

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In Re:

Bky File No. 04-43131-NCD
Chapter 13

SCOTT KEVIN KERSSEN

Debtor

NOTICE OF MOTION AND MOTION FOR ALLOWANCE OF
COMPENSATION BY G. MARTIN JOHNSON, LTD.
COUNSEL FOR THE DEBTOR

1. G. MARTIN JOHNSON, LTD., ("Applicant") moves the Court for allowance of compensation for services and reimbursement of expenses.
2. The Court will hold a hearing on this Motion on **October 27, 2004 at 10:30 a.m. in Courtroom West 7, Seventh Floor, US Courthouse, 300 South 4th Street, Minneapolis, MN 55415.** or as soon thereafter as counsel can be heard.
3. Any objection to this Motion must be filed and delivered not later than **10:30 a.m. on October 22, 2004**, which is three days before the time set for the hearing (excluding Saturdays, Sundays and holidays), or filed and served by mail not later than **October 18, 2004**, which is seven days before the time set for hearing (excluding Saturdays, Sundays and holidays). **UNLESS A RESPONSE OPPOSING THE MOTION IS TIMELY FILED, THE COURT MAY GRANT THE MOTION WITHOUT HEARING.**
4. This Court has jurisdiction under 28 U.S.C. Sec §§§157 and 1334, Fed. R. Bankr. P. 5005, and Local Rule 1070-1.

NARRATIVE SECTION:

5. This Case was commenced by the filing of voluntary petition under chapter 13 on June 2, 2004. This case is still pending in this court.
6. Applicant has filed no prior Motions for payment of fees and/or expenses. No caps or limitations have been agreed upon with regard to Applicant's fees.
7. The names of all the Applicant's professionals and paraprofessionals requesting fees and the hourly rate charged by each is as follows:

G. Martin Johnson	\$200.00
Laurel A. Correll	\$125.00
Chris A. Snyder	\$125.00

The above rates are comparable to that charged nonbankruptcy clients for similar services. No agreements or understanding exists regarding the sharing of fees with any other entity or individual.

8. This Motion is a final motion. No interim motions have been applied for or received.

9. This Motion covers the period from May 25, 2004 through September 22, 2004.

CASE STATUS:

10. To the best of Applicant's knowledge, the financial condition and status of the case is as follows:

- | | |
|--|----------------------------|
| a. Cash on hand or on deposit: | unknown |
| b. Amount of and nature of accrued unpaid administrative expenses: | none other than Applicants |
| c. Amount of unencumbered funds in estate: | unknown |
| d. Operating profit or loss: | unknown |

11. On September 3, 2004, the Court entered an Order Confirming Debtor's Chapter 13 Plan.

PROJECT SUMMARY:

12. The services rendered are reflected on Exhibit A in chronological order and on Exhibit B by category.

- Case Administration

Services rendered consisted of conferences with client, conference with creditor's counsel regarding valuation of vehicles and vehicle insurance requirements and plan treatment of vehicle, conference with creditor regarding plan treatment and insurance requirements.

Hours	3.90	
Fees		\$630.00

- Creditors Meeting

Services rendered consist of preparation for and attendance at 341 meeting.

Hours	2.30	
Fees		\$422.50

Fee Application

Services rendered consist of preparing motion for approval of fees and expenses in conformity with the local rules.

Hours	2.50	
Fees		\$387.50

Petition/Plan Preparation

Services rendered consist of preparation of petition and plan, Preparation of amended petition and schedules, Preparation of Plan and modified Plans dated July 7, 2004 and July 9, 2004; negotiation with Trustee's office regarding terms of Plans.

Hours	16.20	
Fees		\$2,790.00

13. On information and belief, the Trustee has on hand unrestricted funds collected by the Estate out of which the fees would be paid in accordance with Debtor's Chapter 13 Plan dated June 2, 2004, as modified July 7, 2004 and July 9, 2004.

VERIFICATION

The undersigned declares, under penalty of perjury, that he has reviewed the Motion for compensation and reimbursement for expenses and believes the information contained therein to be true and correct, to the best of his knowledge and belief. G. MARTIN JOHNSON, LTD. has incurred time in the amount of \$4,230.00 and expenses in the amount of \$297.00. G. MARTIN JOHNSON, LTD. requests the Court to allow it Final compensation in the amount of \$2,703.00 and reimbursement of expenses in the amount of \$297.00 for a total of \$3,000.00.

