

**United States Bankruptcy Court
Western District of Washington**

In re Fidalgo 2010, LLC
Debtor

Case No. 17-14004-TWD

Single Asset Real Estate Case under Chapter 11

FIDALGO 2010, LLC'S COMBINED PLAN AND DISCLOSURE STATEMENT
DATED DECEMBER 11, 2017

I. INTRODUCTION

This is the combined plan and disclosure statement (the "Plan") in the Single Asset Real Estate Chapter 11 case of Fidalgo 2010, LLC (the "Debtor"). This Plan contains information about the Debtor sufficient for you to vote on whether to approve this Plan or not. The proposed distributions under the Plan are discussed at pages 6 through 14 of this document.

Your rights may be affected. You should read the Combined Plan and Disclosure Statement carefully and discuss it with your attorney. If you do not have an attorney, you may wish to consult one.

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 Proponent 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 whole Combined Plan and Disclosure Statement. If confirmed, this Plan will 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 approve this Disclosure Statement and to confirm the Plan will take place at a date and time separately noted, in Courtroom 8106, at the US Courthouse, 700 Stewart Street, Seattle, WA 98101, before Judge T. Dore.

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

If you are entitled to vote to accept or reject the plan, you will be given an opportunity to vote. See section IV.A. below for a discussion of voting eligibility requirements. Your ballot must be received by 7 days prior to the date that will be set by the Court for confirmation of the Plan.

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 the debtor's counsel at least 7 days prior to the hearing.

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

If you want additional information about the Plan, you should contact Larry B. Feinstein, 520 Pike Street, Suite 2250, Seattle, WA 98101.

C. Disclaimer

The Court has not 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.

II. BACKGROUND

A. Description and History of the Debtor's Business

The Debtor is a limited liability company incorporated in the State of Washington. Its sole asset consists of real property located at 22814 Mud Lake Road, Mount Vernon, WA 98273, a single family residence in Skagit County. The property was purchased by the sole members of the limited liability company, Michael and Cindy Beverick, in May 2001, and transferred to the LLC in August 2015. The property is currently leased on a month to month basis to a long term tenant.

B. Insiders of the Debtor and Management of the Debtor Before and During the Bankruptcy

During the pendency of this Chapter 11 case, the property has been managed by Michael Beverick. Michael and his wife Cindy are the sole members of the LLC.

After the effective date of the order confirming the Plan, the director, officer, and voting trustee of the Debtor, any affiliate of the Debtor participating in a joint Plan with the Debtor, or successor of the Debtor under the Plan (collectively the "Post Confirmation Managers") will be the same.

Neither Mr. nor Mrs. Beverick receive any compensation from Fidalgo 2010.

C. Events Leading to Chapter 11 Filing

The subject property has been the center of litigation regarding the validity of the mortgages for which the home was pledged as collateral. The mortgages are allegedly held by Michael and Cindy Beverick, individually, and not Fidalgo 2010, LLC. At the height of the Recession, Michael Beverick noticed several irregularities regarding the then first position mortgage allegedly now held by Mr. Cooper (fka Nationstar). As a result of this litigation and their bad faith actions, Mr. Beverick obtained a judgment against Nationstar's predecessor that invalidated the mortgage. Mr. Beverick refinanced the property with Martin Investments, LLC in 2014. In doing his due diligence, Mr. Beverick obtained the services of Old Republic Title Company to perform a title search, as well as to insure the transaction. The title report returned no mortgage secured to the property, and Martin Investments would be in first position. Nine months later, Nationstar's predecessor vacated the judgment entered against Nationstar and was reinstated as the first position lien holder, which put Martin Investments, LLC in second position. During the litigation, through a back room handshake deal, the terms of which have never been disclosed to Fidalgo 2010, LLC, Old Republic consented to treatment in second position while Nationstar would be in first position.

The Debtor did not consent to this treatment and asserts that Old Republic is in first position and Nationstar is in second position. Nationstar is listed as disputed in the Debtor's Schedules. Only Old Republic Title Company has filed a Proof of Claim herein

as of the date of this plan and disclosure statement. Litigation against Michael and Cindy Beverick continues in the Skagit County Superior Court.

D. Significant Events During the Bankruptcy Case

This case was filed on September 12, 2017. A Meeting of Creditors was held on October 10, 2017. The United States Trustee did not receive a sufficient number of creditors willing to serve on a committee of unsecured creditors, so none was appointed.

The last day to file a Proof of Claim is December 29, 2017. Claims can be filed through the Court's website at <http://www.wawb.uscourts.gov/eclaims.htm>.

E. Projected Recovery of Avoidable Transfers

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

F. 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.

G. Current and Historical Financial Conditions

On Schedule A/B, the Debtor estimated the value of the home to be \$399,900.00, which is the market value for the property as it appears on the Skagit County Assessor's Office's website (2017 value for 2018 taxes) based on comparable sales. The case has been pending for less than three months and the Debtor asserts that no significant change in value has occurred. A copy of the website as it existed on December 7, 2017, is attached as Exhibit A.

 BEGIN PLAN OF REORGANIZATION

III. 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	n/a	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	n/a	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.	Vortman & Feinstein: \$7,500.00 (estimated)	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	n/a	Paid in full on the effective date of the Plan
Other administrative expenses	n/a	Paid in full on the effective date of the Plan or according to separate written agreement
Office of the U.S. Trustee Fees	\$325.00	Paid in full on the effective date of the Plan
TOTAL	\$7,825.00 est.	

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.

There are no priority tax claims against the Debtor.

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.

