Fill in this information to identify the case:

Debtor 1 ELIZABETH ANN NAYLOR

Debtor 2 (Spouse, if filing) RONALD STEPHEN OWENS

United States Bankruptcy Court for the: District of Arizona

Case number 2:25-bk-07596-PS

Official Form 410

# Proof of Claim

04/25

**Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.**

**Filers must leave out or redact** information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. **Do not send original documents;** they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to $500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

**Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy** (Form 309) **that you received.**

## Part 1: Identify the Claim

1. **Who is the current creditor?**

Dale W. Gunn and Mark Naylor jointly
Name of the current creditor (the person or entity to be paid for this claim)

Other names the creditor used with the debtor

2. **Has this claim been acquired from someone else?**

☑ No
☐ Yes. From whom?

3. **Where should notices and payments to the creditor be sent?**

Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)

**Where should notices to the creditor be sent?**

Name: Alan A. Meda, Burch & Cracchiolo, P.A.
Number Street: 1850 N. Central Ave., Suite 1700
City: Phoenix State: AZ ZIP Code: 85004
Contact phone 602-234-8797
Contact email ameda@bcattorneys.com

**Where should payments to the creditor be sent?** (if different)

Name
Number Street
City State ZIP Code
Contact phone
Contact email

Uniform claim identifier (if you use one):

4. **Does this claim amend one already filed?**

☑ No
☐ Yes. Claim number on court claims registry (if known) ______ Filed on MM / DD / YYYY

5. **Do you know if anyone else has filed a proof of claim for this claim?**

☑ No
☐ Yes. Who made the earlier filing?

**Part 2: Give Information About the Claim as of the Date the Case Was Filed**

**6. Do you have any number you use to identify the debtor?**

- ☑ No
- ☐ Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: ____ ____ ____ ____

**7. How much is the claim?**

$ 136,703.00. **Does this amount include interest or other charges?**

- ☐ No
- ☑ Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

**8. What is the basis of the claim?**

Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card.

Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).

Limit disclosing information that is entitled to privacy, such as health care information.

loans, cash advances and entitlement to proceeds

**9. Is all or part of the claim secured?**

- ☑ No
- ☐ Yes. The claim is secured by a lien on property.

**Nature of property:**

- ☐ Real estate. If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim.*
- ☐ Motor vehicle
- ☐ Other. Describe: ____________________

**Basis for perfection:** ____________________

Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)

**Value of property:** $__________

**Amount of the claim that is secured:** $__________

**Amount of the claim that is unsecured:** $__________(The sum of the secured and unsecured amounts should match the amount in line 7.)

**Amount necessary to cure any default as of the date of the petition:** $__________

**Annual Interest Rate** (when case was filed)_______%

- ☐ Fixed
- ☐ Variable

**10. Is this claim based on a lease?**

- ☑ No
- ☐ Yes. **Amount necessary to cure any default as of the date of the petition.** $__________

**11. Is this claim subject to a right of setoff?**

- ☑ No
- ☐ Yes. Identify the property: ____________________

| | | |
|---|---|---|
| 12. **Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?**<br><br>A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority. | ☑ No<br>☐ Yes. *Check one:* | **Amount entitled to priority** |
| | ☐ Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B). | $__________ |
| | ☐ Up to $3,800* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7). | $__________ |
| | ☐ Wages, salaries, or commissions (up to $17,150*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4). | $__________ |
| | ☐ Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8). | $__________ |
| | ☐ Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5). | $__________ |
| | ☐ Other. Specify subsection of 11 U.S.C. § 507(a)(__) that applies. | $__________ |

* Amounts are subject to adjustment on 4/01/28 and every 3 years after that for cases begun on or after the date of adjustment.

## Part 3: Sign Below

**The person completing this proof of claim must sign and date it. FRBP 9011(b).**

If you file this claim electronically, FRBP 5005(a)(3) authorizes courts to establish local rules specifying what a signature is.