Dated: September 22, 2004

G. MARTIN JOHNSON, LTD.

By: /e/ G. Martin Johnson
G. Martin Johnson (0052279)
Attorney for Debtor
3800 West Old Shakopee Road
Bloomington, MN 55431
Tel: 952-881-9758
Fax: 952-881-2172

G. MARTIN JOHNSON, LTD.
ATTORNEY AT LAW

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FAX (952) 881-2172
EMAIL: gmjohnson@isd.net

12400 PORTLAND AVENUE SOUTH
SUITE 132
BURNSVILLE, MINNESOTA 55337
TELEPHONE: (952) 882-1566

September 22, 2004

INVOICE

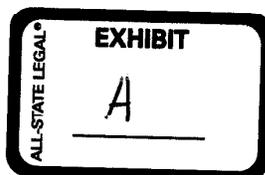
Invoice submitted to:

Scott K. Kerksen
2000 Pennsylvania Ave. North
Golden Valley MN 55427

In Reference Bankruptcy
To: File No. 2124-42054

Professional Services

<u>Time</u>		<u>Hours</u>	<u>Amount</u>
5/25/2004	LAC Preparation of petition and schedules.	1.00	125.00
5/28/2004	GMJ Receive and review and amend petition; being preparation of plan.	1.50	300.00
	GMJ Finalize plan; pull valuation on vehicles; analyze cram down related issues.	1.30	260.00
6/2/2004	GMJ Conference with client regarding review and execution of petition.	0.70	140.00
6/8/2004	CAS Receive and review 341 notice; mail petition with notice to client.	0.50	62.50
6/14/2004	LAC Letter to client regarding auto insurance requirement for Ramsy Law Firm	0.50	62.50
6/29/2004	GMJ Telephone conference with client regarding 341 meeting and related issues.	0.30	60.00
7/2/2004	GMJ Travel to 341 meeting; attend same; return to office.	1.50	300.00
	GMJ Telephone conference with Ramsey Law firm regarding issues regarding to plan treatment of vehicle.	0.30	60.00
	GMJ Prepare Modified Plan; email to client for review.	1.50	300.00
	GMJ Telephone conference with Ramsey Law firm regarding plan treatment; email to client regarding same.	0.30	60.00
7/6/2004	GMJ Telephone conference with client regarding terms of modified plan.	0.30	60.00
	GMJ Preparation of amended schedules; prepare service notice.	1.00	200.00
	GMJ Finalization of First Modified Plan; preparation of service notices.	1.00	200.00



			<u>Hours</u>	<u>Amount</u>
7/7/2004	LAC	Copy and mail modified chapter 13 plan	0.50	62.50
	LAC	E-filing with Court; amended petition and schedules and amended Chapter 13 plan	1.00	125.00
	LAC	Copy and mail amended petition and amended schedule	0.50	62.50
7/8/2004	GMJ	Telephone conference with secured creditor regarding plan treatment.	0.30	60.00
	GMJ	Fax to counsel for lender regarding extended warranty coverage and plan modification.	0.30	60.00
	GMJ	Finalize Modified Plan; Finalize Notice of Modified Plan; prepare for service and e-filing.	1.00	200.00
7/9/2004	LAC	Copy and mailed of amended chapter 13 plan filed/copy/mailed 2003 tax return and divorce decree to trustee.	1.00	125.00
	LAC	Preparation of documents for document for e-filing with Court; e-filing of same.	0.50	62.50
7/13/2004	LAC	Mailing of amended notice date for confirmation	0.50	62.50
	LAC	E-filing with Court notice of amended confirmation date	0.50	62.50
7/26/2004	GMJ	Telephone conference with client regarding Mitsubishi related issues and plan treatment.	0.30	60.00
7/28/2004	GMJ	Telephone conference with Trustee's office regarding Second Modified Plan; Telephone conference with client regarding same; Begin preparation of Third Modified Plan and service notice.	1.40	280.00
7/29/2004	GMJ	Finalize Third Modified Plan; finalize service notices; prepare for filing and service.	0.50	100.00
	LAC	Preparation of documents for e-filing with Court; e-filing of same, modified third chapter 13 plan pre confirmation	0.50	62.50
	CAS	Copy and mail to creditors third modified plan notice	1.00	125.00
8/4/2004	GMJ	Telephone conference with Mitsubishi regarding plan treatment.	0.40	80.00
8/23/2004	LAC	Letter to client regarding insurance information on vehicle	0.50	62.50
9/21/2004	GMJ	Begin preparation of Fee Application.	1.00	200.00
	LAC	Finalize of Fee Application; prepare for mailing and filing with Court.	1.50	187.50
SUBTOTAL:			[24.90	4,230.00]
For professional services rendered			24.90	\$4,230.00
Additional Charges :				
		\$Copies		60.00
		\$Filing Bky		194.00
		\$Parking		4.00
		\$Postage		39.00