A. 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>	<u>Impairment</u>	<u>Treatment</u>	
1	<p><i>Secured claim of:</i> Name = Old Republic Title Company</p> <p>Collateral description = 22814 Mud Lake Road, Mt. Vernon, WA 98273</p> <p>Allowed Secured Amount = \$347,417.58</p>	No	Impaired	<p>Monthly Pmt = \$1,659.00</p> <p>Pmts Begin = 1st day of the first full month following effective date of Confirmation of Plan</p> <p>Pmts End = 30 years thereafter</p> <p>Interest rate = 4%</p> <p>Lien = First Position, Retains lien on property until paid in full</p>	

- B. **Specific Additional Treatment of Class 2, Mr. Cooper fka Nationstar.** This Creditor is cautioned to note this additional treatment as it affects their rights and claims. This Plan specifically voids the lien, if any, of Mr. Cooper on the Debtor's real property, under Section 506(a) as this claim would be wholly unsecured; and since this claim is not a claim against the Debtor, but that the Debtor merely pledged its property as collateral for a non-debtor obligor, Michael Beverick, then this claim shall not only be stripped from the debtor's property, but that the Order Confirming Plan to be entered in this matter, may be recorded as necessary with the County Recorder and may contain a provision referencing this Section of the Plan for the purposes of clearing title to the Debtor's property free and clear of any alleged lien asserted by this creditor.

2	<p><i>Secured claim of:</i> Name = Mr. Cooper (fka Nationstar)</p> <p>Collateral description = N/A</p> <p>Allowed Secured Amount = \$0.00</p>	No	<p>Impaired</p> <p>The claim is listed as disputed and contingent, and no claim was filed, and therefore is disallowed.</p>	<p>This obligation has been the subject matter of significant litigation for many years. The property is pledged as collateral on an obligation assumed by Mr. and Mrs. Beverick, to which Fidalgo 2010, LLC is not a party to. Accordingly, this obligation will be paid outside of the Plan by Mr. and Mrs. Beverick as determined by the outcome of that litigation, if any. As to Fidalgo 2010, LLC and its assets, the claim is disallowed. Additionally, any liens purported to be held by Mr. Cooper will be stripped from the property upon confirmation of this Plan.</p>
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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.

There are no claims under §§ 507(a)(1), (4), (5), (6), and (a)(7) of the Code so entitled to priority treatment.

3. *Class[es] 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.

There are no general unsecured claims against the Debtor.

4. *Class[es] 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[es] of equity interest holders:

Class #	Description	Impairment	Treatment
3	Equity interest holders	Unimpaired	Membership shall not be affected by this Plan of Reorganization.

D. Means of Implementing the Plan

1. *Source of Payments*

Payments and distributions under the Plan will be funded by the rental of the home as a single-family residence to the current long-term tenant. Any obligations of Michael and Cindy Beverick will be paid outside of this Plan from their separate incomes.

2. *Post-confirmation Management*

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

Name	Insider?	Position	Annual Compensation
Michael Beverick	Yes	Managing Member	None
Cindy Beverick	Yes	Member	None

E. Risk Factors

The proposed Plan has no known risks that are within the Debtor's control. Risks outside the Debtor's control are primarily those associated with the market for residential real estate. The Debtor anticipates a sufficient capital to service its obligations under the Plan and monthly operating expenses as they come due.

F. Executory Contracts and Unexpired Leases

The Plan 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. The Plan 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 below 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.

Any claim based on the rejection of a contract or lease will be barred if the proof of claim is not timely filed, unless the Court orders otherwise.

Name	Nature of Contract	Assumed or Rejected?	Cure Payment?
John Lund	Month to Month Lease	Assumed	None

G. Tax Consequences of Plan

There are no known tax consequences of this 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.

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END PLAN OF REORGANIZATION
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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 classes 2 and 3 are impaired and that holders of claims in this classes are therefore entitled to vote to accept or reject the Plan. The Plan Proponent believes that class 3 is unimpaired and that holders of claims in this class, therefore, do not have the right to vote to accept or reject the Plan.

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.

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; and
- holders of claims or equity interests in classes that do not receive or retain any value under the Plan;
- 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 “cram down” 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 as Exhibit B.

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. As of October 31, 2017 (the most recent monthly operating report available prior to the filing of this Combined Plan and Disclosure Statement), the Debtor had available cash in the amount of \$2,676.00. See Exhibit C.

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. As shown on Exhibits A through C, the Debtor has sufficient cash flow to make the distributions described herein, and the proposed Plan is feasible.

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

1. Debtors reserve the right to seek confirmation of the Plan notwithstanding the rejection of the Plan by one or more classes of creditors, pursuant to 11 U.S.C. §1129(b).
2. All administrative expenses shall be paid on the effective date of the Plan, or as otherwise agreed by the parties without further court order.
3. The Debtors shall act as their own disbursing agents for payments under the Plan.
4. Secured creditors whose loans are restructured under this Plan shall treat said loans as current and treat said obligations as an ongoing amortizing obligation.
5. On the effective date of the Plan, all property of the Debtors' estate will vest in the reorganized Debtors pursuant to 11 U.S.C. §1141(b), free and clear of all claims and interests, except that the liens of secured creditors shall be retained until all required payments to the creditors under the Plan are completed.
6. Unless otherwise specified, the following default provisions apply to all creditors:
 - a. A "default" shall be defined as the debtor's failure to make a payment or otherwise perform in accordance with this Plan of Reorganization. The Debtor shall have a 15-day grace period following the due date specified herein, during which time the Debtor may make a cure payment. If no due date is specified, that date shall be the 15th day of the month.
 - b. In the event of default and following the 15-day grace period, the creditor occasioning said default shall give the Debtors 30 days' Notice of Default and opportunity to cure. If said default is not cured within 30 days from the date of the Notice, the creditor shall be entitled to relief from the stay under this Plan without further court order, and may enforce any state or federal collection rights that may exist, or as otherwise provided in this Plan for default remedies.
7. Creditors nor any third party on their behalf may not take any actions (including, without limitation, lawsuits or other legal actions, levies, attachments, or garnishments) to enforce or collect either pre-confirmation obligations or obligations due under the Plan, so long as the Debtors are not in material default under the Plan and the creditor has not been granted relief from the stay. Provided that the Debtors do not materially default under the Plan, creditors shall be prohibited from taking any enforcement or collection actions or any kind against the Debtors.

