

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

In re: HARTWELL, EDGERTON, II

§ Case No. 11-52314-MHM

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§

Debtor(s)

**CHAPTER 7 TRUSTEE'S FINAL ACCOUNT AND DISTRIBUTION  
REPORT CERTIFICATION THAT THE ESTATE HAS BEEN FULLY ADMINISTERED  
AND APPLICATION TO BE DISCHARGED (TDR)**

Jeffrey K. Kerr, Trustee, chapter 7 trustee, submits this Final Account, Certification that the Estate has been Fully Administered and Application to be Discharged.

1) All funds on hand have been distributed in accordance with the Trustee's Final Report and, if applicable, any order of the Court modifying the Final Report. The case is fully administered and all assets and funds which have come under the trustee's control in this case have been properly accounted for as provided by law. The trustee hereby requests to be discharged from further duties as a trustee.

2) A summary of assets abandoned, assets exempt, total distributions to claimants, claims discharged without payment, and expenses of administration is provided below:

Assets Abandoned: <u>\$851,850.83</u> <i>(without deducting any secured claims)</i>	Assets Exempt: <u>\$151,850.83</u>
Total Distribution to Claimants: <u>\$36.03</u>	Claims Discharged Without Payment: <u>\$2,026,417.46</u>
Total Expenses of Administration: <u>\$19,963.97</u>	

3) Total gross receipts of \$ 20,000.00 (see **Exhibit 1**), minus funds paid to the debtor and third parties of \$ 0.00 (see **Exhibit 2**), yielded net receipts of \$20,000.00 from the liquidation of the property of the estate, which was distributed as follows:

	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
SECURED CLAIMS (from <b>Exhibit 3</b> )	\$1,100,000.00	\$1,072,885.09	\$0.00	\$0.00
PRIORITY CLAIMS:				
CHAPTER 7 ADMIN. FEES AND CHARGES (from <b>Exhibit 4</b> )	0.00	19,963.97	19,963.97	19,963.97
PRIOR CHAPTER ADMIN. FEES AND CHARGES (from <b>Exhibit 5</b> )	0.00	0.00	0.00	0.00
PRIORITY UNSECURED CLAIMS (from <b>Exhibit 6</b> )	0.00	259,246.51	259,246.51	36.03
GENERAL UNSECURED CLAIMS (from <b>Exhibit 7</b> )	1,626,788.00	1,331,570.98	1,331,570.98	0.00
<b>TOTAL DISBURSEMENTS</b>	\$2,726,788.00	\$2,683,666.55	\$1,610,781.46	\$20,000.00

4) This case was originally filed under Chapter 7 on January 27, 2011. The case was pending for 36 months.

5) All estate bank statements, deposit slips, and canceled checks have been submitted to the United States Trustee.

6) An individual estate property record and report showing the final accounting of the assets of the estate is attached as **Exhibit 8**. The cash receipts and disbursements records for each estate bank account, showing the final accounting of the receipts and disbursements of estate funds is attached as **Exhibit 9**.

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

Dated: 02/14/2014 By: /s/Jeffrey K. Kerr, 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.

**EXHIBITS TO  
FINAL ACCOUNT**

**EXHIBIT 1 –GROSS RECEIPTS**

DESCRIPTION	UNIFORM TRAN. CODE <sup>1</sup>	\$ AMOUNT RECEIVED
Settlement with TMR Holdings	1249-000	20,000.00
<b>TOTAL GROSS RECEIPTS</b>		<b>\$20,000.00</b>

<sup>1</sup>The Uniform Transaction Code is an accounting code assigned by the trustee for statistical reporting purposes.

