

ORIGINAL

IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

In re
Marjorie B. Foster
Debtor(s)

Case No. 99-37947-S
Chapter 13

NOTICE OF HEARING

020000

TO: All Creditors and Parties in Interest

NOTICE IS HEREBY GIVEN that a Supplemental Application for Allowance has been filed in this matter for the compensation of the attorney for the Debtor(s).

A hearing thereon will be held before the Honorable Douglas O. Tice, Room 335, at United States Bankruptcy Court, United States Courthouse Annex, 1100 East Main Street, Richmond, Virginia, on February 20, 2002, at 10:00 o'clock a.m. All interested parties are invited to attend and be heard.


Pursuant to Local Rule 2016-1(C)(3)(a), any objecting party to the Supplemental Application for Allowance shall file such objection with the Court within ten (10) days.



Laura Taylor Alridge (VSB #42549)
Carl M. Bates (VSB #27815)
G. Russell Boleman III (VSB #32484)
Mark C. Leffler (VSB #40712)
Jae K. Stuart (VSB #45026)
Boleman Law Firm, P.C.
2201 West Broad Street, Suite 205
Richmond, Virginia 23220
Telephone (804) 358-9900
Counsel for the Debtor(s)

CERTIFICATION OF SERVICE

As an attorney for the Debtor(s) herein, I certify that on 1-25-02 a copy of the foregoing Notice of Hearing was mailed, via first class mail, to the following: the Debtor, to all creditors as listed on the attached matrix, to the Chapter 13 Trustee, Robert E. Hyman, Esquire, P.O. Box 1780, Richmond, Virginia, 23218, and to Robert B. Van Arsdale, Esquire, Assistant U.S. Trustee, Office of the U.S. Trustee, 11 S. 12th Street, Suite 224, Richmond, Virginia, 23219.



AUS _____
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SEC _____
OTH _____

Time. no name. Done 3/05/02

DOCUMENT NUMBER-DATE
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FPSC-COMMISSION CLERK

IN THE UNITED STATES BANKRUPTCY COURT
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Chapter 13

SUPPLEMENTAL APPLICATION FOR ALLOWANCE

Pursuant to § 330(a)(4)(B) of the Bankruptcy Code, FRBP 2016 and Local Bankruptcy Rule 2016-1, Counsel for Debtor(s), Laura T. Alridge, Carl M. Bates, G. Russell Boleman III, Mark C. Leffler, or Jae K. Stuart, attorneys at law of the Boleman Law Firm, P.C., (“Applicants”) respectfully assert that they have prepared or supervised the preparation of the petition, schedules and plan, have represented Debtor(s) in all matters relating to this bankruptcy and will continue to do so. Applicants assert that they have provided services and incurred costs that exceed the original estimate of legal fees and costs. Applicants seek compensation through the chapter 13 trustee for those amounts that exceed the originally requested sum of legal fees and costs in this matter.

In support of this supplemental application, Applicants state as follows:

Narrative Statement as to Basis, Nature and Charge for Services Billed as Supplemental Fees and Costs:

That additional necessary legal efforts and the attendant legal fees and costs have been incurred as follows:

- (1) We responded to an Objection to Plan filed by the Trustee over an underfunding issue. After communicating with our client and the Trustee, the Objection to Plan was sustained. Our client’s plan was modified to cure the underfunding.
- (2) We responded to a Motion to Dismiss by the Trustee for payment default by communicating with our client and the Trustee. Our client had been taken out of work by her physician for high blood pressure. She made a payment to the Trustee and we modified her plan to bring payments current with the Trustee. The Trustee withdrew his Motion to Dismiss.
- (3) We also performed miscellaneous legal services, including the resolution of a personal and real estate tax issue with the City of Richmond, cessation of post-petition collection efforts by several creditors, and notification to our client of a post-petition mortgage default.

Performance of these services has allowed the unsecured creditors a higher than anticipated dividend. The sum of legal fees and expenses is \$ 1,632.79; however, Applicants limit their request to \$ 900.00.

Date of Filing: Debtor(s) filed a voluntary petition under Chapter 13 of the United States Bankruptcy Code on 12/1//99.

Confirmation of Plan: the Court has confirmed Debtor’s first plan as well as any modified plan(s).

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Prior Fee Requests and Payments: That a previously submitted chapter 13 plan in this matter provided for Debtor(s)’ attorneys fees and costs in the amount of \$ 1,380.00 which sum was either paid pre-petition by Debtor(s) or was to be paid through the chapter 13 trustee.

Nature and Charge for Services Billed as Original Fees and Costs: That original sum is the contractually agreed upon estimate of legal fees and costs which accrue in provision of those initial services to include (1) analysis of Debtor(s)' financial situation; (2) advice as to whether to file a petition in bankruptcy and in which chapter; (3) preparation and review of the petition, schedules and statement of affairs with Debtor(s); (4) preparation and review of the original chapter 13 plan; and (5) representation of Debtor(s) at the meeting of creditors.

Exhibit in Support: The dates, activities and time of each attorney and para-professional who provided services are stated with specificity on an Exhibit in Support of this application that has been filed with the Court and is available for review in the Clerk's Office.