8. In the event a dispute arises as to the interpretation post-confirmation of this Plan or the payment terms therein, the Bankruptcy Court shall retain jurisdiction over the Debtor and the claims administered herein even if the case has been closed administratively, prior to entry of the Order of Discharge.
9. Any notices, requests, and demands required or permitted to be provided under the Plan, in order to be effective, shall be in writing (including, without express or implied limitation, by facsimile transmission and email), and, unless otherwise expressly provided herein, shall be deemed to have been duly given or made within actually delivered or, in the case of notice by facsimile transmission, when received and telephonically confirmed, addressed as follows:

Fidalgo 2010, LLC
c/o Larry B. Feinstein
520 Pike Street, Suite 2250,
Seattle WA 98101

Phone: (206) 223-9595
Fax: (206) 386-5355
Email: feinstein1947@gmail.com
10. 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 and assigns of such entity.

Respectfully Submitted,

/s/ Michael Beverick
Michael Beverick
Managing Member
Fidalgo 2010 LLC

/s/ Larry B. Feinstein
Larry Feinstein, WSBA #6074
Attorney for Debtor

EXHIBITS

Exhibit A: Skagit County Assessor's Parcel Search Information for
22814 Mud Lake Road, Mt. Vernon, WA 98273

Last accessed: December 11, 2017



Property Search

Assessor Information, Taxes, Land Improvements, Value History, Permits

Directory Find It Here Records Contact

Select a search option below:

- Address
- Parcel #
- Owner Name (Last First)
- Road
- XrefID

Enter Owner Name:

Details Improvements Land Transfers History Taxes Permits Sales Comps

Details for Parcel: P23425



Jurisdiction: SKAGIT COUNTY
Zoning Designation: Skagit County - Rural Reserve
[Recorded Documents](#) Documents scanned and recorded by the Auditor's office
[Excise Affidavits](#) Document scans of excise affidavits
[Septic System](#) Septic system information

Parcel Number	XrefID	Quarter	Section	Township	Range
P23425	340402-3-009-0000	SE	02	34	04

Owner Information	Site Address(es)	Map Links
FIDALGO 2010 LLC 12092 W SHUGART FLATS RD LEAVENWORTH, WA 98826	22814 MUD LAKE ROAD <i>[Old Address: 2080 MUD LAKE RD]</i> Skagit County, WA <i>(Jurisdiction, State)</i> Zip Code Lookup Site Address Information	Open in iMap Assessor's Parcel Map: PDF DWF

Current Legal Description [Abbreviation Definitions](#)
 (3.0300 ac) CU F&A #243C AF#763792 1973 PORTION OF LOT 3 SHORT PLAT#51-81 AF#8112170001 DESCRIBED AS FOLLOWS: BEGINNING AT THE SE CORNER OF SAID SECTION 2, (SE SECTION CORNER); THENCE NORTH 89-32-55 WEST, 661.01 FEET ALONG THE SOUTH LINE OF SAID SUBDIVISION TO THE SW CORNER OF THE EAST 10 CHAINS, (660 FEET), OF SAID SUBDIVISION; THENCE NORTH 0-43-49 EAST, 1,449.96 FEET ALONG THE WEST LINE OF SAID EAST 10 CHAINS (ALSO BEING THE EAST LINE OF SAID LOT 3 SHORT PLAT#51-81) AND ALSO BEING THE WEST LINE OF THE PLAT OF PARK ADDITION TO CLEAR LAKE WASHINGTON, TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 52-35-57 WEST, 524.15 FEET; THENCE NORTH 32-19-27 WEST, 282.34 FEET, MORE OR LESS, TO THE SOUTHERLY MARGIN OF THE AS-CONSTRUCTED COUNTY ROAD COMMONLY KNOWN AS THE MUD LAKE ROAD; THENCE NORTHEASTERLY ALONG SAID SOUTHERLY MARGIN, 632.4 FEET, MORE OR LESS, TO SAID WEST LINE OF THE EAST 10 CHAINS, AT A POINT BEARING NORTH 00-43-49 EAST FROM THE TRUE POINT OF BEGINNING; THENCE SOUTH 00-43-49 WEST ALONG SAID WEST LINE, 179.94 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING

2017 Values for 2018 Taxes* Current Use Sale Information		2018 Property Tax Summary	
Building Market Value	\$289,100.00	Deed Type	QUIT CLAIM DEED
Land Market Value	+\$110,800.00	Sale Date	2015-08-10
Total Market Value	\$399,900.00	Sale Price	\$0.00
Current Use Adj	-\$25,200.00	Sale requires NRL disclosure (more info)	
Assessed Value	\$374,700.00	2018 Taxes will be available after 2/15/2018	
Taxable Value	\$374,700.00	Use the Taxes link above for 2017 taxes	

* Effective date of value is January 1 of the assessment year (2017) [Legal Description at time of Assessment](#)

*Land Use	(830) CURRENT USE FARM AN AG	WAC 458-53-030	
Neighborhood	(20SWLAKE) SEDRO WOOLLEY LAKE DISTRICT RESIDENTIAL		
Levy Code	3352	Fire District	F04
School District	SD101	Exemptions	
Utilities	*SEP, WTR-P	Acres	3.03
Improvement 1 Attributes Summary			
Building Style	1 & 1/2 STORY		
Year Built	1910	Foundation	CONCRETE
Above Grade Living Area	2,736 Square Feet	Exterior Walls	SIDING
Finished Basement		Roof Covering	COMP
*Total Living Area	2,736 Square Feet	Heat/Air Conditioning	FORCED AIR
Unfinished Basement		Fireplace	DIRECT VENT
*Total Garage Area	1372 Square Feet	Bedrooms	4
Bathrooms	2 FULL BATHS		

For additional information on individual segments see Improvements tab

* Land Use codes are for assessment administration purposes and do not represent jurisdictional zoning. Please contact the appropriate planning department in your jurisdiction for land use questions.
 * Total living area includes above grade living area and finished basement area.
 * Garage square footage includes all garage areas; basement garages, attached garages, detached garages, etc.
Assessment data for improvements is based on exterior inspections. Please contact the Assessor's office if the information does not accurately reflect the interior characteristics.

