

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In Re:

Bky File No. 04-31736 DDO
Chapter 13

Russell Lee Nichols
Connie Jean Nichols

Debtors

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

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 **September 1, 2004 at 11:15 a.m. in Courtroom 228A, Warren E. Burger Federal Building, 316 North Robert Street, St. Paul, MN 55101** or as soon thereafter as counsel can be heard.
3. Any objection to this Motion must be filed and delivered not later than **11:15 a.m. on August 27, 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 **August 23, 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 March 23, 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 non-bankruptcy 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 February 17, 2004 through July 26, 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 July 16, 2004, the Court entered an Order Confirming Debtors' 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, negotiation with Trustee's office regarding terms of plan; preparing and service of notice regarding continued hearing dates and e-filing same with Court.

Hours	5.50	
Fees		\$950.00

Creditors Meeting

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

Hours	3.90	
Fees		\$705.00

Fee Application

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

Hours	4.00	
Fees		\$650.00

- Petition/Plan Preparation

Services rendered consist of preparation of petition; preparation of First Modified Plan; preparation and service of Notice of First Modified Plan and filing with Court.

Hours	8.40	
Fees		\$1,417.50

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 Debtors' Plan dated March 20, 2004 as modified June 5, 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 \$3,722.50 and expenses in the amount of \$300.25. G. MARTIN JOHNSON, LTD. requests the Court to allow it Final compensation in the amount of \$2,699.75 and reimbursement of expenses in the amount of \$300.25 for a total of \$3,000.00.

Dated: July 27, 2004

G. MARTIN JOHNSON, LTD.

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

G. MARTIN JOHNSON, LTD.
ATTORNEY AT LAW

3800 WEST OLD SHAKOPEE ROAD
BLOOMINGTON, MINNESOTA 55431
TELEPHONE (952) 881-9758
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EMAIL: gmjohnson@isd.net

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

July 26, 2004

INVOICE

Invoice submitted to:

Russel and Connie Nicholas
411 13th Street
Red Wing MN 55066

In Reference Bankruptcy
To: File No. 2058-42016

Professional Services

			<u>Hours</u>	<u>Amount</u>
	<u>Time</u>			
2/17/2004	LAC	Preparation of petition and schedules.	2.00	250.00
	GMJ	Review and amend petition; preparation of plan.	2.00	400.00
3/16/2004	GMJ	Amend petition and plan; email client regarding filing.	0.40	80.00
3/20/2004	GMJ	Conference with client regarding review and execution of petition and plan.	1.00	200.00
3/23/2004	GMJ	Finalize petition and plan; e-filing with Court.	1.00	200.00
3/30/2004	GMJ	Receive and review 341 notice; Telephone conference with Clerk's office regarding need to reschedule.	0.30	60.00
4/6/2004	GMJ	Preparation of Notice of Continuance; prepare for e-filing.	0.60	120.00
4/7/2004	LAC	Mailing of continuance notice to interested parties.	0.50	62.50
	LAC	E-filing of continuance 341 hearing.	0.50	62.50
5/4/2004	GMJ	Travel to 341 meeting; attend same; return to office.	2.00	400.00
	GMJ	Telephone conference to Trustee regarding continuance and best interest of creditors.	0.30	60.00
	GMJ	Preparation of Continuance Notice; preparation of service letter; prepare for filing.	1.00	200.00
5/5/2004	LAC	Mail to creditors notice of continuance of hearing/efile with Court	1.00	125.00



		<u>Hours</u>	<u>Amount</u>
5/6/2004	GMJ Telephone conference with Clerk's office; Telephone conference with Margaret Culp regarding clarification of date; prepare second notice of continued confirmation; prepare service notice.	1.00	200.00
	LAC File Continuanace of hearing/efile with court	0.50	62.50
	CAS Mailed continance of hearing to creditors	0.50	62.50
6/3/2004	GMJ Telephone conference with Trustee regarding continuance and related issues.	0.40	80.00
6/4/2004	GMJ Prepare Second Notice of Continuance; prepare service notices; review creditor claims are additional service requirements; prepare e-file notice with Court.	0.80	160.00
	GMJ Preparation of First Modified Plan and related service notices.	1.00	200.00
	CAS Mailed second notice of continuance of hearing on confirmation	0.50	62.50
6/7/2004	GMJ Prepare First Modified Plan for E Filing.	0.50	100.00
	LAC Copy and mail amended Chapter13 plan to creditors and client	0.50	62.50
	CAS Copy and mail to creditors and client amended Chapter 13 plan	0.50	62.50
7/26/2004	GMJ Begin preparation of Fee Application.	1.00	200.00
	LAC Finalize Fee Application; prepare for service on interested parties; prepare and e-file application.	2.00	250.00
SUBTOTAL:		[21.80	3,722.50]
For professional services rendered		21.80	\$3,722.50
Additional Charges :			
	\$Copies		50.00
	\$Filing Bky		194.00
	\$Postage		56.25
	Total costs		\$300.25
Total amount of this bill			\$4,022.75
Balance due			\$4,022.75

