharty (680230)
Period: 07/17/23 - 12/05/24

Category	Name	Date	Description	Hours/Unit	Rate	Total
Telephone Conference	Thomas Fluharty, Attorney, Other	04/02/24	Joe - debtors want to pay \$10,000 - advised "No"	0.25	\$400.00	\$100.00
Subtotal for Category: Telephone Conference				0.25		\$100.00

Attorney Timesheet Report
Trustee: Thomas H. Fluharty (680230)
Period: 07/17/23 - 12/05/24

Category	Name	Date	Description	Hours/Unit	Rate	Total
Case Administration	Thomas Fluharty, Attorney, Other	06/24/24	review settlement agreement	0.25	\$400.00	\$100.00
	Thomas Fluharty, Attorney, Other	03/05/24	text Joe about assessments	0.25	\$400.00	\$100.00
	Thomas Fluharty, Attorney, Other	01/09/24	text Joe S. about case , counsel for Tr / ect.	0.50	\$400.00	\$200.00
Subtotal for Category: Case Administration				1.00		\$400.00

Attorney Timesheet Report
Trustee: Thomas H. Fluharty (680230)
Period: 07/17/23 - 12/05/24

Category	Name	Date	Description	Hours/Unit	Rate	Total
Attention to File	Thomas Fluharty, Attorney, Other	08/12/24	debtors have deposited \$50,000 w/ Todd J. / Joe is doing motion to compromise.	0.25	\$400.00	\$100.00
Subtotal for Category: Attention to File				0.25		\$100.00

Attorney Timesheet Report
Trustee: Thomas H. Fluharty (680230)
Period: 07/17/23 - 12/05/24

Category	Name	Date	Description	Hours/Unit	Rate	Total
Fee/Employment Applications	Thomas Fluharty, Attorney, Other	12/05/24	drafted appl pay accountant fees	0.75	\$400.00	\$300.00
	Thomas Fluharty, Attorney, Other	10/17/24	drafted appl employ accountant	1.25	\$400.00	\$500.00
	Thomas Fluharty, Attorney, Other	03/06/24	attn to ap to employ Joe / filed.	0.25	\$400.00	\$100.00
	Thomas Fluharty, Attorney, Other	01/16/24	draft appl employ sp counsel	1.00	\$400.00	\$400.00
Subtotal for Category: Fee/Employment Applications				3.25		\$1,300.00

Attorney Timesheet Report
Trustee: Thomas H. Fluharty (680230)
Period: 07/17/23 - 12/05/24

Category	Name	Date	Description	Hours/Unit	Rate	Total
Record Room Work	Thomas Fluharty, Attorney, Other	03/04/24		0.50	\$400.00	\$200.00
Subtotal for Category: Record Room Work				0.50		\$200.00
Total for case:				5.75		\$2,300.00
Grand Total:				5.75		\$2,300.00

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

In Re: Phillips, Peggy Sue
Phillips, Forest Camden

Bk. No.: 23-00287

Debtors.

EXHIBIT - B

Abbr. Project categories

AAR	Asset Analysis and Recovery: Identification and review of potential assets including causes of action and nonlitigation recoveries.
AD	Asset Deposition: Sales, leads, (S365 matters), abandonment and related transaction work.
OP	Business Operations: Issues related to debtor-in possession operating in Chapter 11 such as employee, vendor, tenant issues and other similar problems.
CA	Case Administration: Coordination and compliance activities, including preparation of a statement of financial affairs; schedules, list of contracts; United States Trustee's interim statements and operating reports; contacts with the United States Trustee; general creditor inquiries.
CL	Claims Administration and Objections: Specific claim inquiries; bar date motions; analysis, objections and allowances of claims.
EE	Employee Benefits/Pensions: Review issues such as severance, retention, 401K coverage and continuance of pension plans.
FA	Fee/Employment Applications: Preparations of employment and fee application for self or others; motions to establish interim procedures.
FEO	Fee/Employment Objections: Review of and objections to the employment and fee application of others.
F	Financing: Matters under ss 361, 363 and 364 including cash collateral and secured claims; loan document analysis.
L	Litigation: There should be a separate category established for each matter. (E.g., XYZ Stay Litigation).

- 341 Meetings of Creditors: Preparing for and attending the conference of creditors, the 341 (a) meeting and other creditors' committee meetings.
- PIN Plan and Disclosure Statement: Formulation, presentation and confirmation; compliance with the plan confirmation order, related orders and rules; disbursement and case closing activities, except those related to the allowance and objections to allowance of claims.
- 362 Relief From Stay Proceedings: Matters relating to termination or continuation of automatic stay under S 362.

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

In Re: Phillips, Peggy Sue
Phillips, Forest Camden

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Debtors

EXHIBIT - C

FEE APPLICATION

CURRENT APPLICATION

Fees Requested	\$2,300.00
Expenses requested	\$ 0.00

Names of Professionals/Hours Billed Rated Total for Application

Thomas H. Fluharty, Attorney	\$400.00/hr.	\$2,300.00
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TOTAL BLENDED HOURLY RATE: \$400.00 per hour

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **APPLICATION BY TRUSTEE FOR COMPENSATION** was served upon the following individuals, at the addresses listed below, by placing a true and correct copy thereof in the United States mail, postage prepaid, this _____ day of _____, 2024.

Served electronically on:

Todd B. Johnson, Esquire
todd@jlawpllc.com
Counsel for Debtors

Office of the Assistant U.S. Trustee
ustpreion04.ct.ecf@usdoj.gov

/s/

Thomas H. Fluharty, Trustee

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

In Re: Phillips, Peggy Sue
Phillips, Forest Camden

Bk. No.: 23-00287

Debtors.

ORDER

Upon consideration of the Application of Thomas H. Fluharty, Attorney for the Trustee, for allowance of compensation for professional services rendered and for reimbursement for actual and necessary costs and expenses incurred by him in the administration of the above estate in the amount of \$2,300.00 and it appearing to the Court that notices having been sent and no adverse interest appearing, it is **ORDERED** that Thomas H. Fluharty, Attorney for the Trustee, be and is hereby allowed compensation for professional services rendered and for reimbursement for actual and necessary costs and expenses incurred by him in the administration of the above estate in the amount of \$2,300.00.

Submitted by:

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