

CHAPTER 11 SUBCHAPTER V TRUSTEE'S FINAL REPORT AND ACCOUNT GENERAL INFORMATION AND INSTRUCTIONS

The UST Form 101-11(V)-FR (uniform form attached) must be filed with the United States Bankruptcy Court for all final reports filed on or after February 19, 2020 for cases in which the trustee disbursed funds. Within 120 days of the final distribution to creditors in a chapter 11 case, a trustee must submit the completed UST Form 101-11(V)-FR to the United States Trustee. The United States Trustee will review the form, bank statements, and canceled checks, and if in order, the form will be filed with the Court.

Trustees should use the following CM/ECF docket event for UST Form 101-11(V)-FR:

Chapter 11 Subchapter V Trustee's Final Report and Account Filed by Trustee _____.

To assist chapter 11 trustees in completing the UST Form 101-11(V)-FR, the following information and instructions are provided:

File naming convention for submission of UST Form 101-11(V)-FR to the United States Trustee: Case Number_Debtor Last Name_SubVTFR_Trustee Last Name (e.g., 20-12345_Jones_SubVTFR_Smith).

All dollar amounts must include cents (\$x.xx).

The date format to be followed is mm/dd/yyyy.

Enter the district, state, and division for the United States Bankruptcy Court. If division is not applicable, these fields may be deleted from the form.

Enter the case name and number in the caption area. If additional information (such as judge's name) is required at the beginning of the form, it may be entered here.

If this is an amended Trustee Final Report, "Amended" may be entered in the form title so that it reads "Chapter 11 Subchapter V Trustee's Amended Final Report and Account." If this is not applicable, the field may be deleted from the form.

Paragraph 1 – Enter date case was filed and, if applicable, the date converted to chapter 11.

Paragraph 2 – Enter date trustee was appointed.

Paragraph 3 – Enter date plan was confirmed, and whether the plan was consensual or not consensual. If plan was not confirmed, enter "NA" in the date field and in the consensual/non-consensual field.

Paragraph 4 - Include the dates of all post-confirmation modifications by court order. If there are no modifications, enter "NA."

Paragraph 5 - Include all dates on which the trustee filed with the court an action to remedy default by the reorganized debtor which may have resulted in dismissal, conversion, or other appropriate remedies based on post-confirmation plan default. If no actions were filed, enter "NA."

Paragraph 6 - The date completed is the date the trustee makes the final payment that completes the plan. The date transferred, converted, or dismissed is the date the court order is entered. If the trustee's appointment is terminated because the plan is substantially consummated, enter the date of substantial consummation found on the notice of substantial consummation filed by the debtor.

Paragraph 7 - The number of months from filing or conversion to the last payment is the period of time from the date of the filing of the case, or the date of conversion to chapter 11, through the date the trustee makes the final payment that completes the plan or is required of the trustee. If the case is transferred, converted, or dismissed, the period of time runs through the date the trustee makes the final payment required of the trustee. Round to the nearest month.

Paragraph 8 - The number of months pending is the period of time from the date of the filing of the case, or the date of conversion to chapter 11, through the date of the final report. Round to the nearest month.

Paragraph 9 - The total value of assets abandoned includes only assets abandoned by court order pursuant to 11 U.S.C. § 554(b). If no assets were abandoned by court order, enter "NA."

Paragraph 10 - The total value of assets exempted is the total value of assets listed as exempt on the debtor's Schedule C (column entitled "Value of Claimed Exemption"), unless revised pursuant to a court order. If revised by court order, the value of assets exempted should be adjusted accordingly. For non-individual cases, enter "NA."

Paragraph 11 - The amount of unsecured claims discharged without full payment is the total scheduled unsecured claims plus non-scheduled unsecured claims where a proof of claim was filed, minus payments on unsecured claims (not including interest paid on the claim), but not less than zero. If no proof of claim is filed for a scheduled unsecured claim, use the scheduled unsecured claim amount. If the proof of claim amount is different than the scheduled amount, use the proof of claim amount. If the amount allowed by the court is different than the proof of claim amount, use the amount allowed by the court. The total should be adjusted for any debt determined by statute or by the court to be nondischargeable. If the case is dismissed or converted, or the debtor is not eligible for discharge, enter "0."

Paragraph 12 –The final estate bank statement should reflect a zero balance. However, if the case was converted to chapter 7 these documents should be provided within 30 days. See FRBP 5009(5)(B)(ii).

"Receipts"

Receipts include funds (including constructive receipts) paid to the trustee by or on behalf of the debtor.

“Expenses of Administration” Chart

Expenses of administration include only those administrative expenses disbursed by the trustee or on behalf of the trustee. Include debtor professional expenses with Debtor Professional Fees and trustee professional expenses with Trustee Professional Fees.

Creditors Chart

The list of creditors should include all creditors with scheduled claims, creditors not listed on Schedules D and E/F who file proofs of claim, and creditors whose claims are provided for in a confirmed plan. Sort creditors by debt type (e.g., all secured creditors are listed first, followed by priority creditors and then by unsecured creditors).

In the “Debt Type” column, enter S for Secured Claims, P for Priority Claims, and U for Unsecured Claims.

In the “Claim Scheduled” column, enter the amount of the individual claim as listed in Schedules D and E/F. If a claim was not scheduled enter “NA.” If the schedule amount is “unknown”, enter “unknown.”

In the “Claim Asserted” column, enter the amount of the individual claim as listed in the filed proof of claim. If no proof of claim was filed, enter the following:

- If a claim was scheduled as disputed, contingent, or unliquidated, enter “0.00”.
- Otherwise, enter the amount scheduled. If the claim was not scheduled or the schedule amount is “unknown”, leave the field blank.

In the “Claim Allowed” column, if the amount asserted was subsequently modified by a court order (including an order confirming a plan that modifies the claim), enter the modified amount. Otherwise, enter the “Claim Asserted” amount or leave blank, whichever applies.

In the “Principal Paid” and “Int. Paid” columns, enter payments disbursed by the trustee or on behalf of the trustee. If secured payments are not bifurcated into principal and interest portions, list the entire disbursement in the “Principal Paid” column.

“Summary of Disbursements to Creditors” Chart

Enter the totals of “Claims Allowed,” “Principal Paid,” and “Interest Paid for Secured Payments,” “Domestic Support Arrearage,” “Domestic Support Ongoing,” “All Other Priority,” “Total Priority,” and “General Unsecured Payments.” If secured payments are not bifurcated into principal and interest portions, list the entire disbursement in the “Principal Paid” column.

“Disbursements” Chart

Enter the totals of “Expenses of Administration,” “Disbursements to Creditors,” and “Total Disbursements.” The “Total Disbursements” amount must equal the “Net Receipts” amount in the “Receipts” chart.

Trustee Signature

The signature format to be followed is: /s/name of trustee.