

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
Fort Lauderdale Division

In re:

Case No. 15-23954-RBR

Daniel S. Beecroft,

Debtor.

Chapter 11

DEBTOR, DANIEL S. BEECROFT'S DISCLOSURE STATEMENT
DATED JULY 6, 2016

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I. INTRODUCTION

This is the debtor's disclosure statement (the "Disclosure Statement") in the individual chapter 11 case of Daniel S. Beecroft (the "Debtor"). This Disclosure Statement contains information about the Debtor and describes the Plan (the "Plan") filed by the Debtor on July 6, 2016. A full copy of the Plan is attached to this Disclosure Statement as Exhibit A. ***Your rights may be affected. You should read the Plan and this Disclosure Statement carefully and discuss them with your attorney. If you do not have an attorney, you may wish to consult one.***

The proposed distributions under the Plan are discussed at pages 6 through 10 of this Disclosure Statement. Secured Creditors are classified in Class 1 and Class 2 and will receive a distribution of 100% of their allowed claims upon the valued security. General unsecured creditors are classified in Class 6, and will receive a distribution of 100% of their allowed claims upon the sale of Debtor's real property described in the Plan.

A. Purpose of This Document

This Disclosure Statement describes:

- The Debtor and significant events during the bankruptcy case;
- How the Plan proposes to treat claims or equity interests of the type you hold (i.e., what you will receive on your claim or equity interest if the plan is confirmed);
- Who can vote on or object to the Plan;
- What factors the Bankruptcy Court (the "Court") will consider when deciding whether to confirm the Plan;
- Why the Debtor believes the Plan is feasible, and how the treatment of your claim or equity interest under the Plan compares to what you would receive on your claim or equity interest in liquidation; and
- The effect of confirmation of the Plan.

Be sure to read the Plan as well as the Disclosure Statement. This Disclosure Statement describes the Plan, but it is the Plan itself that will, if confirmed, establish your rights.

B. Deadlines for Voting and Objecting; Date of Plan Confirmation Hearing

The Court has not yet confirmed the Plan described in this Disclosure Statement. This section describes the procedures pursuant to which the Plan will or will not be confirmed.

1. *Time and Place of the Hearing to Finally Approve This Disclosure Statement and Confirm the Plan*

The hearing at which the Court will determine whether to finally approve this Disclosure Statement and confirm the Plan will take place on _____, in Courtroom _____, at _____.

2. *Deadline For Voting to Accept or Reject the Plan*

If you are entitled to vote to accept or reject the plan, vote on the enclosed ballot and return the ballot to Clerk of the Bankruptcy Court, United States Bankruptcy Court, 299 East Broward Blvd., Room 112, Fort Lauderdale, FL 33301. See section IV.A. below for a discussion of voting eligibility requirements.

Your ballot must be received by on or before seven (7) days prior to the scheduled Confirmation Hearing, or it will not be counted.

3. *Deadline For Objecting to the Adequacy of Disclosure and Confirmation of the Plan*

Objections to this Disclosure Statement or to the confirmation of the Plan must be filed with the Court and served upon Stephen P. Orchard, Esq., by fourteen (14) days after the date of service reflected on the Certificate of Service filed with the Court.

4. *Identity of Person to Contact for More Information*

If you want additional information about the Plan, you should contact Stephen P. Orchard, Esq., 2255 Glades Road, Suite 324A, Boca Raton, Florida 33431.

C. **Disclaimer**

The Court has conditionally approved this Disclosure Statement as containing adequate information to enable parties affected by the Plan to make an informed judgment about its terms. The Court has not yet determined whether the Plan meets the legal requirements for confirmation, and the fact that the Court has approved this Disclosure Statement does not constitute an endorsement of the Plan by the Court, or a recommendation that it be accepted. The Court's approval of this Disclosure Statement is subject to final approval at the hearing on confirmation of the Plan. Objections to the adequacy of this Disclosure Statement may be filed until by fourteen (14) days after the date of service reflected on the Certificate of Service filed with the Court.

II. BACKGROUND

A. Description and History of the Debtor's Business

The Debtor owned and operated business entities in the business of selling partnerships in domestic oil and gas leases including First Liberty Energy, Inc. (pending Chapter 7 Case No. 14-21937-PGH in the Southern District of Florida, West Palm Beach Division).

On or about June, 2005, Debtor and his spouse acquired real property located at 75 Little Harbor Way, Deerfield Beach, Florida 33441. Subsequent thereto, Debtor made multiple improvements to the referenced real property which is now, upon information and belief, valued in excess of Eleven Million Dollars (\$11,000,000.00).

B. Significant Events During the Bankruptcy Case

The Debtor retained the services of realtor Kevin R. Kreutzfeld of Premier Estate Properties, Inc. Mr. Kreutzfeld is aggressively marketing Debtor's real property for sale in accordance with a listing agreement listing the subject property for a sale price of \$11,750.00. Should Mr. Kreutzfeld obtain a purchaser at or near list price, all creditors of the estate shall receive full distribution of all allowed claims upon successful closing and funding of purchase transaction.

- Describe any asset sales outside the ordinary course of business, debtor in possession financing, or cash collateral orders.

NONE

- Identify the professionals approved by the court.

Stephen P. Orchard, attorney for the Debtor in Possession; Kevin R. Kruetzfeld, real estate professional.

- Describe any adversary proceedings that have been filed or other significant litigation that has occurred (including contested claim disallowance proceedings), and any other significant legal or administrative proceedings that are pending or have been pending during the case in a forum other than the Court.

In Re: First Liberty Energy, Inc., Case No. 14-21937-PGH in the United States Bankruptcy Court, Southern District of Florida, West Palm Beach Division; pending Chapter 7 Bankruptcy matter of Debtor's business entity.