Exhibit B: Liquidation Analysis

K. Michael Fitzgerald, Seattle Chapter 13 Standing Trustee

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Liquidation Analysis

	<u>Asset Value</u>	<u>Exemption Value</u>	<u>Liens Value</u>
A1:	399900	0	347417.58
A2:	0	0	0
A3:	0	0	0
A4:	0	0	0
A5:	0	0	0
A6:	0	0	0
A7:	0	0	0
A8:	0	0	0
A9:	0	0	0
Cash:	0	0	0

Calculate Liquidation Analysis

\$399,900.00 Total Real/Personal Property Value

\$0.00 Total Exempt Value

\$399,900.00

\$39,990.00 Cost of Sale (COS)

\$359,910.00

\$1,250.00 Ch7 Trustee Fee @ 25% on COS

\$3,499.00 Ch7 Trustee Fee @ 10% on COS

\$355,161.00

\$347,417.00 Total Lien Value

\$7,744.00

\$1,001.00 Ch7 Trustee Fee @ 10% on Lien

\$16,870.35 Ch7 Trustee Fee @ 5% on Lien

\$-10,127.35

\$-10,127.35 Liquidation Amount

Exhibit C: Monthly Operating Report for October 2017

**MONTHLY FINANCIAL REPORT FOR
CORPORATE OR PARTNERSHIP DEBTOR**

Case No. 17-14004 Report Month/Year OCT. 2017
 Debtor FIDALGO 2010 LLC

INSTRUCTIONS: The debtor's monthly financial report shall include a cover sheet signed by the debtor and all UST forms and supporting documents. Exceptions, if allowed, are noted in the checklist below. Failure to comply with the reporting requirements of Local Bankruptcy Rule 2015-2(a), or the United States Trustee's reporting requirements, is cause for conversion or dismissal of the case.

The debtor has provided the following with this monthly financial report:		Yes	No
UST-12	Comparative Balance Sheet, or debtor's balance sheet. The debtor's balance sheet, if used, shall include a breakdown of pre- and post-petition liabilities. The breakdown may be provided as a separate attachment to the debtor's balance sheet.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
UST-13	Comparative Income Statement, or debtor's income statement.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
UST-14	Summary of Deposits and Disbursements	<input checked="" type="checkbox"/>	<input type="checkbox"/>
UST-14 Continuation Sheets	Statement(s) of Cash Receipts and Disbursements A Continuation Sheet shall be completed for each bank account or other source of debtor funds and shall include a monthly bank statement and all supporting documents described in the instructions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
UST-15	Statement of Aged Receivables A detailed accounting of aged receivables shall be provided on, or in an attachment to, UST-15.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
UST-16	Statement of Aged Post-Petition Payables A detailed accounting of aged post-petition payables shall be provided on, or in an attachment to, UST-16.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
UST-17	Other Information When applicable, attach supporting documents such as an escrow statement for the sale of real property or an auctioneer's report for property sold at auction. When changes or renewals of insurance occur, attach a copy of the new certificate of insurance or a copy of the bond.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

CONTACT INFORMATION

Who is the best person to contact if the UST has questions about this report?

Name MIKE BEUERICK (MANAGER) FIDALGO 2010 LLC
 Telephone 3603019918
 Email _____

Debtor

FIDALGO 2011 LLC

Case Number

⇒

17-14004

Report Mo/Yr

⇒

OCTOBER 2017

DEBTOR'S CERTIFICATION

INSTRUCTIONS: The debtor, or trustee, if appointed, must answer questions 1 and 2 and sign this financial report where indicated below. Only an officer or director has authority to sign a financial report for a corporate debtor and only a general partner has authority to sign a financial report for a partnership debtor. Debtor's counsel may not sign a financial report for the debtor.

Question 1 At month end, was the debtor delinquent on any post-petition tax obligation?

Yes No
If yes, list each delinquent post-petition tax obligation on page 9.

Question 2 For purposes of calculating the debtor's obligation under 28 U.S.C. 1930(a)(6) to pay a quarterly fee to the United States Trustee, **TOTAL DISBURSEMENTS** this month from all sources were:

Complete page 6 to calculate **TOTAL DISBURSEMENTS** and enter the total here.
\$

I certify under penalty of perjury that other information contained in this monthly financial report is complete, true, and accurate to the best of my knowledge, information, and belief.

Debtor's signature


MANAGER 2010 LLC

Date 10-10-17

Monthly Financial Reports (due on the 14th of the subsequent month)

Original Place of Filing:

Seattle, WA ▼	Tacoma, WA ▼
File the <u>original</u> with the court:: United States Bankruptcy Court United States Courthouse 700 Stewart Street, Suite 6301 Seattle, WA 98101	File the <u>original</u> with the court:: United States Bankruptcy Court 1717 Pacific Avenue, Suite 2100 Tacoma, WA 98402
AND serve a <u>copy</u> on each of the following:	
<ul style="list-style-type: none"> ● Each member of any committees elected or appointed pursuant to the Bankruptcy Code, and to their authorized agents. ● Debtor's counsel. 	
NOTE: If the report is electronically filed with the Court, the United States Trustee will be served automatically. There is no need to serve an additional copy on the United States Trustee.	

