

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

IN RE:

David W. Nickel,

Debtor.

**NOTICE OF APPLICATION
FOR COMPENSATION**

BKY 03-36573

TO: UNITED STATES TRUSTEE, CHAPTER 13 TRUSTEE, and other parties in interest.

Ian Traquair Ball, Applicant, moves the Court for an order allowing payment of compensation and gives notice of hearing as more fully described below.

1. The Court will hold a hearing on this application on September 13, 2004, at 2:00 p.m., in Courtroom 228B, U.S. Courthouse, 316 North Robert Street, St. Paul, Minnesota.

2. This application is filed under Bankruptcy Rule 2016 and Local Rule 2016-1(b); this proceeding arises under 11 U.S.C. §329 and §330. This court has jurisdiction pursuant to 28 U.S.C. §157 and §1334. The petition commencing this case was filed on September 26, 2003 and converted to a Chapter 13 case on January 19, 2004; the Chapter 13 plan was confirmed on June 24, 2004..

3. Any response to this application must be filed and personally delivered by September 10, 2004 or mailed by September 8, 2004.

4. Applicant was retained by Debtor as Counsel to convert his Chapter 7 case to a Chapter 13 case and for services while this case is pending before this Court. Applicant has received \$250 to date from Debtor in connection with this converted Chapter 13 case. Applicant has not previously submitted a fee application in this case.

5. Applicant has spent a total of 21 hours in rendering services in connection with the above-described Chapter 13 plan, including conferences with Debtor, review of claims, calculation of payment schedules, responding to plan inquiries from creditors, preparation

of modified plan, correspondence to client and trustee, and appearance at hearings as necessary. The hourly rate charged for the above-described services is \$175, which Applicant believes is a reasonable rate for an attorney of comparable experience and training

6. An itemization of Applicant's services by task and time in connection with the plan is attached to this application as Exhibit A.

7. The total amount owed is \$3,675. Applicant has been paid \$250 in connection with the conversion. Applicant has not entered into any agreement for the sharing of compensation which is prohibited by law.

WHEREFORE, Applicant requests the Court to award \$3,425 for compensation for services rendered in behalf of Debtor and to order the trustee to pay such amount to Applicant pursuant to 11 U.S.C. §330 and Local Rule 2016.1.

/e/ Ian Traquair Ball _____

Ian Traquair Ball #4285
Attorney for Debtor
326 Plymouth Building
12 South Sixth Street
Minneapolis, MN 55402
Tel: (612) 338-1313

Dated: August 9, 2004

SUMMARY OF SERVICES

| <u>Date</u> | <u>Service rendered</u> | <u>Time</u> |
|-------------|--|-------------|
| 1/12/04 | Review of Chapter 7 file, property exemptions. | .60 |
| 1/13/04 | Draft letter to client re exempt property, Chapter 13 option, prepare draft of Chapter 13 plan. | 2.25 |
| 1/14/04 | Review letter from client, bank loan documents, partial release. Letter to Ch 7 trustee, client. Prepare petition. | 1.75 |
| 1/21/04 | letter to Ch 13 trustee. | .20 |
| 1/26/04 | Letter to client re farm land. | .80 |
| 2/10/04 | Reschedule hearing, letter to trustee. | .10 |
| 2/19/04 | Letter to client re new hearing date, prepare and file notice of rescheduled hearing. | .80 |
| 2/20/04 | Conference with trustee re case status, letter to client. | .75 |
| 2/27/04 | Letter to client re IRS notice, request for tax return. | .25 |
| 4/26/04 | Review letter from trustee re dismissal. | .60 |
| 4/28/04 | Letter to client re case status, plan options. | 1.10 |
| 5/12/04 | Letter to client. | .10 |
| 5/26/04 | Tel. conference with client, letter to trustee. | .75 |
| 5/28/04 | Review trustee motion to convert, letter to client. | 1.50 |
| 6/01/04 | Review letter from client. Draft revised plan, letter to client. | 1.75 |
| 6/08/04 | Tel. conference with client re revised plan. | .30 |
| 6/09/04 | Redraft plan, letter to client. | 1.10 |
| 6/14/04 | File modified plan, serve trustee, creditors. | .40 |
| 6/16/04 | Amend schedules, letter to client. | .80 |
| 6/15/04 | Attend Chapter 13 hearing, Redwood Falls. | 3.5 |
| 6/20/04 | Prepare amended schedules A, I, J, file with court. | .80 |
| 6.27/04 | Review letter from client, quit claim deed, draft letter to trustee. | <u>.80</u> |
| | TOTAL HOURS | 21.00 |

Signed: /e/ Ian Traquair Ball
Ian Traquair Ball

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In re:

**CERTIFICATE OF
SERVICE**

David W. Nickel,

BKY 03-36573

Debtor(s).

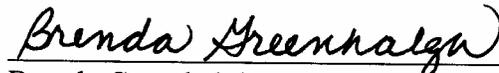
I, Brenda Greenhalgh, declare under penalty of perjury that on August 10, 2004, I mailed copies of the foregoing Notice of Application for Compensation to each entity named below at the stated addresses.

Michael J. Farrell
Chapter 13 Trustee
P.O. Box 519
Barnesville, MN 56514

United States Trustee
1015 US Courthouse
300 South 4th Street
Minneapolis MN 55415

David W. Nickel
608 Second Avenue West
Lamberton, MN 56152

Dated: August 10, 2004



Brenda Greenhalgh

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

IN RE:

David W. Nickel,

ORDER

Debtor.

BKY 03-36573

This matter came on for hearing on September 13, 2004, on the application of Ian Traquair Ball, attorney for Debtor, for allowance of fees incurred in connection with this Chapter 13 case. Appearances were noted in the record. Having determined that the services rendered on behalf of the Debtor were reasonable and necessary and benefitted the Debtor and creditors in this case,

IT IS ORDERED:

- A. Compensation to the Applicant in the amount of \$3,675, is hereby allowed; \$250 of which has been paid by the Debtor leaving a balance of \$3,425.
- B. The Chapter 13 Trustee is directed to pay \$3,425 to Applicant for allowed compensation as funds become available from payments by Debtor.

Dated: _____

United States Bankruptcy Judge