	<u>Amount</u>
Total costs	\$297.00
Total amount of this bill	<u>\$4,527.00</u>
Balance due	<u>\$4,527.00</u>

G. MARTIN JOHNSON, LTD.
ATTORNEY AT LAW

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TELEPHONE: (952) 882-1566

September 22, 2004

INVOICE

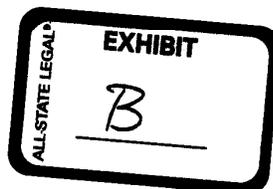
Invoice submitted to:

Scott K. Kerssen
2000 Pennsylvania Ave. North
Golden Valley MN 55427

In Reference Bankruptcy
To: File No. 2124-42054

Professional Services

		<u>Hours</u>	<u>Amount</u>
<u>CASE ADMINISTRATION</u>			
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7/2/2004	GMJ Telephone conference with Ramsey Law firm regarding issues regarding to plan treatment of vehicle.	0.30	60.00
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8/23/2004	LAC Letter to client regarding insurance information on vehicle	0.50	62.50
SUBTOTAL:		[3.90	630.00]
<u>CREDITORS MEETI</u>			
6/8/2004	CAS Receive and review 341 notice; mail petition with notice to client.	0.50	62.50



			<u>Hours</u>	<u>Amount</u>
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7/2/2004	GMJ	Travel to 341 meeting; attend same; return to office.	1.50	300.00
SUBTOTAL:			[2.30	422.50]
<u>FEE APPLICATION</u>				
9/21/2004	LAC	Finalize of Fee Application; prepare for mailing and filing with Court.	1.50	187.50
	GMJ	Begin preparation of Fee Application.	1.00	200.00
SUBTOTAL:			[2.50	387.50]
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5/25/2004	LAC	Preparation of petition and schedules.	1.00	125.00
5/28/2004	GMJ	Receive and review and amend petition; being preparation of plan.	1.50	300.00
	GMJ	Finalize plan; pull valuation on vehicles; analyze cram down related issues.	1.30	260.00
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	<u>Hours</u>	<u>Amount</u>
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	<u>16.20</u>	<u>2,790.00</u>
SUBTOTAL:	[]
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\$Copies		60.00
\$Filing Bky		194.00
\$Parking		4.00
\$Postage		<u>39.00</u>
Total costs		\$297.00
Total amount of this bill		<u>\$4,527.00</u>
Balance due		<u><u>\$4,527.00</u></u>

SUMMARY SHEET

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In Re:

Bky File No. 04-43131-NCD
Chapter 13

SCOTT KEVIN KERSSEN

Debtor

Fees Previously Requested: \$ 0

Fees Previously Awarded: \$ 0

Expenses Previously Requested: \$ 0

Expenses Previously Awarded: \$ 0

Current Application:

Fees Requested: \$2,703.00

Expenses Requested: \$297.00

FEE APPLICATION

NAME OF PROFESSIONAL TO PRACTICE	YEAR ADMITTED	HOURS BILLED CURRENT APPLICATION	RATE	TOTAL FEES FOR APPLICATION
G. Martin Johnson	1973	24.90	\$200.00	\$2,703.00

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In Re:

Bky File No. 04-43131-NCD
Chapter 13

SCOTT KEVIN KERSSEN

Debtor

UNSWORN CERTIFICATE OF SERVICE

I, G. Martin Johnson, declare under penalty of perjury that on September 22, 2004, I mailed copies of the foregoing Notice of Motion and Motion for Allowance of Compensation, Proposed Order and cover letter by first class mail, postage prepaid, to each entity named below at the address stated below for each entity.