Debtor

FIDALGO 2010 LLC

Case Number

↔

17-14004

Report Mo/Yr

↔

OCTOBER 2017

UST-12, COMPARATIVE BALANCE SHEET

As of month ending ↔		10/31/17	
ASSETS			
Current Assets			
Cash	BALANCE PEOPLES	21,078.76	
Cash - Held by Others (Escrow & Attorney Trust Accounts)			
Accounts Receivable (net)		N/A	
Notes Receivable		N/A	
Inventory		N/A	
Prepaid Expenses		N/A	
Other (attach list)			
Total Current Assets		21,078.76	
Fixed Assets			
Real Property/Buildings		399,000	
Equipment		N/A	
Accumulated Depreciation		N/A	
Total Fixed Assets		\$0.00	
Other Assets (attach list)			
TOTAL ASSETS	?	401,678.76	
LIABILITIES			
Post-Petition Liabilities			
Taxes Payable			
Other Accounts Payables			
Notes Payable			
Rents, Leases & Mortgages Payable			
Accrued Interest			
Other (specify)			
Total Post-Petition Liabilities		\$0.00	

(contd. on next page)

Debtor

FIDALGO 2010 LLC

Case Number

→

17-14004

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→

OCTOBER 2017

UST-12, COMPARATIVE BALANCE SHEET (contd.)

As of month ending →			
Pre-Petition Liabilities			
Unsecured Debt	N/A		
Priority Debt:			
Taxes	N/A		
Wages	N/A		
Deposits			
Other			
Notes Payable (Secured Debt)	550,000 +	347,417.58	= 897,417.58
Total Pre-Petition Liabilities			
TOTAL LIABILITIES			
EQUITY			
Stockholders' Equity (Or Deficit)	N/A		
Capital Stock	N/A		
Paid-In Capital	N/A		
Retained Earnings	N/A		
Total Stockholders' Equity (Or Deficit)	N/A		
Partners' Investment (Or Deficit)			
TOTAL LIABILITIES AND STOCKHOLDERS' EQUITY OR PARTNERS' INVESTMENT			

Footnotes to balance sheet:

Debtor

FIDALGO 2010 LLC

Case Number

→

17-14004

Report Mo/Yr

→

OCTOBER 2017

UST-13, COMPARATIVE INCOME STATEMENT

For the month of →	OCTOBER 2017		
GROSS SALES	2000.00		
Less: Returns and Allowances	N/A		
Net Sales	N/A		
Cost of Sales:			
Beginning Inventory			
Add: Purchases			
Less: Ending Inventory			
Cost of Goods Sold			
GROSS MARGIN	2000.00		
Other Operating Expenses:			
Officers' Salaries	N/A		
Other Salaries/Direct Labor	N/A		
Employee Benefits/Payroll Taxes	N/A		
Insurance	(96.24)		
Rent	N/A		
General and Administrative	(10)		
NET OPERATING PROFIT (LOSS)	1893.76		
Add: Other Income		1020	
Less: Interest Expense	N/A		
Other Adjustments to Income (Explain)	(4325.00)		
Gain (Loss) on Sale of Assets	N/A		
Net Profit (Loss) Before Taxes	N/A		
Income Taxes	N/A		
NET PROFIT (LOSS)	(1411.24)		

Notes:

Gift from M. + C. Beverick \$1020
 Deposit into Feinstkin Trust Acct. \$4000
 US Trustee Fee \$325

Case Number → _____

Debtor _____

Report Mo/Yr → _____

**UST-22, REAL ESTATE CASH FLOW
CONTINUATION SHEET**

INSTRUCTIONS: Complete the following statement detailing the cash flow for each parcel of real property held for investment purposes. [REDACTED] When reporting expenditures, do not include depreciation or other non-cash expenses. Copy this page if needed to report additional properties and attach a copy of the monthly bank statement for all relevant accounts.

Description and/or location of real property	(a)	(b)	(c)
Mud Lake Rd.			
Bank name/account number (attach bank statements)	People's Bank 5167		
Gross Rents or Receipts	2000		TOTAL (a) thru (c) **
Cash Expenditures			
Mortgage Payment (P&I)			
Insurance	(96.24)		
Property Taxes			
Other Expenses			
Maintenance & Repairs			
Management Fees			
Cleaning & Supplies			
Utilities	UST Fees (325)		
Other (specify)	Bank Fees (10)		
Deposit into Trust	ATM Fees (4000)		
Total Cash Expenditures	4431.24		**
NET CASH INFLOW (OUTFLOW)	(2431.24)		**
If this property was sold or foreclosed during this reporting month, enter the date here. <small>CS</small>			

**Transfer these page totals to the Summary on page 12.

Attach additional copies of this page as needed

UST-22 Continuation Sheet

Debtor

FIDALGO 2010 LLC

Case Number →

17-14004

Report Mo/Yr →

OCTOBER 2017

UST-14, SUMMARY OF DEPOSITS & DISBURSEMENTS

INSTRUCTIONS: BEFORE COMPLETING THIS PAGE, prepare a UST-14 CONTINUATION SHEET (see next page) for each bank account or other source of the debtor's funds. The deposit and disbursement total from each CONTINUATION SHEET will be used to complete this SUMMARY.

The debtor is responsible for providing an accurate monthly disbursement total for the purpose of calculating its obligation pursuant to 28 U.S.C. § 1930 (a)(6) to pay statutory fees to the United States Trustee. The disbursement total encompasses all payments made by the bankruptcy estate during the reporting month, whether made directly by the debtor or by another party for the debtor. It includes checks written and cash payments for inventory and equipment purchases, payroll and related taxes and expenses, other operating costs, and debt reduction. It also includes payments made pursuant to joint check arrangements and those resulting from a sale or liquidation of the debtor's assets. The only transactions normally excluded from the disbursement total are transfers within the same reporting month between multiple debtor accounts.