**EXHIBIT 2 –FUNDS PAID TO DEBTOR & THIRD PARTIES**

PAYEE	DESCRIPTION	UNIFORM TRAN. CODE	\$ AMOUNT PAID
	None		
<b>TOTAL FUNDS PAID TO DEBTOR AND THIRD PARTIES</b>			<b>\$0.00</b>

**EXHIBIT 3 –SECURED CLAIMS**

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6D)	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
6	Bank of America, N.A.	4110-000	1,100,000.00	1,072,885.09	0.00	0.00
<b>TOTAL SECURED CLAIMS</b>			<b>\$1,100,000.00</b>	<b>\$1,072,885.09</b>	<b>\$0.00</b>	<b>\$0.00</b>

**EXHIBIT 4 –CHAPTER 7 ADMINISTRATIVE FEES and CHARGES**

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
Jeffrey K. Kerr, Trustee	2100-000	N/A	2,750.00	2,750.00	2,750.00
Jeffrey K. Kerr, Trustee	2200-000	N/A	100.11	100.11	100.11
Lamberth Cifelli Stokes, Ellis, & Nason, P.A.	3210-000	N/A	14,841.50	14,841.50	14,841.50
Lamberth Cifelli Stokes, Ellis, & Nason, P.A.	3220-000	N/A	296.50	296.50	296.50
Jeffrey K. Kerr & Company LLC	3310-000	N/A	1,207.50	1,207.50	1,207.50

Jeffrey K. Kerr & Company LLC	3310-000	N/A	56.28	56.28	56.28
The Bank of New York Mellon	2600-000	N/A	28.68	28.68	28.68
The Bank of New York Mellon	2600-000	N/A	40.92	40.92	40.92
The Bank of New York Mellon	2600-000	N/A	39.47	39.47	39.47
The Bank of New York Mellon	2600-000	N/A	44.83	44.83	44.83
The Bank of New York Mellon	2600-000	N/A	39.31	39.31	39.31
The Bank of New York Mellon	2600-000	N/A	43.29	43.29	43.29
The Bank of New York Mellon	2600-000	N/A	41.84	41.84	41.84
The Bank of New York Mellon	2600-000	N/A	37.71	37.71	37.71
The Bank of New York Mellon	2600-000	N/A	44.36	44.36	44.36
The Bank of New York Mellon	2600-000	N/A	40.24	40.24	40.24
Rabobank, N.A.	2600-000	N/A	26.23	26.23	26.23
Rabobank, N.A.	2600-000	N/A	30.96	30.96	30.96
Rabobank, N.A.	2600-000	N/A	26.23	26.23	26.23
Rabobank, N.A.	2600-000	N/A	27.13	27.13	27.13
Rabobank, N.A.	2600-000	N/A	29.89	29.89	29.89
Rabobank, N.A.	2600-000	N/A	28.91	28.91	28.91
Rabobank, N.A.	2600-000	N/A	26.08	26.08	26.08
Rabobank, N.A.	2600-000	N/A	30.69	30.69	30.69
Rabobank, N.A.	2600-000	N/A	27.86	27.86	27.86
Rabobank, N.A.	2600-000	N/A	26.89	26.89	26.89
Rabobank, N.A.	2600-000	N/A	30.56	30.56	30.56
<b>TOTAL CHAPTER 7 ADMIN. FEES AND CHARGES</b>		N/A	\$19,963.97	\$19,963.97	\$19,963.97

**EXHIBIT 5 –PRIOR CHAPTER ADMINISTRATIVE FEES and CHARGES**

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
	None				
<b>TOTAL PRIOR CHAPTER ADMIN. FEES AND CHARGES</b>		N/A	\$0.00	\$0.00	\$0.00

**EXHIBIT 6 –PRIORITY UNSECURED CLAIMS**

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6E)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
4P-2	INTERNAL REVENUE SERVICE, CIO	5800-000	N/A	259,246.51	259,246.51	36.03
<b>TOTAL PRIORITY UNSECURED CLAIMS</b>			\$0.00	\$259,246.51	\$259,246.51	\$36.03