Margaret J. Smith v. Daniel S. Beecroft, Adv. Case No. 15-01677-RBR in the United States Bankruptcy Court, Southern District of Florida, Fort Lauderdale Division; Adversary proceeding asserted by Chapter 7 Trustee in First Liberty Energy, Inc. Chapter 7 Bankruptcy.

- Describe any steps taken to improve operations and profitability of the Debtor.

The Debtor reached agreement with the Trustee in the above referenced adversary proceeding and continues to aggressively market and advertise Debtor's real property.

F. Projected Recovery of Avoidable Transfers

The Debtor does not intend to pursue preference, fraudulent conveyance, or other avoidance actions.

G. Claims Objections

Except to the extent that a claim is already allowed pursuant to a final non-appealable order, the Debtor reserves the right to object to claims. Therefore, even if your claim is allowed for voting purposes, you may not be entitled to a distribution if an objection to your claim is later upheld. The procedures for resolving disputed claims are set forth in Article V of the Plan.

H. Current and Historical Financial Conditions

The identity and fair market value of the estate's assets are listed in Exhibit B.

III. SUMMARY OF THE PLAN OF REORGANIZATION AND TREATMENT OF CLAIMS AND EQUITY INTERESTS

A. What is the Purpose of the Plan of Reorganization?

As required by the Code, the Plan places claims and equity interests in various classes and describes the treatment each class will receive. The Plan also states whether each class of claims or equity interests is impaired or unimpaired. If the Plan is confirmed, your recovery will be limited to the amount provided by the Plan.

B. Unclassified Claims

Certain types of claims are automatically entitled to specific treatment under the Code. They are not considered impaired, and holders of such claims do not vote on the Plan. They may, however, object if, in their view, their treatment under the Plan does not comply with that

required by the Code. As such, the Plan Proponent has not placed the following claims in any class:

1. *Administrative Expenses*

Administrative expenses are costs or expenses of administering the Debtor's chapter 11 case which are allowed under § 507(a)(2) of the Code. Administrative expenses also include the value of any goods sold to the Debtor in the ordinary course of business and received within 20 days before the date of the bankruptcy petition. The Code requires that all administrative expenses be paid on the effective date of the Plan, unless a particular claimant agrees to a different treatment.

The following chart lists the Debtor's estimated administrative expenses and their proposed treatment under the Plan:

| <u>Type</u> | <u>Estimated Amount Owed</u> | <u>Proposed Treatment</u> |
|--|------------------------------|--|
| Expenses Arising in the Ordinary Course of Business After the Petition Date | \$10,000.00 | Paid in full on the effective date of the Plan, or according to terms of obligation if later |
| The Value of Goods Received in the Ordinary Course of Business Within 20 Days Before the Petition Date | \$0.00 | Paid in full on the effective date of the Plan, or according to terms of obligation if later |
| Professional Fees, as approved by the Court. | \$705,000.00 | Paid in full on the effective date of the Plan, or according to separate written agreement, or according to court order if such fees have not been approved by the Court on the effective date of the Plan |
| Clerk's Office Fees | | Paid in full on the effective date of the Plan |
| Other administrative expenses | | Paid in full on the effective date of the Plan or according to separate written agreement |
| Office of the U.S. Trustee Fees | | Paid in full on the effective date of the Plan |

2. *Priority Tax Claims*

Priority tax claims are unsecured income, employment, and other taxes described by § 507(a)(8) of the Code. Unless the holder of such a § 507(a)(8) priority tax claim agrees otherwise, it must receive the present value of such claim, in regular installments paid over a period not exceeding 5 years from the order of relief.

The following chart lists the Debtor's estimated § 507(a)(8) priority tax claims and their proposed treatment under the Plan:

| Description (name and type of tax) | Estimated Amount Owed | Date of Assessment | Treatment |
|---------------------------------------|-----------------------------|-----------------------|--|
| Internal Revenue Service | \$315,122.00 | 2008 | Paid in full upon sale of Debtor's real property |

C. *Classes of Claims and Equity Interests*

The following are the classes set forth in the Plan, and the proposed treatment that they will receive under the Plan:

1. *Classes of Secured Claims*

Allowed Secured Claims are claims secured by property of the Debtor's bankruptcy estate (or that are subject to setoff) to the extent allowed as secured claims under § 506 of the Code. If the value of the collateral or setoffs securing the creditor's claim is less than the amount of the creditor's allowed claim, the deficiency will be classified as a general unsecured claim.

The following chart lists all classes containing Debtor's secured prepetition claims and their proposed treatment under the Plan:

| <u>Class #</u> | <u>Description</u> | <u>Insider?</u> (Yes or No) | <u>Impairment</u> | <u>Treatment</u> |
|----------------|--|--------------------------------|-------------------|--|
| 1 | Bank of America Mortgage upon Debtor's real property | NO | NO | Debtor shall pay the secured claim of Bank of America in full upon the sale of Debtor's real property located at 75 Little Harbor Way. |

| <u>Class #</u> | <u>Description</u> | <u>Insider?</u> (Yes or No) | <u>Impairment</u> | <u>Treatment</u> |
|----------------|--|--------------------------------|-------------------|---|
| 2 | Chapter 7 Trustee Margaret Smith's \$250,000.00 Mortgage upon Debtor's real property | NO | NO | Debtor shall pay the secured claim of Chapter 7 Trustee Margaret Smith in full upon the sale of Debtor's real property located at 75 Little Harbor Way. |

2. *Classes of Priority Unsecured Claims*

Certain priority claims that are referred to in §§ 507(a)(1), (4), (5), (6), and (7) of the Code are required to be placed in classes. The Code requires that each holder of such a claim receive cash on the effective date of the Plan equal to the allowed amount of such claim. However, a class of holders of such claims may vote to accept different treatment.