A fee payment is due within 30 days after the end of each calendar quarter, or on April 30, July 31, October 31, and January 31, respectively. Since the amount billed is an estimate, the debtor is responsible for paying the correct statutory fee based on its actual disbursements for the calendar quarter, or portion thereof the debtor was in Chapter 11. Failure to pay statutory fees to the United States Trustee is cause for conversion or dismissal of the case. A copy of the statutory fee schedule may be found attached to this report. If you have questions computing the disbursement total, contact the Bankruptcy Analyst assigned to your case at (206) 553-2000.

Summary of Deposits This Month

Deposits from UST-14 Continuation Sheet(s)	3020.00
Cash receipts not included above (if any)	
TOTAL RECEIPTS ⇨	3020.00

Summary of Disbursements This Month

Disbursements from UST-14 Continuation Sheet(s)	4431.24
Disbursements resulting from asset sales out of the ordinary course (see Page 13, Question 1)	
Disbursements made by other parties for the debtor (if any, explain)	
TOTAL DISBURSEMENTS ⇨	4431.24
NET CASH FLOW (TOTAL RECEIPTS MINUS TOTAL DISBURSEMENTS) ⇨	(1411.24)

Note: Enter the amount for **TOTAL DISBURSEMENTS** here and on Page 2.

At the end of this reporting month, did the debtor have any delinquent statutory fees owing to the United States Trustee? Yes No If "Yes", list each quarter that is delinquent and the amount due.

(UST-14 CONTINUATION SHEETS, with attachments, should follow this page.)

Debtor FIDALGO 2010 LLC

Case Number → 17-14004
 Report Mo/Yr → OCTOBER 2017

**UST-14, CONTINUATION SHEET
 STATEMENT OF CASH RECEIPTS AND DISBURSEMENTS**

INSTRUCTIONS: Prepare a CONTINUATION SHEET for each bank account or other source of the debtor's funds and attach supporting documents as indicated on the checklist below.

Depository (bank) name →	<u>PEOPLES BANK 5167</u>	
Account number →		
Purpose of this account (select one): <input checked="" type="checkbox"/> General operating account <input type="checkbox"/> General payroll account <input type="checkbox"/> Tax deposit account (payroll, sales, gambling, or other taxes) <input type="checkbox"/> Other (explain) _____		
Beginning cash balance		<u>4,090.00</u>
Add: Transfers in from other estate bank accounts		
Cash receipts deposited to this account		<u>3,020.00</u>
Financing or other loaned funds (identify source)		
Total cash available this month		<u>7,110.00</u>
Subtract: Transfers out to other estate bank accounts		
Cash disbursements from this account (total checks written plus cash withdrawals, if any)		<u>4,431.24</u>
Adjustments, if any (explain)		
Ending cash balance		<u>2,678.76</u>
Does this CONTINUATION SHEET include the following supporting documents, as required:		
<ul style="list-style-type: none"> • A monthly bank statement (or trust account statement); • A detailed list of receipts for that account (deposit log or receipts journal); • A detailed list of disbursements for that account (check register or disbursement journal); and, • If applicable, a detailed list of funds received and/or disbursed by another party for the debtor. 	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

UST-14 CONTINUATION SHEET, Number _____ of _____

Debtor

FIDALGO ZOLOLL

Case Number →

17-14004

Report Mo/Yr →

OCTOBER 2017

UST-14, SUMMARY OF DISBURSEMENTS (contd.)

Payments on Pre-Petition Unsecured Debt (requires court approval)

Did the debtor, or another party on behalf of the debtor, make any payments during this reporting month on pre-petition unsecured debt? Yes No If "Yes", list each payment.

Table with 5 columns: Payee's name, Nature of payment, Payment date, Payment amount, Date of court approval. All cells are empty.

Payments to Attorneys and Other Professionals (requires court approval)

Did the debtor, or another party on behalf of the debtor, make any payments during this reporting month to a professional such as an attorney, accountant, realtor, appraiser, auctioneer, business consultant, or other professional person? Yes No If "Yes", list each payment.

Table with 5 columns: Professional's name, Type of work performed, Payment date, Payment amount, Date of court approval. Row 1: * Deposit made to Vertman + Feinstein IOLTA Account Held in Trust pending court approval. Row 2: Larry B. Feinstein BK Atty, 10/4/17, 4,000*.

Payments to an Officer, Director, Partner, or Other Insider of The Debtor

Did the debtor, or another party on behalf of the debtor, make any payments during this reporting month to an officer, director, partner, or other insider of the debtor? Yes No If "Yes", list each payment.

Table with 5 columns: Payee's name, Relationship to debtor, Payment date, Payment amount, Purpose of payment. All cells are empty.

INSTRUCTIONS: Use the last column to describe the purpose of each payment, such as gross wages or salary, reimbursement for business expenses, loan repayment, advance, draw, bonus, dividend, stock distribution, or other reason for the payment(explain).

Debtor

FIDALGO 2010 LLC

Case Number

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17-14004

Report Mo/Yr

→

OCTOBER 2017

UST-15, STATEMENT OF AGED RECEIVABLES

INSTRUCTIONS: Complete all portions of UST-15, STATEMENT OF AGED RECEIVABLES, unless the debtor asserts the following two statements are true for this reporting month:

- 1) At the beginning of the reporting month, the debtor did not have any uncollected receivables from prior months which includes both pre-petition and post-petition accounts receivable; and,
- 2) During the reporting month, the debtor did not have any receivables activity, including the accrual of new accounts receivable, or the collection or writeoff of accounts receivable from prior months.