**A person who files a fraudulent claim could be fined up to $500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.**

*Check the appropriate box:*

- ☐ I am the creditor.
- ☑ I am the creditor's attorney or authorized agent.
- ☐ I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.
- ☐ I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 10/22/2025
MM / DD / YYYY

Signature

**Print the name of the person who is completing and signing this claim:**

Name: Alan A. Meda
First name / Middle name / Last name

Title: Attorney

Company: Burch & Cracchiolo PA
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address: 1850 N. Central Ave., Suite 1700
Number / Street
Phoenix / AZ / 85004
City / State / ZIP Code

Contact phone: 602-234-8797
Email: ameda@bcattorneys.com

## 2. Trust / Estate Settlement

| | | | |
|---|---|---|---|
| Sale of Running Water house | $320,000 | Net | $316,000 |
| Estate Sale | | | $ 3,430 |
| Net | | | $319,340 |

| | |
|---|---|
| M. Naylor / D. Gunn Advances to Estate (as of 7/5/2023) | - $ 92,581 |
| Less 5% to Mark Naylor & Dale Gunn per Will | - $ 28,640 |
| | $198,119 |

As a 50% beneficiary, Elizabeth Owen's obligations to MN & DG,

As set forth in the provisions of the Settlement Agreement and reaffirmed in the Side Agreement

| | |
|---|---|
| 50% of cash advances to the Trust | $ 46,290 |
| 50% of E.W.N. Will/Directive to MN & DG | $ 14,320 |
| Schwab reconciliation | $ 2.200 |
| EO Promissory Notes to MN & DG | $ 65,000 |
| Interest & fees (as of 9/10/2025) | $ 8,893 |
| TOTAL | $ 136,703 |

1. Estate / Will / Trust Reconciliation

The estate of Elizabeth Williams Naylor consisted of her home, personal property in the home, a Schwab account, and a Raymond James investment account. (See Exhibit A; Settlement Agreement)   Total:  $572,794.73

Her will stipulated that the Trustees (Mark Naylor [MN] & Dale Gunn [DG]) receive 5% of the estate.  $ 28,640.

The house was sold on March 30, 2023, for $320,000; net $316,000.

The estate sale netted $3430.  Most of the art and antiques were distributed to MN or placed in storage for Elizabeth Naylor Owens (EO).

Settlement Agreement

ACKNOWLEDGMENT AND APPROVAL OF ACCOUNTING, APPROVAL OF ADMINISTRATION, AND RELEASE OF FIDUCIARIES

Item # 6.  Schwab Account

EO withdrew all of the $4400 in the account without asking MN.   This item references redistributing 50% ($2200) back to MN

Item # 7. Indebtedness Pending Sale of Residence

Acknowledging the amount of cash advanced to the 2011 Trust by DG in Exhibit C. Also refences that additional advances may be incurred before the sale of the residence.

Item # 8. Personal Loans to Jan (Jan Black Owens, aka Elizabeth Ann Owens, aka Elizabeth Naylor)

Acknowledges personal loans to EO in the sum of $45,000 at the time of the Agreement. An additional $20,00 in loans made after the Settlement Agreement.

3.

# PROMISSORY NOTES

(as of 9/10/2025)

| DATE OF LOAN | AMOUNT | 4% INTEREST BEGINS | No. Days | INTEREST DUE |
|---|---|---|---|---|
| 10/7/2021 | $12,000 | 10/11/2021 | 1431 | $ 1882.00 |
| 12/15/2021 | $13,000 | 2/1/2022 | 1318 | $ 1877.00 |
| 1/18/2022 | $20,000 | 2/1/2022 | 1318 | $ 2888.00 |
| 7/1/2022 | $10,000 | 8/1/2022 | 1137 | $ 1248.00 |
| 2/22/2023 | $10,000 | 8/1/2023 | 772 | $ 848.00 |
| | | | | $ 8743.00 |
| Each wire transfer = $30 x 5 = $150 | | | | + $ 150 |
| | | | TOTAL | $ 8893.00 |

Individual Notes plus wire transfer bank statements for each loan included. Emails from EO to MN or DG referencing each note also included