The following chart lists all classes containing claims under §§ 507(a)(1), (4), (5), (6), and (a)(7) of the Code and their proposed treatment under the Plan:

| Class # | Description | Impairment | Treatment |
|---------|--------------------------|------------|--|
| 3 | Internal Revenue Service | Unimpaired | Debtor shall pay the priority tax claim of the Internal Revenue Service in full upon the sale of Debtor's real property located at 75 Little Harbor Way. |

3. *Class of General Unsecured Claims*

General unsecured claims are not secured by property of the estate and are not entitled to priority under § 507(a) of the Code. Pursuant to 11 USC § 1122(b), the landlord is proposed to be treated as a convenience class, as the landlord is similar to the general unsecured class.

The following chart identifies the Plan's proposed treatment of Class 5 and Class 6 which contains general unsecured claims against the Debtor:

| Class # | Description | Impairment | Treatment |
|---------|---|------------|---|
| 5 | Executory Contract Rejection Claims of Coldwell Banker Residential Real Estate, LLC | Unimpaired | Debtor objects to the anticipated unsecured executory contract rejection claims of Coldwell Banker Residential Real Estate, LLC. |
| 6 | General Unsecured Class | Unimpaired | The general unsecured creditors will be paid in full upon the sale of Debtor's real property located at 75 Little Harbor Way. Estimated percent of claims paid is 100%. |

4. *Class of Equity Interest Holders*

Equity interest holders are parties who hold an ownership interest (i.e., equity interest) in the Debtor. In a corporation, entities holding preferred or common stock are equity interest holders. In a partnership, equity interest holders include both general and limited partners. In

a limited liability company ("LLC"), the equity interest holders are the members. Finally, with respect to an individual who is a debtor, the Debtor is the equity interest holder.

The following chart sets forth the Plan's proposed treatment of the class of equity interest holders:

| Class # | Description | Impairment | Treatment |
|---------|-------------|------------|-----------|
| N/A | N/A | N/A | N/A |

D. Means of Implementing the Plan

1. Source of Payments

Payments and distributions under the Plan will be funded by the following:

Debtor currently has no monthly income. All payments and distributions will be sourced and funded from the sale of Debtor's real property at 75 Little Harbor Way.

2. Post-confirmation Management

The Post-Confirmation Managers of the Debtor, and their compensation, shall be as follows:

| Name | Affiliations | Insider (yes or no)? | Position | Compensation |
|------|--------------|----------------------|----------|--------------|
| N/A | N/A | N/A | N/A | N/A |

E. Risk Factors

The proposed Plan has the following risks:

The primary risk current economic conditions and the inability to find a qualified purchaser for Debtor's real property. The Debtor and Debtor's real estate professional reasonably believe that they will locate and close with a qualified purchaser during the next eighteen months (18).

F. Executory Contracts and Unexpired Leases

The Plan, in Exhibit 5.1, lists all executory contracts and unexpired leases that the Debtor will assume under the Plan. Assumption means that the Debtor has elected to continue to perform the obligations under such contracts and unexpired leases, and to cure defaults of the type that must be cured under the Code, if any. Exhibit 5.1 also lists how the Debtor will cure and compensate the other party to such contract or lease for any such defaults.

If you object to the assumption of your unexpired lease or executory contract, the proposed cure of any defaults, or the adequacy of assurance of performance, you must file and serve your objection to the Plan within the deadline for objecting to the confirmation of the Plan, unless the Court has set an earlier time.

All executory contracts and unexpired leases that are not listed in Exhibit 5.1 will be rejected under the Plan. Consult your adviser or attorney for more specific information about particular contracts or leases.

If you object to the rejection of your contract or lease, you must file and serve your objection to the Plan within the deadline for objecting to the confirmation of the Plan.

G. Tax Consequences of Plan

Creditors and Equity Interest Holders Concerned with How the Plan May Affect Their Tax Liability Should Consult with Their Own Accountants, Attorneys, And/Or Advisors.

The following are the anticipated tax consequences of the Plan: (1) Tax consequences to the Debtor of the Plan; (2) General tax consequences on creditors of any discharge, and the general tax consequences of receipt of plan consideration after confirmation.

IV. CONFIRMATION REQUIREMENTS AND PROCEDURES

To be confirmable, the Plan must meet the requirements listed in §§ 1129(a) or (b) of the Code. These include the requirements that: the Plan must be proposed in good faith; at least one impaired class of claims must accept the plan, without counting votes of insiders; the Plan must distribute to each creditor and equity interest holder at least as much as the creditor or equity interest holder would receive in a chapter 7 liquidation case, unless the creditor or equity interest holder votes to accept the Plan; and the Plan must be feasible. These requirements are not the only requirements listed in § 1129, and they are not the only requirements for confirmation.

A. Who May Vote or Object

Any party in interest may object to the confirmation of the Plan if the party believes that the requirements for confirmation are not met.

Many parties in interest, however, are not entitled to vote to accept or reject the Plan. A creditor or equity interest holder has a right to vote for or against the Plan only if that creditor or equity interest holder has a claim or equity interest that is both (1) allowed or allowed for voting purposes and (2) impaired.

In this case, the Plan Proponent believes that there are no impaired Classes.