Check here if the debtor asserts that both statements are correct and skip to UST-16, STATEMENT OF POST-PETITION PAYABLES, on the next page.

Accounts Receivable Aging

	Balance at month end	Current portion	Past due 31-60 days	Past due 61-90 days	Past due over 90 days	Uncollectible receivables
Pre-petition receivables	N/A					→
Post-petition receivables	N/A					→
TOTALS						

Explain what efforts the debtor made during this reporting month to collect receivables over 60 days past due.

N/A

Does the debtor have any accounts receivable due from an officer, director, partner, or other insider of the debtor? If yes, explain.

N/A

Accounts Receivable Reconciliation

Closing balance from prior month	N/A
New accounts receivable added this month	N/A
Subtotal	N/A
Less accounts receivable collected	N/A
Closing balance for current month	N/A

Debtor

FIDALGO 2010 LLC

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OCTOBER 2017

UST-16, STATEMENT OF POST-PETITION PAYABLES
PART A - TAXES

INSTRUCTIONS: Complete both pages of PART A - TAXES unless the debtor asserts the following statement is true for this reporting month:

At the end of this reporting month, the debtor did not have any unpaid post-petition taxes which includes both current and delinquent tax obligations.

Check here if the debtor asserts the statement is correct, and skip to PART B - OTHER PAYABLES on Page 10.

Reconciliation of Unpaid Post-Petition Taxes

Type of tax	(1) Unpaid post-petition taxes from prior reporting month	(2) Post-petition taxes accrued this month (new obligations)	(3) Post-petition tax payments made this reporting month	(4) Unpaid post-petition taxes at end of reporting month (Column 1+2-3 = 4)
Federal Taxes				
Employee withholding taxes	N/A			
FICA/Medicare—Employee	N/A			
FICA/Medicare—Employer	N/A			
Unemployment	N/A			
State Taxes				
Dept. of Revenue	N/A			
Dept. of Labor & Industries	N/A			
Empl. Security Dept.	N/A			
Other Taxes				
Local city/county	N/A			
Gambling	N/A			
Personal property	N/A			
Real property	N/A			
Other	N/A			
Total Unpaid Post-Petition Taxes				\$ N/A

Debtor FIDALGO 2010 LLC

Case Number → 17-14004
Report Mo/Yr → OCTOBER 2017

**UST-16, STATEMENT OF POST-PETITION PAYABLES
PART A - TAXES (contd.)**

Delinquent Tax Reports and Tax Payments (post-petition only)

Taxing agency	Tax reporting period	Report due date	Payment due date	Amount due
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>

Explain the reason for any delinquent tax reports or tax payments:

Debtor

FIDALGO 2010 LLC

Case Number →

17-14004

Report Mo/Yr →

OCTOBER 2017

**UST-16, STATEMENT OF POST-PETITION PAYABLES
PART B - OTHER PAYABLES**

INSTRUCTIONS: Complete both pages of PART B - OTHER PAYABLES unless the debtor asserts that this statement is true for this reporting month:

Except for taxes and professional fees disclosed in PART A and PART C of this report, respectively, the debtor has no other unpaid post-petition payables from the current reporting month, or from any prior reporting months.

Check here if the debtor asserts the statement is correct, and skip to PART C - ESTIMATED PROFESSIONAL FEES on Page 12.

Reconciliation of Post-Petition Payables (excluding taxes and professional fees)

Closing balance from prior month	
New payables added this month	
Subtotal	
Less payments made this month	
Closing balance for this reporting month	\$

Breakdown of Closing Balance by Age

Current portion	
Past due 1-30 days	
Past due 31-60 days	
Past due 61-90 days	
Past due over 90 days	
Total	\$

For accounts payable more than 30 days past due, explain why payment has not been made:

Debtor FIDALGO 2010 LLC

Case Number → 17-14004
Report Mo/Yr → OCTOBER 2017

**UST-16, STATEMENT OF POST-PETITION PAYABLES
PART B - OTHER PAYABLES (contd.)**

INSTRUCTIONS: List each post-petition payable delinquent more than 30 days. Alternatively, attach the debtor's accounts payable aging report if the report: 1) clearly separates pre-and post-petition accounts payable, and, 2) identifies each delinquent payable by vendor's name, invoice date, invoice amount, and payment due date.

Delinquent Post-Petition Payables (excluding taxes and professional fees)

Vendor name	Invoice date	Invoice amount	Payment due date
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>

Debtor FUDALGO 2010 LLC

Case Number → 17-14004
 Report Mo/Yr → OCTOBER 2017

**UST-16, STATEMENT OF POST-PETITION PAYABLES
 PART C - ESTIMATED PROFESSIONAL FEES**

INSTRUCTIONS: Report only post-petition professional fees and expenses. To the extent possible, use billing statements to report the actual amounts due. If billing statements are not available, use the best information available to estimate the fees and costs.

Type of professional	Amount of retainer (if applicable)	Fees and expenses from prior months	Fees and expenses added this month	Total estimated fees and expenses at month end
Debtor's counsel	4000	Balance 9/30/17 533.00	4029.00	563.00
Debtor's accountant				
Debtor's other professional (explain)				
Trustee's counsel				
Creditors' Committee Counsel				
Creditors' Committee other				
Total estimated post-petition professional fees and costs				\$ 563.00

Debtor FIDA LBN 2010 LLC

Case Number → 17-14004
 Report Mo/Yr → OCTOBER 2017

UST-17, OTHER INFORMATION

INSTRUCTIONS: Answer each question fully and attach additional sheets if necessary to provide a complete response.