**EXHIBIT 7 –GENERAL UNSECURED CLAIMS**

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6F)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
1	FIA CARD SERVICES, N.A.	7100-000	54,306.00	54,306.58	54,306.58	0.00
2	B-Line, LLC	7100-000	N/A	70.19	70.19	0.00
3	First Federal Leasing	7100-000	16,846.00	16,846.56	16,846.56	0.00
4U-2	INTERNAL REVENUE SERVICE, CIO	7100-000	N/A	90,856.65	90,856.65	0.00
5	Bank of America, N.A.	7100-000	1,120,000.00	1,169,491.00	1,169,491.00	0.00
NOTFILED	Macy's Department Stores	7100-000	2,124.00	N/A	N/A	0.00
NOTFILED	HSBC Saks Fifth Avenue	7100-000	2,448.00	N/A	N/A	0.00
NOTFILED	VisaDSNB	7100-000	5,208.00	N/A	N/A	0.00
NOTFILED	HSBC Neiman Marcus	7100-000	12,608.00	N/A	N/A	0.00
NOTFILED	Wells Fargo Bank NA	7100-000	375,000.00	N/A	N/A	0.00
NOTFILED	Bank Of America	7100-000	27,191.00	N/A	N/A	0.00
NOTFILED	GMAC	7100-000	11,057.00	N/A	N/A	0.00
<b>TOTAL GENERAL UNSECURED CLAIMS</b>			\$1,626,788.00	\$1,331,570.98	\$1,331,570.98	\$0.00

# Form 1

## Individual Estate Property Record and Report

### Asset Cases

**Case Number:** 11-52314-MHM  
**Case Name:** HARTWELL, EDGERTON, II  
**Period Ending:** 02/14/14

**Trustee:** (300510) Jeffrey K. Kerr, Trustee  
**Filed (f) or Converted (c):** 01/27/11 (f)  
**§341(a) Meeting Date:** 03/01/11  
**Claims Bar Date:** 01/04/12

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 House & Land at 5991 Thompson 30548	650,000.00	0.00	OA	0.00	FA
2 Checking account - Regions	50.83	0.00		0.00	FA
3 i Bedroom & Living room furniture	1,500.00	0.00		0.00	FA
4 Clothing, shoes, etc	300.00	0.00		0.00	FA
5 401k	150,000.00	0.00		0.00	FA
6 Possible worker's compensation claim against the	Unknown	0.00		0.00	FA
7 Investment interest in Reef Global 6 LP - ongoin	50,000.00	50,000.00	OA	0.00	FA
8 Settlement with TMR Holdings (u) Settlement of claims against TMR Holdings re: property located in Horry County, South Carolina	0.00	20,000.00		20,000.00	FA
<b>8 Assets Totals (Excluding unknown values)</b>	<b>\$851,850.83</b>	<b>\$70,000.00</b>		<b>\$20,000.00</b>	<b>\$0.00</b>

**Major Activities Affecting Case Closing:**

11/14/13 - TFR Submitted 11/12/13.

**Initial Projected Date Of Final Report (TFR):** October 1, 2012

**Current Projected Date Of Final Report (TFR):** December 31, 2013

## Form 2 Cash Receipts And Disbursements Record

**Case Number:** 11-52314-MHM  
**Case Name:** HARTWELL, EDGERTON, II  
**Taxpayer ID #:** \*\*-\*\*\*6228  
**Period Ending:** 02/14/14

**Trustee:** Jeffrey K. Kerr, Trustee (300510)  
**Bank Name:** The Bank of New York Mellon  
**Account:** 9200-\*\*\*\*\*00-66 - Checking Account  
**Blanket Bond:** \$62,105,000.00 (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
02/07/12	{8}	LAMBERTH, CIFELLI, STOKES, ELLIS & NASON, P.A.	Transfer of Rodgers settlement funds per order entered 11/7/11 (Doc #69)	1249-000	20,000.00		20,000.00
02/29/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		28.68	19,971.32
03/30/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		40.92	19,930.40
04/30/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		39.47	19,890.93
05/31/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		44.83	19,846.10
06/29/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		39.31	19,806.79
07/31/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		43.29	19,763.50
08/31/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		41.84	19,721.66
09/28/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		37.71	19,683.95
10/31/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		44.36	19,639.59
11/30/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		40.24	19,599.35
12/06/12		RABOBANK MIGRATION TRANSFER OUT	TRANSFER TO 0001030051088 20121206	9999-000		19,599.35	0.00