1. *What Is an Allowed Claim or an Allowed Equity Interest?*

Only a creditor or equity interest holder with an allowed claim or an allowed equity interest has the right to vote on the Plan. Generally, a claim or equity interest is allowed if either (1) the Debtor has scheduled the claim on the Debtor's schedules, unless the claim has been scheduled as disputed, contingent, or unliquidated, or (2) the creditor has filed a proof of claim or equity interest, unless an objection has been filed to such proof of claim or equity interest. When a claim or equity interest is not allowed, the creditor or equity interest holder holding the claim or equity interest cannot vote unless the Court, after notice and hearing, either overrules the objection or allows the claim or equity interest for voting purposes pursuant to Rule 3018(a) of the Federal Rules of Bankruptcy Procedure.

The deadline for filing a proof of claim in this case was January 28, 2016.

2. *What Is an Impaired Claim or Impaired Equity Interest?*

As noted above, the holder of an allowed claim or equity interest has the right to vote only if it is in a class that is impaired under the Plan. As provided in § 1124 of the Code, a class is considered impaired if the Plan alters the legal, equitable, or contractual rights of the members of that class.

3. *Who is **Not Entitled to Vote***

The holders of the following five types of claims and equity interests are *not* entitled to vote:

- holders of claims and equity interests that have been disallowed by an order of the Court;

- holders of other claims or equity interests that are not “allowed claims” or “allowed equity interests” (as discussed above), unless they have been “allowed” for voting purposes;
- holders of claims or equity interests in unimpaired classes;
- holders of claims entitled to priority pursuant to §§ 507(a)(2), (a)(3), and (a)(8) of the Code;
- holders of claims or equity interests in classes that do not receive or retain any value under the Plan; and
- administrative expenses.

Even If You Are Not Entitled to Vote on the Plan, You Have a Right to Object to the Confirmation of the Plan and to the Adequacy of the Disclosure Statement.

4. *Who Can Vote in More Than One Class*

A creditor whose claim has been allowed in part as a secured claim and in part as an unsecured claim, or who otherwise hold claims in multiple classes, is entitled to accept or reject a Plan in each capacity, and should cast one ballot for each claim.

B. *Votes Necessary to Confirm the Plan*

If impaired classes exist, the Court cannot confirm the Plan unless (1) at least one impaired class of creditors has accepted the Plan without counting the votes of any insiders within that class, and (2) all impaired classes have voted to accept the Plan, unless the Plan is eligible to be confirmed by “cram down” on non-accepting classes, as discussed later in Section [B.2.].

1. *Votes Necessary for a Class to Accept the Plan*

A class of claims accepts the Plan if both of the following occur: (1) the holders of more than one-half ($1/2$) of the allowed claims in the class, who vote, cast their votes to accept the Plan, and (2) the holders of at least two-thirds ($2/3$) in dollar amount of the allowed claims in the class, who vote, cast their votes to accept the Plan.

A class of equity interests accepts the Plan if the holders of at least two-thirds ($2/3$) in amount of the allowed equity interests in the class, who vote, cast their votes to accept the Plan.

2. *Treatment of Nonaccepting Classes*

Even if one or more impaired classes reject the Plan, the Court may nonetheless confirm the Plan if the nonaccepting classes are treated in the manner prescribed by § 1129(b) of the Code. A plan that binds nonaccepting classes is commonly referred to as a “cram down” plan. The Code allows the Plan to bind nonaccepting classes of claims or equity interests if it meets all the requirements for consensual confirmation except the voting requirements of § 1129(a)(8) of the Code, does not “discriminate unfairly”, and is “fair and equitable” toward each impaired class that has not voted to accept the Plan.

You should consult your own attorney if a “cramdown” confirmation will affect your claim or equity interest, as the variations on this general rule are numerous and complex.

C. Liquidation Analysis

To confirm the Plan, the Court must find that all creditors and equity interest holders who do not accept the Plan will receive at least as much under the Plan as such claim and equity interest holders would receive in a chapter 7 liquidation. A liquidation analysis is attached to this Disclosure Statement as Exhibit E.

D. Feasibility

The Court must find that confirmation of the Plan is not likely to be followed by the liquidation, or the need for further financial reorganization, of the Debtor or any successor to the Debtor, unless such liquidation or reorganization is proposed in the Plan.

1. Ability to Initially Fund Plan

The Plan Proponent believes that the Debtor will have enough cash on hand on the effective date of the Plan to pay all the claims and expenses that are entitled to be paid on that date.

2. Ability to Make Future Plan Payments And Operate Without Further Reorganization

The Plan Proponent must also show that it will have enough cash over the life of the Plan to make the required Plan payments. The final Plan payment is expected to be paid within eighteen (18) months, to wit: December 1, 2017.

You Should Consult with Your Accountant or other Financial Advisor If You Have Any Questions Pertaining to These Projections.

V. EFFECT OF CONFIRMATION OF PLAN

A. DISCHARGE OF DEBTOR

Discharge. On the effective date of the Plan, the Debtor shall be discharged from any debt that arose before confirmation of the Plan, subject to the occurrence of the effective date, to the extent specified in § 1141(d)(1)(A) of the Code, except that the Debtor shall not be discharged of any debt (i) imposed by the Plan, (ii) of a kind specified in § 1141(d)(6)(A) if a timely complaint was filed in accordance with Rule 4007(c) of the Federal Rules of Bankruptcy Procedure, or (iii) of a kind specified in § 1141(d)(6)(B). After the effective date of the Plan your claims against the Debtor will be limited to the debts described in clauses (i) through (iii) of the preceding sentence.

B. Modification of Plan

The Plan Proponent may modify the Plan at any time before confirmation of the Plan. However, the Court may require a new disclosure statement and/or revoting on the Plan.

The Plan Proponent may also seek to modify the Plan at any time after confirmation only if (1) the Plan has not been substantially consummated and (2) the Court authorizes the proposed modifications after notice and a hearing.