Yes No

Question 1 - Sale or Abandonment of the Debtor's Assets. Did the debtor, or another party on behalf of the debtor, sell, transfer, or otherwise dispose of any of the debtor's assets during the reporting month? Include only sales out of the ordinary course. *The debtor must attach an escrow statement for each sale of real property and an auctioneer's report for each auction.*

Yes No

<u>Asset Description</u>	<u>Date of Court Approval</u>	<u>Method of Disposition</u>	<u>Gross Sales Price</u>	<u>Net Proceeds Received (&Date)</u>	<u>Escrow Statement or Auctioneer's Report Attached?</u>
1.					
2.					
3.					
4.					
5.					
Total _____					

Any disbursements made from escrow or trust accounts from the proceeds of the above transactions should also be included on the line of UST-14 entitled "Disbursements from sales out of the ordinary course."

Question 2 - Financing. During the reporting month, did the debtor receive any funds from an outside funding source?

Yes No

<u>Date of Court Approval</u>	<u>Amount</u>	<u>Source of funds</u>	<u>Date Received</u>
Total _____			

Question 3 - Insider Loans/Capital Contributions. During the reporting month, did the debtor receive any funds from an officer, director, partner, or other insider of the debtor?

Yes No

<u>Date of Court Approval</u>	<u>Amount</u>	<u>Source of funds</u>	<u>Date Received</u>
N/A	\$1020	Gift from Michael + Cindy Beverick	10/20/17
Total <u>1020</u>			

Debtor FIDRALOW 2010 LLC

Case Number → 17-14004
 Report Mo/Yr → OCTOBER 2017

UST-17, OTHER INFORMATION

	Yes	No
Question 4 - Insurance and Bond Coverage. Did the debtor renew, modify, or replace any insurance policies during this reporting month? Renewals: <u>Provider</u> <u>New Premium</u> <u>Is a Copy Attached to this Report?</u> Changes: <u>Provider</u> <u>New Premium</u> <u>Is a Copy Attached to this Report?</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Were any insurance policies canceled or otherwise terminated for any reason during the reporting month? If yes, explain.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Were any claims made during this reporting month against the debtor's bond? (Answer "No" if the debtor is not required to have a bond. If yes, explain.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Question 5 - Personnel Changes. Complete the following:		
	Full-time	Part-time
Number of employees at beginning of month	<u>—</u>	<u>—</u>
Employees added	<u>—</u>	<u>—</u>
Employees resigned/terminated	<u>—</u>	<u>—</u>
Number employees at end of month	<u>—</u>	<u>—</u>
	Gross Monthly Payroll and Taxes \$ <u>n/a</u>	
Question 6 - Significant Events. Explain any significant new developments during the reporting month.		
Question 7 - Case Progress. Explain what progress the debtor made during the reporting month toward confirmation of a plan of reorganization. <u>Meeting of Creditors 10/10/17</u> <u>Amendments to Schedules and SOFA</u>		

Debtor FIDATECO 2010 LLC

Case Number → 17-4004
 Report Mo/Yr → OCTOBER 2017

STATUTORY FEE SCHEDULE		
If the debtor's disbursements for the calendar quarter are within these amounts. . .		Then the quarterly fee due is. . .
From	To	
-0-	\$14,999.99	\$325
\$15,000	\$74,999.99	\$650
\$75,000	\$149,999.99	\$975
\$150,000	\$224,999.99	\$1,625
\$225,000	\$299,999.99	\$1,950
\$300,000	\$999,999.99	\$4,875
\$1,000,000	\$1,999,999.99	\$6,500
\$2,000,000	\$2,999,999.99	\$9,750
\$3,000,000	\$4,999,999.99	\$10,400
\$5,000,000	\$14,999,999.99	\$13,000
\$15,000,000	\$29,999,999.99	\$20,000
\$30,000,000 or more		\$30,000

Make check payable to: United States Trustee Mail quarterly fee payments to: US Trustee Program Payment Center PO Box 530202 Atlanta, GA 30353-0202	For calendar quarter ending. . .	A fee payment is due on. . .
	March 31	April 30
	June 30	July 31
	September 30	October 31
	December 31	January 31
Send your payment and quarterly fee payment stub <i>ONLY</i> . Any disbursement stubs, monthly operating reports, correspondence, court notices, etc., sent to the lockbox will be destroyed .		

***** NOTICE OF INTEREST ASSESSMENT *****

Pursuant to 31 U.S.C. §3717, the United States Trustee Program will begin assessing interest on unpaid Chapter 11 quarterly fees charged in accordance with 28 U.S.C. §1930(a) effective October 1, 2007. The interest rate assessed is the rate in effect as determined by the Treasury Department at the time your account becomes past due.

NOTICE

DISCLOSURE OF INTENT TO USE TAXPAYER IDENTIFYING NUMBER FOR THE PURPOSE OF COLLECTING AND REPORTING DELINQUENT QUARTERLY FEES OWED TO THE UNITED STATES TRUSTEE PURSUANT TO 28 U.S.C. § 1930(a)(6)

Please be advised that, pursuant to the Debt Collection Improvements Act of 1996, Public Law 104-134, Title III, § 31001(i)(3)(A), 110 Stat. 1321-365, codified at 31 U.S.C. § 3701, the United States Trustee intends to use the debtor's Taxpayer Identification Number ("TIN") as reported by the debtor or debtor's counsel in connection with the chapter 11 bankruptcy proceedings for the purpose of collecting and reporting on any delinquent debt, including chapter 11 quarterly fees, that are owed to the United States Trustee.

The United States Trustee will provide the debtor's TIN to the Department of Treasury for its use in attempting to collect overdue debts. Treasury may take the following steps: (1) submit the debt to the Internal Revenue Service Offset Program so that the amount owed may be deducted from any payment made by the federal government to the debtor, including but not limited to tax refunds; (2) report the delinquency to credit reporting agencies; (3) send collection notices to the debtor; (4) engage private collection agencies to collect the debt; and, (5) engage the United States Attorney's office to sue for collection. Collection costs will be added to the total amount of the debt.