G. MARTIN JOHNSON, LTD.
ATTORNEY AT LAW

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TELEPHONE (952) 881-9758
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12400 PORTLAND AVENUE SOUTH
SUITE 132
BURNSVILLE, MINNESOTA 55337
TELEPHONE: (952) 882-1566

July 26, 2004

INVOICE

Invoice submitted to:

Russel and Connie Nicholas
411 13th Street
Red Wing MN 55066

In Reference To: Bankruptcy
File No. 2058-42016

Professional Services

		<u>Hours</u>	<u>Amount</u>
<u>CASE ADMINISTRA</u>			
5/4/2004	GMJ	Telephone conference to Trustee regarding continuance and best interest of creditors.	0.30 60.00
	GMJ	Preparation of Continuance Notice; preparation of service letter; prepare for filing.	1.00 200.00
5/5/2004	LAC	Mail to creditors notice of continuance of hearing/efile with Court	1.00 125.00
5/6/2004	CAS	Mailed continuance of hearing to creditors	0.50 62.50
	GMJ	Telephone conference with Clerk's office; Telephone conference with Margaret Culp regarding clarification of date; prepare second notice of continued confirmation; prepare service notice.	1.00 200.00
	LAC	File Continuance of hearing/efile with court	0.50 62.50
6/3/2004	GMJ	Telephone conference with Trustee regarding continuance and related issues.	0.40 80.00
6/4/2004	GMJ	Prepare Second Notice of Continuance; prepare service notices; review creditor claims are additional service requirements; prepare e-file notice with Court.	0.80 160.00
SUBTOTAL:		[5.50	950.00]
<u>CREDITORS MEETI</u>			
3/30/2004	GMJ	Receive and review 341 notice; Telephone conference with Clerk's office regarding need to reschedule.	0.30 60.00



			<u>Hours</u>	<u>Amount</u>
4/6/2004	GMJ	Preparation of Notice of Continuance; prepare for e-filing.	0.60	120.00
4/7/2004	LAC	Mailing of continuance notice to interested parties.	0.50	62.50
	LAC	E-filing of continuance 341 hearing.	0.50	62.50
5/4/2004	GMJ	Travel to 341 meeting; attend same; return to office.	2.00	400.00
SUBTOTAL:			[3.90	705.00]
<u>FEE APPLICATION</u>				
3/23/2004	GMJ	Finalize petition and plan; e-filing with Court.	1.00	200.00
7/26/2004	GMJ	Begin preparation of Fee Application.	1.00	200.00
	LAC	Finalize Fee Application; prepare for service on interested parties; prepare and e-file application.	2.00	250.00
SUBTOTAL:			[4.00	650.00]
<u>PETITION/PLAN PREPAR</u>				
2/17/2004	GMJ	Review and amend petition; preparation of plan.	2.00	400.00
	LAC	Preparation of petition and schedules.	2.00	250.00
3/16/2004	GMJ	Amend petition and plan; email client regarding filing.	0.40	80.00
3/20/2004	GMJ	Conference with client regarding review and execution of petition and plan.	1.00	200.00
6/4/2004	GMJ	Preparation of First Modified Plan and related service notices.	1.00	200.00
	CAS	Mailed second notice of continuance of hearing on confirmation	0.50	62.50
6/7/2004	GMJ	Prepare First Modified Plan for E Filing.	0.50	100.00
	LAC	Copy and mail amended Chapter13 plan to creditors and client	0.50	62.50
	CAS	Copy and mail to creditors and client amended Chapter 13 plan	0.50	62.50
SUBTOTAL:			[8.40	1,417.50]
For professional services rendered			21.80	\$3,722.50
Additional Charges :				
		\$Copies		50.00
		\$Filing Bky		194.00
		\$Postage		56.25
Total costs				\$300.25
Total amount of this bill				\$4,022.75

	<u>Amount</u>
Balance due	<u>\$4,022.75</u>

SUMMARY SHEET

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In Re:

Bky File No. 04-31736 DDO
Chapter 13

Russell Lee Nicholas
Connie Jean Nichols

Debtors

Fees Previously Requested: \$ 0
Fees Previously Awarded: \$ 0

Expenses Previously Requested: \$ 0
Expenses Previously Awarded: \$ 0

Current Application:

Fees Requested: \$2,699.75
Expenses Requested: \$ 300.25

FEE APPLICATION

NAME OF PROFESSIONAL TO PRACTICE	YEAR ADMITTED TO PRACTICE	HOURS BILLED CURRENT APPLICATION	RATE	TOTAL FOR APPLICATION
G. Martin Johnson	1973	21.80	\$200.00	\$3,722.50

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In Re:

Bky File No. 04-31736 DDO
Chapter 13

Russell Lee Nicholas
Connie Jean Nichols

Debtors

UNSWORN CERTIFICATE OF SERVICE

I, G. Martin Johnson, declare under penalty of perjury that on July 27, 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: July 27, 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
FAX (952) 881-2172
EMAIL: gmjohnson@isd.net

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

Reply to X

G. Martin Johnson

Paralegal
Laurel A. Correll
Chris A. Snyder

July 27, 2004

TO ALL PARTIES ON THE ATTACHED SERVICE LIST:

Re:	Russell Lee Nicholas and Connie Jean Nichols
Bky File No.	04-31736 DDO
Our File No.	2058-42016

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 Debtors;
2. Proposed Order.