C. Final Decree

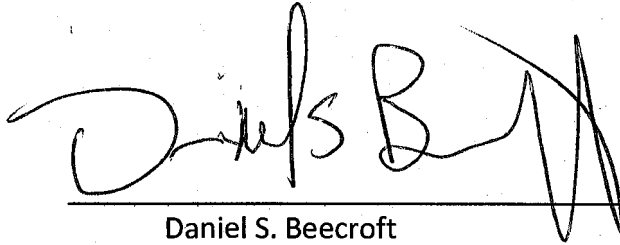
Once the estate has been fully administered, as provided in Rule 3022 of the Federal Rules of Bankruptcy Procedure, the Plan Proponent, or such other party as the Court shall designate in the Plan Confirmation Order, shall file a motion with the Court to obtain a final decree to close the case. Alternatively, the Court may enter such a final decree on its own motion.

VI. OTHER PLAN PROVISIONS

NONE

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Signature of the Plan Proponent



Daniel S. Beecroft

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By: /s/ Stephen P. Orchard

Stephen P. Orchard
Florida Bar Number 580724

Exhibit A - Copy of Proposed Plan of Reorganization

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
Fort Lauderdale Division

In re:

Case No. 15-23954-RBR

Daniel S. Beecroft,

Debtor.

Chapter 11

DEBTOR, DANIEL S. BEECROFT'S PLAN OF REORGANIZATION
DATED JULY 6, 2015

ARTICLE I
SUMMARY

This Plan of Reorganization (the "Plan") under chapter 11 of the Bankruptcy Code (the "Code") proposes to pay creditors of Daniel S. Beecroft (the "Debtor") from the sale of Debtor's real property located at 75 Little Harbor Way, Deerfield Beach, FL 33441. This Plan provides for 2 classes of secured claims; 1 class of priority claims; 1 class of unsecured claims; and 1 class of executory contract rejection claims. Unsecured creditors holding allowed claims will receive distributions, which the proponent of this Plan has valued at approximately 100 cents on the dollar. This Plan also provides for the payment of administrative and priority claims as set forth in Article III.

All creditors should refer to Articles II through V of this Plan for information regarding the precise treatment of their claim. A disclosure statement that provides more detailed information regarding this Plan and the rights of creditors has been circulated with this Plan. ***Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one. (If you do not have an attorney, you may wish to consult one.)***

ARTICLE II
CLASSIFICATION OF CLAIMS AND INTERESTS

- | | | |
|------|-----------------|--|
| 2.01 | <u>Class 1.</u> | Secured Claim (Bank of America) |
| 2.02 | <u>Class 2.</u> | Secured Claim (Margaret Smith, Chapter 7 Trustee for First Liberty Energy, Inc.) |
| 2.03 | <u>Class 3.</u> | Priority Tax Claim (IRS) |

- 2.04 Class 4. All allowed claims entitled to priority under § 507 of the Code (except administrative expense claims under § 507(a)(2), And priority tax claims under § 507(a)(8)).
- 2.05 Class 5. Executory Contract Rejection Claims of Coldwell Banker Residential Real Estate, LLC.
- 2.06 Class 6. All unsecured claims allowed under § 502 of the Code Equity interests of the Debtor.

ARTICLE III

TREATMENT OF ADMINISTRATIVE EXPENSE CLAIMS, U.S. TRUSTEES FEES, AND PRIORITY TAX CLAIMS

3.01 Unclassified Claims. Under section §1123(a)(1), administrative expense claims and priority tax claims are not in classes.

3.02 Administrative Expense Claims. Each holder of an administrative expense claim allowed under § 503 of the Code will be paid in full on the effective date of this Plan (as defined in Article VIII), in cash, or upon such other terms as may be agreed upon by the holder of the claim and the Debtor.

3.03 Priority Tax Claims. Each holder of a priority tax claim will be paid.

3.04 United States Trustee Fees. All fees required to be paid by 28 U.S.C. §1930(a)(6)

U.S. Trustee Fees will accrue and be timely paid until the case is closed, dismissed, or converted to another chapter of the Code. Any U.S. Trustee Fees owed on or before the effective date of this Plan will be paid on the effective date.

ARTICLE IV

TREATMENT OF CLAIMS AND INTERESTS UNDER THE PLAN

4.01 Claims and interests shall be treated as follows under this Plan:

| Class | Impairment | Treatment |
|--|-------------------|--|
| Class 1 - Secured Claim (Bank of America) | Unimpaired | Debtor shall pay to Bank of America all sums required to payoff and satisfy Bank of America's claim upon closing and funding of Debtor's sale of Debtor's real property located at 75 Little Harbor Way, Deerfield Beach FL 33441. Debtor estimates that the gross sale proceeds from the contemplated sale will be sufficient to satisfy the secured claim of Bank of America. |
| Class 2 – Secured Claim (Margaret Smith, Chapter 7 Trustee for First Liberty Energy, Inc.) | Unimpaired | Debtor shall pay to Margaret Smith, Chapter 7 Trustee for First Liberty Energy, Inc. all sums required to payoff and satisfy Margaret Smith's claim for a second mortgage in the amount of \$250,000.00 upon closing and funding of Debtor's sale of Debtor's real property located at 75 Little Harbor Way, Deerfield Beach FL 33441. Debtor estimates that the gross sale proceeds from the contemplated sale will be sufficient to satisfy the secured claim of Margaret Smith. |
| Class 3 – Priority Tax Claim (IRS) | Unimpaired | Debtor shall pay IRS all sums required to payoff and satisfy IRS claim upon closing and funding of Debtor's sale of Debtor's real property located at 75 Little Harbor Way, Deerfield Beach FL 33441. Debtor estimates that the gross sale proceeds from the contemplated sale will be sufficient to satisfy the IRS Priority Tax Claim. |
| Class 4 – Priority Claims | Unimpaired | |
| Class 5 – Executory Contract Rejection Claims of Coldwell Banker Residential Real Estate, LLC. | Unimpaired | Debtor disputes any purported executory rejection claims of Coldwell Banker Residential Real Estate, LLC. |

| | | |
|----------------------------|------------|---|
| Class 6 – Unsecured Claims | Unimpaired | Debtor shall pay all Unsecured Claims in full upon closing and funding of Debtor's sale of Debtor's real property located at 75 Little Harbor Way, Deerfield Beach FL 33441. Debtor estimates that the gross sale proceeds from the contemplated sale will be sufficient to pay all Unsecured Claims in full. |
|----------------------------|------------|---|

