



**Dated: February 25, 2020**  
**The following is ORDERED:**

*Jennie D. Latta*

Jennie D. Latta  
UNITED STATES BANKRUPTCY JUDGE

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UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

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In re  
WILLIAM H. THOMAS, JR.,  
Debtor.

Case No. 16-27850-L  
Chapter 11

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**ORDER DENYING “MOTION TO COMPEL REPORT FROM THE TRUSTEE  
AND APPEARANCE BY THE TRUSTEE TO PROVIDE TESTIMONY  
AT THE STATUS CONFERENCE SET FOR JANUARY 16, 2020” AND  
“SUPPLEMENTAL MOTION TO COMPEL REPORT FROM THE TRUSTEE”**

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THE MOTION OF THE DEBTOR, William H. Thomas, Jr., styled “Motion to Compel Report from the Trustee and Appearance by the Trustee to Provide Testimony at the Status Conference Set for January 16, 2020” [Dkt. No. 759], was filed January 2, 2020. The Debtor asks that the Trustee, Michael E. Collins:

- (1) File a written status report and submit to “examination by the court, the debtor, or any creditor concerning the status reports he is required to submit and whether the Trustee has properly executed his fiduciary duties to the estate.”

- (2) “[P]rovide a written explanation of the reason he has refused to fund payment of the estate’s administrative expenses including property taxes and salaries from his receipt of reimbursement of legal fees paid by the State of Tennessee in order to force Debtor to agree to a Plan or face conversion of his case to Chapter 7 liquidation.”
- (3) “[I]ssue a recommendation as to whether the Debtor, Williams H. Thomas, Jr., should be reinstated as the Debtor in Possession.”

The motion of the Debtor styled, “Supplemental Motion to Compel Report from the Trustee” [Dkt. No. 790], was filed January 23, 2020. The Supplemental Motion requests that:

- (1) “[T]he Trustee’s Supplemental Report address all of the inquiries set forth in the Debtor’s original Motion to Compel (ECF No. 759) and appear to testify as requested.”
- (2) “[T]he Trustee’s Supplemental Report address all of the matters set forth in the Debtor’s letter of January 23, 2020 to the Office of the U.S. Trustee” and in which the Debtor contended “that the Trustee had not complied with his duties set forth in 11 U.S.C. § 704.”

The Trustee filed his First Interim Report on January 13, 2020 [Dkt. No. 775], and gave an oral report to the court on January 16, 2020. The court was satisfied with the report of the Trustee and his progress in administering this estate. The court ordered the Trustee to file a second interim report on February 13, 2020, and a third interim report on March 13, 2020 [Dkt. No. 785]. The Trustee timely filed his Second Interim Report on February 10, 2020 [Dkt. No. 823].

The court denied “Debtor’s Motion to Compel Payment by the Trustee of Administrative Expenses” on January 28, 2020, without prejudice to the filing of appropriate applications for the allowance of administrative claims by affected persons [Dkt. No. 807].

The Trustee filed his First Motion to Sell Property on January 30, 2020 [Dkt. No. 810]. The Trustee indicates that he intends to fund outstanding administrative expenses from the proceeds of the proposed sale by auction of three parcels of real property owned by the estate. The Debtor and the Debtor's wife have objected to the motion [Dkt. Nos. 828 and 841]. The motion and objections are set for hearing on February 27, 2020.

The Trustee filed a plan and disclosure statement on February 10, 2020 [Dkt. Nos. 821 and 822].

A status conference is scheduled for February 27, 2020, at which the court will hear comments from the Trustee. The court is satisfied with the activities of the Trustee and finds the motions of the Debtor to be redundant in light of the court's prior orders.

Accordingly, the "Motion to Compel Report from the Trustee and Appearance by the Trustee to Provide Testimony at the Status Conference Set for January 16, 2020" and the "Supplemental Motion to Compel Report from the Trustee" are **DENIED**.

cc: Debtor (pro se)  
Chapter 11 Trustee  
Attorney for Chapter 11 Trustee  
United States Trustee  
Attorney(s) for United States Trustee  
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