JUDGE HERB ROSS (Recalled)

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UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF ALASKA 605 West 4th Avenue, Room 138, Anchorage, AK 99501-2253 — (Website: www.akb.uscourts.gov) Clerk's Office: 907-271-2655 (1-800-859-8059 In-State) — Judge's Fax: 907-271-2692

Filed On 1/26/12

In re

JOANIE KLEIN,

Debtor(s)

Case No. A10-00581-HAR In Chapter 7

MEMORANDUM REGARDING REDUCTION OF ATTORNEY FEES

William Artus has filed an application for \$10,037.50 for his attorney fees in representing the trustee, William Barstow. Docket No. 114. For the reasons given below, the fees will be reduced by \$807.50, to \$9,230.00. Since Mr. Artus has not been offered a hearing in advance, the court will set one should he request one by a timely motion to reconsider.

TELEPHONE CHARGES- The bill shows 29 line items for teleconferences for .2 hours per item (there are some other line items for lengthier calls). In some other bankruptcy cases, the court has docked Mr. Artus' fees at a time when his billing program had a minimum setting of .25 hours. This did not comply with the local rules requiring reporting to allow for a .1 hour increment.

The problem was not that one could not have a .25 hour phone call, but that all calls had that minimum amount. In the present case, I do not believe Mr. Artus had 29 phone calls in this case, each lasting about .2 hours. More likely, most were only .1 hours. So, I have arbitrarily allowed the 29 calls at .13 hours, or  $$942.50 ($250 \times 29 \times .13)$ , and reduced the fees by  $$507.50 ($250 \times 29 \times .07)$ .

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**DRAFTING SALE AGREEMENT**- I am generally aware of the domestic relation issues and 1 2 the debtor's dispute with her state court attorney, Limon & Walker. When reviewing the billing statement, at page 2, it shows 3.2 hours for drafting the motion to sell the family residence. This 3 does not include the drafting of the attached earnest money. Separate time entries for drafting 4 5 the earnest money appear on pages 1 and 2 of the billing statement. 6 The motion to sell and accompanying memorandum (Docket Nos. 61 and 62) do not 7 warrant the 3.2 hours of drafting time on 11/05/11 shown at the bottom of page 2. The narrative 8 describes this as a simple drafting task. Therefore, the court will reduce the allowance by 1.2 hours, or \$300 (1.2 hours x \$250), and allow \$500 (for this endeavor (2 hours x \$250). 9 10 **CONCLUSION**- The fee request will be reduced by \$800, to \$9,230.00 by a separate order. 11 DATED: January 26, 2012 12 13 14 /s/ Herb Ross HERB ROSS 15 U.S. Bankruptcy Judge 16 Serve: 17 William Artus, Esq. Chris Johansen, Esq. William Barstow, Trustee 18 US Trustee, Alaska 19 01/26/12 20 21 22 23 24 25 26 27 MEMORANDUM REGARDING 28 REDUCTION OF ATTORNEY FEES Page 2 of 2