See attached list

Executed on: September 22, 2004

/e/ G. Martin Johnson
G. Martin Johnson

G. MARTIN JOHNSON, LTD.

ATTORNEY AT LAW

3800 WEST OLD SHAKOPEE ROAD

BLOOMINGTON, MINNESOTA 55431

TELEPHONE (952) 881-9758

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BURNSVILLE, MINNESOTA 55337

TELEPHONE: (952) 882-1566

Reply to X

G. Martin Johnson

Paralegal

Laurel A. Correll

Chris A. Snyder

September 22, 2004

TO ALL PARTIES ON THE ATTACHED SERVICE LIST:

Re: Scott Kevin Kerssen
Bky File No. 04-43131-NCD
Our File No. 2124-42054

Enclosed please find and herewith served upon you by U.S. Mail the following:

1. Notice of Motion and Motion for Allowance of Compensation and Reimbursement of Expenses by Counsel for Debtor;
2. Proposed Order.

Yours very truly,

/e/ G. Martin Johnson

G. Martin Johnson

GMJ/lc

enclosures

SCOTT KEVIN KERSSEN
2000 PENNSYLVANIA AVENUE NORTH
GOLDEN VALLEY, MINNESOTA 55427

CHASE VISA
P O BOX 52095
PHOENIX AZ 85072

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C/O ECAST SETTLEMENT GROUP
BOX 35480
NEWARK NU 07193-5480

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7300 METRO BOULEVARD
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P O BOX 2624
CAROL STREAM IL 60134

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FT LAUDERDALE FL 33336

HOUSEHOLD AUTOMOTIVE FINANCE CO
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MITSUBISHI MOTORS CREDIT OF AME
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941 LBJ FREEWAY. SUSITE 350
DALLAS TX 75243

AMERICAN EXPRESS
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DALLAS TX 75265

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MMCA
BOX 2624
CAROL STREAM IL 60134

BEST BUY
RETAIL SERVICES
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CAROL STREAM IL 60197 4144

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MMCA
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BEST BUY INC
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300 SOUTHWEST FOURTH STREET
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C/O ECAST SETTLEMENT GROUP
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NEWARK NU 07193-5480

KELLER, JASMINE -CHAPTER 13 TRU
OFFICE OF THE CHAPTER 13 TRUSTE
12 SOUTH 6TH STREET
SUITE 310
MINNEAPOLIS MN 55402

CHASE MASTERCARD
P O BOX 52108
PHOENIX AZ 85072

MBNA
P O BOX 15102
WILLMINGTON DE 19886

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In Re:

Bky File No. 04-43131-NCD
Chapter 13

SCOTT KEVIN KERSSSEN

ORDER FOR APPROVAL OF APPLICATION OF
DEBTOR'S COUNSEL FOR FEES AND EXPENSES

Debtor

At Minneapolis, Minnesota on October 27, 2004.

This matter came on for hearing before the undersigned pursuant to the Motion submitted by G. MARTIN JOHNSON, LTD. Based upon the files, records and proceedings herein,

IT IS HEREBY ORDERED:

1. That the Motion of G. MARTIN JOHNSON, LTD., dated September 22, 2004, is hereby allowed in the amount of \$2,703.00 for services rendered, and the amount of \$297.00 for the reimbursement of expenses incurred, for a total allowance in the amount of \$3,000.00.
14. 2. That Trustee shall pay to G. Martin Johnson, Ltd., as funds become available, in accordance with the terms of Debtor's Chapter 13 Plan dated June 2, 2004, as modified July 7, 2004 and July 9, 2004, the sum of \$3,000.00.

BY THE COURT:

Dated: October 27, 2004

Bankruptcy Judge