Yours very truly,

/e/ G. Martin Johnson
G. Martin Johnson
GMJ/lc
enclosures

RUSSELL LEE NICHOLS
411 13TH STREET
RED WING, MINNESOTA 55066

BANK ONE VISA
P O BOX 94014
PALATINE IL 60094

CITIBANK, NA
C/O RESURGENT CAPITAL SERVICES
BOX 10587
GREENVILLE SC 29603-0587

CONNIE JEAN NICHOLS
411 13TH STREET
RED WING, MINNESOTA 55066

BANK ONE VISA
P O BOX 94014
PALATINE IL 60094

DISCOVER
P O BOX 30395
SALT LAKE CITY UT 84130

G. MARTIN JOHNSON
G. MARTIN JOHNSON, LTD.
3800 WEST OLD SHAKOPEE ROAD
BLOOMINGTON, MN 55431

CAPITAL ONE
P O BOX 34631
SEATTLE WA 98124

DISCOVER FINANCIAL SERVICES
P O BOX 8003
HILLIARD OH 43026

AMERICAN EXPRESS
C/O BECKET & LEE LLP
BOX 301
MALVERN PA 19355

CAPITAL ONE
P O BOX 60000
SEATTLE WA 98190

FIRST NATIONAL BANK OF ARIZONA
14635 N KIERLAND BLVD #201
SCOTTSDALE AZ 85254

AMERICAN EXPRESS
P O BOX 360002
FT LAUDERDALE FL 33336

CAPITAL ONE SERVICES
P O BOX 60000
SEATTLE WA 98190

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

AT&T UNIVERSAL CARD
P O BOX 8214
SOUTH HACKENSACK NJ 07606

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

GMAC
C/O PDP SERVICES
EXECUTIVE PLAZA IV
HUNT VALLEY MD 21031

BANK OF AMERICA
P O BOX 5270
CAROL STREAM IL 60197

CHASE MASTER CARD
P O BOX 52126
PHOENIX AZ 85072

GMAC
1700 W HIGHWAY 36, SUITE 510
ROSEVILLE MN 55113

BANK OF AMERICA
BOX 2278
NORFOLK VA 23501

CITI CARDS
P O BOX 6345
THE LAKES NV 88901

HOUSEHOLD CREDIT SERVICES
P O BOX 4155
CAROL STREAM IL 60197

BANK ONE DELAWARE
C/O WEINSTEIN TREIGER RILEY
2101 4TH AVE SUITE 900
SEATTLE WA 98121

CITI CARDS
P O BOX 6415
THE LAKES NV 88901

HOUSEHOLD CREDIT SERVICES
P O BOX 5216
CAROL STREAM IL 60197

JC PENNEY
P O BOX 960001
ORLANDO FL 32896

RETAILERS NATIONAL BANK
P O BOX 59317
MINNEAPOLIS MN 55459

KELLER, JASMINE -CHAPTER 13 TRU US TRUSTEE OFFICE
OFFICE OF THE CHAPTER 13 TRUSTE ROOM 1017
12 SOUTH 6TH STREET 301 US FEDERAL COURTHOUSE
SUITE 310 300 SOUTHW FOURTH STREET
MINNEAPOLIS MN 55402 MINNEAPOLIS MN 55415

MBNA
P O BOX 15019
WILMINGTON DE 19886

Capitol One Bank
Box 85167
Richmond MN 23285

MBNA AMERICA
P O BOX 15019
WILMINGTON DE 19886

MBNA AMERICAN BANK
C/O ECAST SETTLEMENT GROUP
BOX 35480
NEWARK NJ 07193-5480

PROVIDIAN NATIONAL BANK
C/O ECAST SETTLEMENT GROUP
BOX 35480
NEWARK NJ 07193-5480

PROVIDIAN PROCESSING
P O BOX 660548
DALLAS TX 75266

RESURGENT CAPITAL SERVICES
BOX 10587
GREENVILLE, SC 29603

RETAILERS NATIONAL BANK
C/O WEINSTEIN TREIGER
2101 4TH AVE SUITE 900
SEATTLE WA 98121

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In Re:

Bky File No. 04-31736 DDO
Chapter 13

Russell Lee Nicholas
Connie Jean Nichols

Debtors

ORDER FOR ALLOWANCE FOR FEES AND
EXPENSES OF DEBTORS' COUNSEL

At St. Paul, Minnesota on September 1, 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 July 27, 2004, is hereby allowed in the amount of \$2,699.75 for services rendered, and the amount of \$300.25 for the reimbursement of expenses incurred, for a total allowance in the amount of \$3,000.00.
2. That Trustee shall pay to G. Martin Johnson, Ltd., as funds become available, in accordance with the terms of Debtors' Plan dated March 20, 2004 as modified June 5, 2004, in the sum of \$3,000.00.

BY THE COURT:

Dated: September 1, 2004

Bankruptcy Judge