

UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT



In re:
ROME FAMILY CORPORATION,
Debtor.

Chapter 7 Case
02-11771

ORDER
GRANTING THE APPLICATION OF RICHARD S. SMITH, ESQ.
FOR ALLOWANCE OF COMPENSATION AND THE REIMBURSEMENT OF EXPENSES

WHEREAS, on January 27, 2005, Richard S. Smith, Esq. (the "Applicant"), as special counsel to John R. Canney, III, Chapter 7 trustee herein (the "Trustee"), filed an Application for Allowance of Compensation for Services Rendered and Reimbursement of Actual Expenses (doc. #264) (the "Application") for the period of April 6, 2004 to July 13, 2004 (the "Application Period"); and

WHEREAS no objection was filed and the United States Trustee neither objected nor consented to the Application; and

WHEREAS the Application seeks compensation in the amount of \$9,619.80 for professional services rendered and \$301.05 for reimbursement of expenses incurred during the Application Period; and

WHEREAS after a hearing on the Application, the Applicant filed a supplemental affidavit addressing the Court's questions (doc. # 275);

THE COURT FINDS that the attorney's fees earned during the Application Period to be properly compensable. Specifically, the Court finds the services rendered by the Applicant were reasonable, necessary and of benefit to the estate, pursuant to 11 U.S.C. § 330(a). See also In re JLM, Inc., 210 B.R. 19, 24 (2d Cir. BAP 1997). Accordingly, the attorney's fees sought in connection with services rendered by the Applicant during the Application Period are approved and allowed in full.


THE COURT FURTHER FINDS that the \$301.05 in expenses for which the Applicant seeks reimbursement during the Application Period is reasonable and appropriate and, accordingly, the expenses are approved and allowed in full.

THEREFORE, IT IS HEREBY ORDERED that

1. The Application is granted.
2. The following fees and expenses requested in the Application are approved and allowed:
 - (A) \$9,619.80 for professional services rendered; and
 - (B) \$ 301.05 for reimbursement of expenses.
3. The Trustee is hereby authorized and directed to pay to Richard S. Smith (to the extent not previously paid) the sum of:
 - (A) \$9,619.80, representing attorney's fees earned by Attorney Smith during the Application Period; and
 - (B) \$301.05, representing reimbursement for the approved expenses incurred by Attorney Smith during the Application Period.

SO ORDERED.

April 5, 2005
Rutland, Vermont



Colleen A. Brown
United States Bankruptcy Judge