<b>ACCOUNT TOTALS</b>	<b>20,000.00</b>	<b>20,000.00</b>	<b>\$0.00</b>
Less: Bank Transfers	0.00	19,599.35	
<b>Subtotal</b>	<b>20,000.00</b>	<b>400.65</b>	
Less: Payments to Debtors		0.00	
<b>NET Receipts / Disbursements</b>	<b>\$20,000.00</b>	<b>\$400.65</b>	

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**Case Number:** 11-52314-MHM  
**Case Name:** HARTWELL, EDGERTON, II  
**Taxpayer ID #:** \*\*-\*\*\*6228  
**Period Ending:** 02/14/14

**Trustee:** Jeffrey K. Kerr, Trustee (300510)  
**Bank Name:** Rabobank, N.A.  
**Account:** \*\*\*\*049866 - Checking Account  
**Blanket Bond:** \$62,105,000.00 (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
12/07/12		RABOBANK MIGRATION TRANSFER IN	RABOBANK MIGRATION	9999-000	19,599.35		19,599.35
12/31/12		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		26.23	19,573.12
01/31/13		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		30.96	19,542.16
02/28/13		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		26.23	19,515.93
03/29/13		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		27.13	19,488.80
04/30/13		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		29.89	19,458.91
05/31/13		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		28.91	19,430.00
06/28/13		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		26.08	19,403.92
07/31/13		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		30.69	19,373.23
08/30/13		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		27.86	19,345.37
09/30/13		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		26.89	19,318.48
10/31/13		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		30.56	19,287.92
01/07/14	10101	Jeffrey K. Kerr, Trustee	Dividend paid 100.00% on \$100.11, Trustee Expenses; Reference:	2200-000		100.11	19,187.81
01/07/14	10102	Lamberth Cifelli Stokes, Ellis, & Nason, P.A.	Dividend paid 100.00% on \$296.50, Attorney for Trustee Expenses (Other Firm); Reference:	3220-000		296.50	18,891.31
01/07/14	10103	Jeffrey K. Kerr & Company LLC	Dividend paid 100.00% on \$56.28, Accountant for Trustee Fees (Trustee Firm); Reference:	3310-000		56.28	18,835.03
01/07/14	10104	Jeffrey K. Kerr, Trustee	Dividend paid 100.00% on \$2,750.00, Trustee Compensation; Reference:	2100-000		2,750.00	16,085.03
01/07/14	10105	Lamberth Cifelli Stokes, Ellis, & Nason, P.A.	Dividend paid 100.00% on \$14,841.50, Attorney for Trustee Fees (Other Firm); Reference:	3210-000		14,841.50	1,243.53
01/07/14	10106	Jeffrey K. Kerr & Company LLC	Dividend paid 100.00% on \$1,207.50, Accountant for Trustee Fees (Trustee Firm); Reference:	3310-000		1,207.50	36.03
01/07/14	10107	INTERNAL REVENUE SERVICE, CIO	Dividend paid 0.01% on \$259,246.51; Claim# 4P-2; Filed: \$259,246.51	5800-000		36.03	0.00

<b>ACCOUNT TOTALS</b>	<b>19,599.35</b>	<b>19,599.35</b>	<b>\$0.00</b>
Less: Bank Transfers	19,599.35	0.00	
<b>Subtotal</b>	<b>0.00</b>	<b>19,599.35</b>	
Less: Payments to Debtors		0.00	
<b>NET Receipts / Disbursements</b>	<b>\$0.00</b>	<b>\$19,599.35</b>	



## Form 2 Cash Receipts And Disbursements Record

Case Number: 11-52314-MHM  
 Case Name: HARTWELL, EDGERTON, II  
 Taxpayer ID #: \*\*-\*\*\*6228  
 Period Ending: 02/14/14

Trustee: Jeffrey K. Kerr, Trustee (300510)  
 Bank Name: Rabobank, N.A.  
 Account: \*\*\*\*049866 - Checking Account  
 Blanket Bond: \$62,105,000.00 (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
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	Net Receipts	Net Disbursements	Account Balances
<b>TOTAL - ALL ACCOUNTS</b>			
Checking # 9200-*****00-66	20,000.00	400.65	0.00
Checking # ****049866	0.00	19,599.35	0.00
	\$20,000.00	\$20,000.00	\$0.00