ARTICLE V
ALLOWANCE AND DISALLOWANCE OF CLAIMS

5.01 Disputed Claim. A disputed claim is a claim that has not been allowed or disallowed [by a final non-appealable order], and as to which either: (i) a proof of claim has been filed or deemed filed, and the Debtor or another party in interest has filed an objection; or (ii) no proof of claim has been filed, and the Debtor has scheduled such claim as disputed, contingent, or unliquidated.

5.02 Delay of Distribution on a Disputed Claim. No distribution will be made on account of a disputed claim unless such claim is allowed by a final non-appealable order.

5.03 Settlement of Disputed Claims. The Debtor will have the power and authority to settle and compromise a disputed claim with court approval and compliance with Rule 9019 of the Federal Rules of Bankruptcy Procedure.

ARTICLE VI
PROVISIONS FOR EXECUTORY CONTRACTS AND UNEXPIRED LEASES

6.01 Assumed Executory Contracts and Unexpired Leases.

(a) The Debtor assumes the following executory contracts and/or unexpired leases effective upon the date of the entry of the order confirming this Plan:

N/A

(b) The Debtor will be conclusively deemed to have rejected all executory contracts and/or unexpired leases not expressly assumed under section 6.01(a) above, or before the date of the order confirming this Plan, upon the date of the entry of the order confirming this Plan. A proof of a claim arising from the rejection of an executory contract or unexpired lease under this section must be filed no later than thirty (30) days after the date of the order confirming this Plan.

ARTICLE VII
MEANS FOR IMPLEMENTATION OF THE PLAN

7.01 Means for Implementation.

Debtor retained the services of realtor Kevin R. Kreutzfeld of Premier Estate Properties, Inc. Mr. Kreutzfeld is aggressively marketing Debtor's real property for sale in accordance with a listing agreement listing the subject property for a sale price of \$11,750.00. Should Mr. Kreutzfeld obtain a purchaser at or near list price, all creditors of the estate shall receive full distribution of all allowed claims upon successful closing and funding of purchase transaction.

ARTICLE VIII
GENERAL PROVISIONS

8.01 Definitions and Rules of Construction. The definitions and rules of construction set forth in §§ 101 and 102 of the Code shall apply when terms defined or construed in the Code are used in this Plan.

8.02 Effective Date of Plan. The effective date of this Plan is the eleventh business day following the date of the entry of the order of confirmation. But if a stay of the confirmation order is in effect on that date, the effective date will be the first business day after that date on which no stay of the confirmation order is in effect, provided that the confirmation order has not been vacated.

8.03 Severability. If any provision in this Plan is determined to be unenforceable, the determination will in no way limit or affect the enforceability and operative effect of any other provision of this Plan.

8.04 Binding Effect. The rights and obligations of any entity named or referred to in this Plan will be binding upon, and will inure to the benefit of the successors or assigns of such entity.

8.05 Captions. The headings contained in this Plan are for convenience of reference only and do not affect the meaning or interpretation of this Plan.

8.06 Controlling Effect. Unless a rule of law or procedure is supplied by federal law (including the Code or the Federal Rules of Bankruptcy Procedure), the laws of the State of Florida govern this Plan and any agreements, documents, and instruments executed in connection with this Plan, except as otherwise provided in this Plan.

ARTICLE IX
DISCHARGE

Discharge. On the confirmation date of this Plan, the debtor will be discharged from any debt that arose before confirmation of this Plan, subject to the occurrence of the effective date, to the extent specified in § 1141(d)(1)(A) of the Code, except that the Debtor will not be discharged of any debt: (i)

imposed by this Plan; (ii) of a kind specified in § 1141(d)(6)(A) if a timely complaint was filed in accordance with Rule 4007(c) of the Federal Rules of Bankruptcy Procedure; or (iii) of a kind specified in § 1141(d)(6)(B).

ARTICLE X
OTHER PROVISIONS

NONE

Respectfully submitted,

Daniel S. Beecroft

Law Offices of Stephen Orchard
Attorney for Daniel S. Beecroft
2255 Glades Road, Suite 324A
Boca Raton, FL 33431
sporchard@orchardlaw.com
(561) 455-7961 (561) 455-7962 Fax

By: /s/ Stephen P. Orchard
Stephen P. Orchard
Florida Bar Number 580724

Exhibit B - Identity and Value of Material Assets of Debtor

DANIEL S. BEECROFT

Identity and Value of Material Assets of Debtor

Assets

Value

Real Property (75 Little Harbor Way)

\$11,750,000.00

Personal Property

\$69,100.00

Total

\$11,819,100.00

Exhibit C - Most Recently Filed Postpetition Operating Report

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION

IN RE: DANIEL S. BEECROFT

CASE NUMBER: 15-23954-RBR

JUDGE RAYMOND B. RAY

DEBTOR.


CHAPTER 11

**DEBTOR'S MONTHLY OPERATING REPORT (INDIVIDUAL)
FOR THE PERIOD**

FROM 5/1/16 TO 5/31/16

Comes now the above-named debtor and files its Monthly Operating Report in accordance with the Guidelines established by the United States Trustee and FRBP 2015.

