

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re:) Case No. 20bk17247
)
 MARIA DEL ROSARIO ROBLES)
) Chapter 7
 Debtor.)
 _____) Honorable Timothy A. Barnes

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN SUPPORT OF ORDER
AWARDING TO GREGORY K. STERN, MONICA C. O'BRIEN, DENNIS E. QUAID AND
RACHEL S. SANDLER, ATTORNEYS FOR CHAPTER 7 TRUSTEE, FOR ALLOWANCE
AND PAYMENT OF FINAL COMPENSATION AND REIMBURSEMENT OF EXPENSES

TOTAL FEES REQUESTED:	\$ 6,550.00	TOTAL COSTS REQUESTED:	\$ 36.89
TOTAL FEES REDUCED:	\$ 103.50	TOTAL COSTS REDUCED:	\$ 0.00
TOTAL FEES ALLOWED:	\$ 6,446.50	TOTAL COSTS ALLOWED:	\$ 36.89

TOTAL FEES AND COSTS ALLOWED: \$ 6,483.39

The attached time and expense entries have been underlined to reflect disallowance in whole or in part. The basis for each disallowance is reflected by numerical notations that appear on the left of each underlined entry. The numerical notations correspond to the enumerated paragraphs below.

(1) Lumping – TOTAL of disallowed amounts (10% of affected entries): \$ 103.50

The Court may impose a ten percent penalty on entries that appear to be “lumping.” The Court will reduce each entry marked as such per the penalty. *In re Wildman*, 72 B.R. 700, 709 (Bankr. N.D. Ill. 1987) (Schmetterer, J.) (“Applicants may not circumvent the minimum time requirement or any of the requirements of detail by “lumping” a bunch of activities into a single entry. [citation omitted]. Each type of service should be listed with the corresponding specific time allotment.”).

Dated: June 28, 2021



Timothy A. Barnes
United States Bankruptcy Judge

53 West Jackson Boulevard
Suite 1442
Chicago, Illinois 60604

(312)-427-1558

Statement Date: June 17, 2021

Statement No. 1

Account No. Reid.Robles

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N Reid
N. Neville Reid
Fox Swibel Levin & Carroll LLP
200 West Madison Street, Suite 300
Chicago, IL 60606

Payments received after 06/17/2021 are not included on this statement.

Fees

			Hours	
11/18/2020 (1) Lumping	GKS	Reviewing Trustee's email and attached mortgage for \$155,677 recorded 1/26/2010 - quitclaim deed to Francisco Montiel 4/14/2014 - Reviewing case docket and downloading schedules - Reviewing debtor's attorney's email re continued 341 - Reply email to debtor's attorney re T continuing 341	0.30	150.00
11/19/2020	GKS	Drafting Application to Employ Attorneys, Affidavits & Order	0.50	250.00
	GKS	email to T re continuing 341 and ?g whether debtor appeared and was examined on 10/22	0.10	50.00
(1) Lumping	GKS	Reviewing Ch 7 petition, schedules/sfa (docket no. 1) - investigating value of 6046 South Mayfield 60638 - zillow \$253,740, redfin \$244g - 270g \$256,500 - telephone conference with ACohen re 6046 South Mayfield and ?g value and suggested listing price	0.80	400.00
12/22/2020	GKS	Meeting with MCO re 6046 S Mayfield - zestimate v \$237g, redfin v \$258g - need to contact d's attorney for info relating to property - mortgage statement, proof of insurance, ? tenant/occupant, to of keys, schedule inspection for real estate broker	0.30	150.00
01/17/2021	GKS	Review and analyze Discover Bank POC 1 and attached exhibit summary	0.10	50.00
01/18/2021 (1) Lumping	RDS	Review file, telephone conference with Daniel Mitz re proof of insurance on property, discussion with DM re joint ownership, bad relationship between Debtor and co-owner, discussion re Trustee attempting to make contact directly with Francisco Montiel.	0.30	105.00
	RDS	Telephone conference with Francisco Montiel re real property - left message	0.10	35.00
01/19/2021	RDS	Draft demand letter to Francisco Montiel, co-owner of real property, for proof of insurance and to inspect property for sale; Email same to Trustee and Debtor's attorney.	0.20	70.00
01/22/2021	GKS	Review and analyze Capital One POC #2 \$4750.16	0.10	50.00