No Retainer/No Billing of Client: Applicants neither hold a retainer or other funds of the debtor(s) to secure payment of any amounts allowed by this Court as compensation or reimbursement of expenses nor have applicants sent any bill for services directly to the debtor(s).

Sufficient Plan Reserves: Applicants reviewed Debtor's chapter 13 plan and budget and believe that the Chapter 13 Plan provides sufficient reserves or may be extended in time so that payments requested herein may be made without prejudice to any creditor, i.e. will not reduce the projected dividend to unsecured creditors. The currently confirmed plan in this case provides a dividend of 4% for unsecured claims; however, the chapter 13 trustee currently projects a dividend of 23.24% to be paid in the future on such claims.

As an attorney for the Debtor(s) herein, I do make oath that the above statements are true to the best of my knowledge and belief, that no agreement has been made, and that no understanding exists for a division of fees contrary to the provisions of Section 504 of the Bankruptcy Code.

Pursuant to Local Rule 2016-1(C)(3), notice is hereby given that any objection to this application shall be made within ten (10) days.

WHEREFORE, your Applicants pray for allowance of the additional sum of \$ 900,000, which amount is to be paid through the chapter 13 trustee, on account of your Applicants' additional legal services and costs.



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Telephone (804) 358-9900
Counsel for Debtor(s)

CERTIFICATION OF SERVICE

Marjorie B. Foster
2729 Geneva Drive
Richmond, VA 23224

1st Advantage Cred Union
Attn: Bankruptcy Dept
P.O. Box 2116
Newport News, VA 23609

ABC Collection Agency
Re: Direct Merchants
P.O. Box 173795
Denver, CO 80127-3795

Advanta National Bank
Attn: Bankruptcy Dept
P.O. Box 509011
San Diego, CA 92150

Ben Stokes & Assoc.
Re: Dillards
P.O. Box 991801
Mobile, AL 36691

Bureau of Collection Rec
Re: First Consumers
7525 Mitchell Road
Minneapolis, MN 55344

CBT Credit Services
Re: Bankruptcy
P.O. Box 1508
Maumee, OH 43537

Citifinancial
Re: Bankruptcy
1514 Parham Rd.
Richmond, VA 23229

City of Richmond - Tax
Attn: Mary Gratz
900 E. Broad St. Rm 102
Richmond, VA 23219

Columbia House
Attn: Bankruptcy Dept
1400 N. Fruitridge Ave.
Terre Haute, IN 47812

Commercial Credit Ind.
Re: Bankruptcy
1514 Parham Rd.
Richmond, VA 23229

Compass Receivables Mgmt
Re: World Fin. Ntwrk
101 Overland Drive
North Aurora, IL 60542

Dillard's
Attn: Bankruptcy Dept
P.O. Box 52079
Phoenix, AZ 85072-2079

Direct Merchants Bank
Attn: Bankruptcy Dept
P.O. Box 21222
Tulsa, OK 74121-1222

Discover
Greenwood Trust Co.
P.O. Box 6011
Dover, DE 19903-6011

ECC
P.O. Box 5818
Trenton, NJ 08638

ECC Management Services
P.O. Box 9000
Valley Forge, PA 19485

FBCS, Inc.
Re: Roamans
6801 Frankford Ave # C.
Philadelphia, PA 19135

Fingerhut Corporation
Attn: Bankruptcy Dept
P.O. Box 1210
Minneapolis, MN 55440

First Consumer Nat. Bank
Attn: Bankruptcy Dept
9310 SW Gemini Drive
Beaverton, OR 97078

Henrico Gen Dist. Ct.
Re: Garnishment
Parham & Hungary Sprgs
Richmond, VA 23273

Internal Revenue Service
Proceedings & Insolvency
P.O. Box 10025
Richmond, VA 23240

Lane Bryant
Attn: Bankruptcy Dept
P.O. Box 182121
Columbus, OH 43218-2121

Lowe's
Attn: Bankruptcy Dept
P.O. Box 9710 Dept. 79
Macon, GA 31297-9710

Mann, Bracken, Laying
Re: Discover
P.O. Box 42734
Washington DC 20015

McNeily & Rosenfeld
Re: Discover Card
5335 Wisconsin Ave #360
Washington DC 20015

Mitchell N. Kay, Esq.
Re: First Consumer Natl
7 Penn Plaza
New York, NY 10001

North Shore Agency, Inc.
Re: Columbia House
117 Cuttermill Road
Great Neck, NY 11021

OSI Collection Agency
Re: Direct Merchants
P.O. Box 6666
Englewood, CO 80155

Plaza Associates
Re: First Consumers
370 Seventh Avenue
New York, NY 10001

Rent-A-Center
Re: Bankruptcy
630 W. Southside Plaza
Richmond, VA 23224

Roaman's
Attn: Bankruptcy Dept
P.O. Box 182121
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The Associates
ATTN: Rodney Boson
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Atlanta, GA 30347

World Financial Network
Re: Lane Bryant
P.O. Box 182125
Columbus, OH 43218-2125

World Financial Network
RE: Roamans
P.O. Box 182125
Columbus, OH 43218-2125