Dated: 6/22/16



Attorney for Debtor

Debtor's Address
and Phone Number:
75 Little Harbor Way
Deerfield Beach, FL 33441

(561) 212-9599
Tel. _____

Attorney's Address
and Phone Number:
2255 Glades Road
Suite 324A
Boca Raton, FL 33431
Bar No. 580724
Tel. (561) 455-7961

Note: The original Monthly Operating Report is to be filed with the court and a copy simultaneously provided to the United States Trustee. Monthly Operating Reports must be filed by the 20th day of the following month.

For assistance in preparing the Monthly Operating Report, refer to the following resources on the United States Trustee Program website, http://www.usdoj.gov/ust/r21/reg_info.htm.

- 1) Instructions for Preparation Debtor's Chapter 11 Monthly Operating Report
- 2) Initial Filing Requirements
- 3) Frequently Asked Questions (FAQs)

SUMMARY OF CASH RECEIPTS AND CASH DISBURSEMENTS

Case Name: Daniel S. Beecroft

Case Number: 15-23954-RBR

Note: The information requested below is a summary of the information reported the various Schedules and Attachments contained within this report.

| | Month May 2016 | Cumulative Total |
|--|-------------------|---------------------|
| CASH- Beginning of Month (Household) | \$54.64 | |
| CASH- Beginning of Month (Business) | | |
| Total Household Receipts | \$1,500.00 | |
| Total Business Receipts | | |
| Total Receipts | \$1,500.00 | |
| Total Household Disbursements | \$7.00 | |
| Total Business Disbursements | | |
| Total Disbursements | \$7.00 | |
| NET CASH FLOW (Total Receipts minus Total Disbursements) | \$1,493.00 | |
| CASH- End of Month (Individual) | \$1,547.64 | |
| CASH- End of Month (Business) | | |

CALCULATION OF DISBURSEMENTS FOR UNITED STATES TRUSTEE QUARTERLY FEES

| | | |
|--|--------|--|
| TOTAL DISBURSEMENTS (From Above) | \$7.00 | |
| Less: Any Amounts Transferred or Paid from the Business Account to the Household Account (i.e., Salary Paid to Debtor or Owner's Draw) | | |
| DISBURSEMENTS FOR U.S. TRUSTEE FEE CALCULATION | \$7.00 | |

I declare under penalty of perjury that this statement and the accompanying documents and reports are true and correct to the best of my knowledge and belief.

This 22 day of JUNE 2016

Debtor's Signature

**SCHEDULE OF HOUSEHOLD
CASH RECEIPTS AND CASH DISBURSEMENTS**

| | Month | Cumulative |
|---|------------|------------|
| | May 2015 | Total |
| CASH - Beginning of Month | \$54.64 | |
| CASH RECEIPTS | | |
| Salary or Cash from Business | | |
| Wages from Other Sources (attach list to this report) | | |
| Interest or Dividend Income | | |
| Alimony or Child Support | | |
| Social Security/Pension/Retirement | | |
| Sale of Household Assets (attach list to this report) | | |
| Loans/Borrowing from Outside Sources (attach list to this report) | | |
| Other (specify) (attach list to this report) Spousal Contribution | \$1,500.00 | |
| TOTAL RECEIPTS | \$1,500.00 | |
| CASH DISBURSEMENTS | | |
| Alimony or Child Support Payments | | |
| Charitable Contributions | | |
| Gifts | | |
| Household Expenses/Food/Clothing | | |
| Household Repairs & Maintenance | | |
| Insurance | | |
| IRA Contribution | | |
| Lease/Rent Payments | | |
| Medical/Dental Payments | | |
| Mortgage Payment(s) | | |
| Other Secured Payments | | |
| Taxes - Personal Property | | |
| Taxes - Real Estate | | |
| Taxes Other (attach schedule) | | |
| Travel & Entertainment | | |
| Tuition/Education | | |
| Utilities (Electric, Gas, Water, Cable, Sanitation) | | |
| Vehicle Expenses | | |
| Vehicle Secured Payment(s) | | |
| U. S. Trustee Quarterly Fees | | |
| Professional Fees (Legal, Accounting) | | |
| Other (attach schedule) Bank Service Charge | \$7.00 | |
| Total Household Disbursements | \$7.00 | |
| CASH - End of Month (Must equal reconciled bank statement- Attachment No. 2) | \$1,547.64 | |

| QUESTIONNAIRE | | |
|--|------|----|
| | YES* | NO |
| 1. Have any assets been sold or transferred outside the normal course of business during this reporting period? | | X |
| 2. Have any funds been disbursed from any account other than a debtor in possession account? | | X |
| 3. Are any post-petition receivables (accounts, notes, or loans) due from any relatives, insiders, or related party? | | X |
| 4. Have any payments been made on pre-petition liabilities this reporting period? | | X |
| 5. Have any post-petition loans been received by the debtor from any party? | | X |
| 6. Are any post-petition payroll taxes past due? | | X |
| 7. Are any post-petition state or federal income taxes past due? | | X |
| 8. Are any post-petition state or local sales taxes past due? | | X |
| 9. Are any post-petition real estate taxes past due? | | X |
| 10. Are any amounts owed to post-petition creditors/vendors delinquent? | | X |
| 11. Are any wage payments past due? | | X |

*If the answer to any of the above questions is "YES," provide a detailed explanation of each item on a separate sheet.

| INSURANCE INFORMATION | | |
|--|-----|-----|
| | YES | NO* |
| 1. Are real and personal property, vehicle/auto, general liability, fire, theft, worker's compensation, and other necessary insurance coverages in effect? | X | |
| 2. Are all premium payments current? | X | |