				Hours	
01/26/2021	GKS	Review and analyze Citibank POC #3 \$2,050.12		0.10	50.00
02/22/2021	RDS	Draft Motion for Leave to Conduct 2004 Exam on Francisco Montiel, proposed order and notice of motion.		1.30	455.00
03/01/2021	RDS	Email to DM re contact with Francisco who advised insurance under Debtor's name and request Debtor contact State Farm for certificate of insurance.		0.10	35.00
	RDS	Review email from DM with declaration, review insurance declaration with homeowners policy on real property effective through December 2021 (.1); Email same to NR (.1).		0.20	70.00
	MCO	Telephone conference with Francisco Montiel, joint owner of Mayfield property with Debtor, regarding Maria Robles Chapter 7 filing, role of Chapter 7 Trustee, 2004 exam request, production of documents, value of property, mortgage debt, and Trustee's intention to liquidate property if settlement cannot be reached.		0.60	285.00
	MCO	Investigate value of Mayfield property and recent sales in same location.		0.30	142.50
03/03/2021	MCO	Prepare liquidation analysis based upon estimated mortgage payoff figure (.10); email to Francisco Montiel, 1/2 owner of real property, transmitting same, advising of the role of Trustee in case, requesting offer to purchase equity, and advising of Trustee's options if no offer (.20).		0.30	142.50
	MCO	Prepare 2004 subpoena and rider for Francisco Montiel		0.60	285.00
03/09/2021	MCO	Review and respond to email from FM re: questions re: procedure and timing of sale of the real property and recommending that if settlement is not possible, that property should be listed ASAP to maximize value and capture spring market.		0.30	142.50
03/10/2021	MCO	Review and respond to email from Francisco Montiel re: options to purchase equity in Mayfield Property vs. selling property; FM's position questioning Trustee's valuation of property.		0.30	142.50
03/11/2021 (1) Lumping	MCO	Multiple conversations with FM re: value of Mayfield Property, history with Debtor, FM's payment of mortgage on the property, settlement range for his buying estate's equity in the property and need for additional investigation into value of the property.		0.40	190.00
	GKS	Meeting with MCO re discussions with Francisco Montiel re settlement - 45g under consideration by FM		0.10	50.00
03/22/2021	MCO	Review and respond to email from FM re: offer to purchase 1/2 interest in Mayfield Property.		0.20	95.00
	MCO	Email to Trustee re: offer to purchase Mayfield Property with equity analysis and recommendation to accept offer.		0.20	95.00
03/29/2021	MCO	Draft Motion to Sell Real Property, Notice and Proposed Order.		1.60	760.00
03/30/2021 (1) Lumping	MCO	Telephone conferences and email to and from FM re: procedure for payment and transfer of title via QCD, forward proof of insurance on the Mayfield of Property and discussion re: timing for adding his name to the insurance policy.		0.40	190.00

			Hours	
	MCO	Draft and file Notice of Withdrawal of Motion to Sell Interest in Real Property as same contained an errors.	0.20	95.00
04/26/2021	MCO	Court - Representation of Trustee at Motion to Approve Sale of Interest in Real Property.	0.30	142.50
	MCO	Emails to and from FM re: results of court, procedure for getting money to Trustee, request for legal description and PIN for real property.	0.30	142.50
04/28/2021	MCO	Prepare Quit Claim Deed for Trustee's review and approval.	0.40	190.00
04/29/2021	MCO	Emails to and from Trustee transmitting Order approving sale, draft of Quit Claim Deed and Grantor Grantee Affidavit; request by Trustee for Report of Sale.	0.30	142.50
	MCO	Draft Report of Sale and transmit to Trustee for review and approval.	0.40	190.00
	MCO	Email to Trustee re: receipt of the 45K from Francisco Montiel (.1); Letter to Trustee re: same and coordinating pick up of check (.2).	0.30	142.50
	MCO	Emails to and from Francisco Montiel confirming receipt of check and timing and procedure for transmittal of transfer documents to him.	0.20	95.00
	RDS	Meeting with MCO re Quit Claim Deed and discussion of Grantor as Trustee or Trustee and Francisco Montiel.	0.10	35.00
05/11/2021	RDS	Review email from Trustee with proposed changes to Quit Claim Deed (.1); Update Quit Claim Deed (.1); Email same to NR for signature and explanation why Mr. Montiel is also on the deed (.1).	0.30	105.00
05/13/2021	RDS	Review email from Trustee with copy of QCD signed by Trustee and advising that original being sent to my office.	0.10	35.00
05/18/2021	RDS	Review Fedex and original QCD and email from MCO re contacting FM to sign and record deed (.1)' Email to FM re same (.1).	0.20	70.00
	RDS	Telephone conference with FM re quit claim deed and discussion of having same recorded with title company, email with GITC re same and fees.	0.20	70.00
05/24/2021	RDS	Email to GITC with copy of QCD, telephone conference with GITC re fees for recording QCD (.1); Email to FM re same and telephone conference with FM re process for recordation, FM advised he will record deed himself (.2); Draft correspondence to FM with original QCD (.1)	0.40	140.00
06/17/2021	MCO	Review, revise and edit timesheets.	0.20	95.00
	RDS	Draft Application for Compensation, Notice, Order and CoverSheet. For Current Services Rendered	1.20	420.00
			14.90	6,550.00

Expenses

11/19/2020	Pacer	3.90
05/26/2021	FedEx Charge - Transmission of QCD to Buyer	32.99
	Total Expenses	36.89

Statement No:

1

Total Current Work	6,586.89
Balance Due	<u>\$6,586.89</u>