*If the answer to any of the above questions is "NO," provide a detailed explanation of each item on a separate sheet.

| CONFIRMATION OF INSURANCE | | | |
|--|--------------------|------------------------------|--------------------|
| TYPE of POLICY and CARRIER | Period of Coverage | Payment Amount and Frequency | Delinquency Amount |
| Homeowners and Flood force placed by Bank of America | | | |
| | | | |
| | | | |
| | | | |

Check here if United States Trustee has been listed as a Certificate Holder on all policies of insurance.

| DESCRIBE PERTINENT DEVELOPMENTS, EVENTS, AND MATTERS DURING THIS REPORTING PERIOD: |
|---|
| <p>Estimated Date of Filing the Plan of Reorganization and Disclosure Statement: <u>7/15/16</u></p> |

BANK ACCOUNT RECONCILIATIONS

| Bank Account Information | Account #1 | Account #2 | Account #3 | Account #4 |
|--|---------------|------------|------------|-------------|
| Name of Bank: | SunTrust | N/A | N/A | N/A |
| Account Number: | 1000175679686 | | | |
| Purpose of Account (Business/Personal) | Personal | | | |
| Type of Account (e.g. checking) | Checking | | | |
| 1. Balance per Bank Statement | \$1,547.64 | | | |
| 2. ADD: Deposits not credited (attach list to this report) | | | | |
| 3. SUBTRACT: Outstanding Checks (attach list) | | | | |
| 4. Other Reconciling Items (attach list to this report) | | | | |
| 5. Month End Balance (Must Agree with Books) | \$1,547.64 | | | |
| TOTAL OF ALL ACCOUNTS | | | | \$ 1,547.64 |

Note: Attach a copy of the bank statement and bank reconciliation for each account.

| Investment Account Information | Date of Purchase | Type of Instrument | Purchase Price | Current Value |
|--------------------------------|------------------|--------------------|----------------|---------------|
| Bank / Account Name / Number | | | | |
| N/A | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

Note: Attach a copy of each investment account statement.

MONTHLY OPERATING REPORT - INDIVIDUAL

ATTACHMENT NO. 3A

CASH DISBURSEMENTS DETAILS - HOUSEHOLD

| | |
|---|---------------|
| Name of Bank | SunTrust |
| Account Number | 1000175679686 |
| Purpose of Account (Personal) | Personal |
| Type of Account (e.g., Checking) | Checking |

[illegible]

If any checks written this period have not been delivered to the payee, provide details, including the payee, amount, explanation for holding check and anticipated delivery date of check.

| |
|--|
| |
| |
| |
| |
| |
| |

**MONTHLY OPERATING REPORT -
INDIVIDUAL**

ATTACHMENT NO. 4

| ACCOUNTS RECEIVABLE RECONCILIATION (Pre- & Post- Petition) | Scheduled Amount | Current Month |
|---|---------------------|---------------|
| | | |
| Accounts Receivable Beginning Balance | | |
| Plus: Billings During the Month | | |
| Less: Collections During the Month | | |
| Adjustments or WriteOffs* | | |
| Accounts Receivable Ending Balance** | | |

| ACCOUNTS RECEIVABLE AGING (Pre- & Post- Petition) | Scheduled Amount | Current Month |
|--|---------------------|---------------|
| | | |
| 0 - 30 Days | | |
| 31 - 60 Days | | |
| 61 - 90 Days | | |
| Over 90 Days | | |
| | | |
| Total Accounts Receivable** | | |

* Attach explanation of any adjustment or writeoff.

** The "current month" of these two lines must equal.

| POST-PETITION TAXES | Beginning Tax Liability* | Amount Withheld & or Accrued |
|--------------------------------------|--------------------------------|------------------------------------|
| Federal Taxes | | |
| Withholding** | | |
| FICA - Employee | | |
| FICA - Employer | | |
| Unemployment | | |
| Income | | |
| Other (Attach List) | | |
| Total Federal Taxes | | |
| | | |
| State & Local Taxes | | |
| Withholding | | |
| Sales | | |
| Unemployment | | |
| Real Property | | |
| Personal Property | | |
| Other (Attach List) | | |
| Total State & Local Taxes | | |
| Total Post-Petition Taxes | | |

* The beginning tax liability should represent the liability from the prior month; or if this is the first report, the amount should be zero

** Attach copies of IRS Form 6123 or your FTD coupon and payment receipt to verify payment or deposit

ATTACHMENT NO. 5

* The beginning A/P liability should represent the liability from the prior month, or if this is the first report, the amount should be zero.

*** List any additional payables on a separate sheet and attach to this schedule.

| POST-PETITION STATUS OF SECURED NOTES, LEASES, AND ADEQUATE PROTECTION PAYMENTS | | | | | |
|---|-------------------------------|------------------------------------|--------------------------|---------------------------|-----------------------------------|
| Name of Secured Creditor / Lessor | Scheduled Monthly Payment Due | Total Past Due From Prior Month(s) | Amount Paid During Month | Total Unpaid Postpetition | Total Number of Payments Past Due |
| N/A | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

Exhibit D – Liquidation Analysis

DANIEL S. BEECROFT

LIQUIDATION ANALYSIS

Assets

Real Property
Personal Property

Value

\$11,750,000.00
\$69,100.00

Total

\$11,819,100.00

Costs

(2% closing costs
(6% commissions

\$940,000.00
\$235,000.00)
\$705,000.00)

NET LIQUIDATION VALUE

\$10,879,000.00

Amount of Secured/Priority Claims

\$6,790,049.74

Amount to General Unsecured Creditors in Liquidation

\$4,088,951.00