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*only*  
U.S. COURTS  
98 APR 29 PM 4:03  
REC'D FILED  
CAMERON E. BURKE  
CLERK IDAHO

Attorney for Debtors

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF IDAHO

In re:

HIPWELL, TERRY,

Debtor.

Case No. 96-02095

NOTICE OF HEARING AND  
APPLICATION FOR ALLOWANCE  
OF COMPENSATION

The undersigned attorney for the Debtor states and represents as follows:

1. The total fee to be charged by the attorney for legal services rendered or to be rendered for the Debtors in this bankruptcy case, exclusive of costs, is \$125.00 per hour. At this time, \$30,267.07 is due as reflected on Exhibit "A" incorporated herein.
2. The source of compensation paid or to be paid is the Debtor or Debtor's assets. The compensation shall, by agreement with the Debtor, be paid by the Chapter 12 trustee as a priority administrative claim pursuant to the plan.
3. The attorney has filed with the court a document entitled Disclosure of Compensation of Attorney for Debtor, Application for Employment of Attorney, and Order Approving the Employment of Attorney and interim order approving attorney fees, the later dated July 11, 1997, the provisions of which are incorporated herein by this reference.
4. The legal services rendered or to be rendered in connection with this case

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are supported by the Affidavit of Howard R. Foley in support of Employment of Attorney filed with this court as well as the supplement information filed herewith reflecting the time, by category, spent from May 14, 1997 to date in support of attorneys request for fees subsequent to the interim order in the sum of \$7,062.72.

5. The undersigned attorney is admitted to practice before this court and in this state, maintains a law practice, and is a disinterested person with respect to this bankruptcy case and does not hold or represent an interest adverse to the estate with respect to the matter for which the attorney has been employed, and is competent and experienced in the handling of Chapter 12 bankruptcy cases.

WHEREFORE, the undersigned prays as follows:

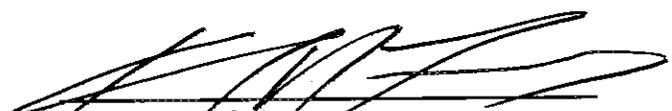
That the fees in addition to the approved interim fees of \$23,204.35 in the sum of \$7,062.72 be approved and if so approved, the total fees will be \$30,30,267.07. Such fees to be paid as a priority administrative claim in the case, to be paid by the Chapter 12 trustee.

**TO: ALL CREDITORS and Ronald D. Schoen, United States Trustee:**

#### **NOTICE OF HEARING**

**PLEASE TAKE NOTICE** that the Debtor will call up for hearing the Application for Allowance of Compensation on the 28th day of May, 1998 at the hour of 9:30 a.m. at the United States Bankrupt Court, 550 W. Fort Street, 5th Floor, or as soon thereafter as counsel may be heard before the Honorable Jim D. Pappas.

DATED this <sup>5</sup>28 day of April, 1998.

  
Howard R. Foley  
Attorney for Debtor

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 28 day of April, 1998, I caused to be served a true and correct copy of the foregoing Application for Allowance of Compensation by the method indicated below, and addressed to all creditors listed on Exhibit "A" as well as the following:

Office of the U.S. Trustee  
P.O. Box 110  
Boise, ID 83707

Mailed  
 FAXED  
 Hand-delivered

United States Trustee  
Ronald D. Schoen  
P.O. Box 216  
Payette, ID 83661

Mailed  
 FAXED  
 Hand-Delivered

  
Howard R. Forey

Foley & Freeman ,Chartered

*Attorneys at Law*  
*P.O. Box 10*  
*77 E. Idaho, Suite 300*  
*Meridian, Idaho 83680*  
*(208)888-9111 phone / (208)888-5130 Fax*

April 20, 1998

Terry L. Hipwell  
30932 Shelton Road  
Parma ID 83660

IN REFERENCE TO: 15674 - Chapter 12 - Hourly

	<u>Amount</u>
Interest on overdue balance	\$61.74
Total amount of this bill	\$61.74
Previous balance	\$30,205.33
<b>BALANCE DUE</b>	<b>\$30,267.07</b>

All accounts due & payable 30 days from date of statement. A finance charge of 1 1/2% per month (18% annually) will be applied to all past due accounts. Any services, deposits or payments after the 10th of the month will appear on next month's statement.

<u>Current</u>	<u>30 Days</u>	<u>60 Days</u>	<u>90 Days</u>	<u>120 Days</u>
5,226.35	43.71	440.81	300.93	24,255.27

**TIME SERVICES IDENTIFICATION  
EXHIBIT "A"**

**Asset Analysis & Recovery**

<u>Date</u>	<u>Service</u>	<u>Time</u>
3/2/98	Letter to client	10.00
3/11/98	Telephone conf w/Court, Joe, Frances	20.00
4/2/98	Letter to client	10.00
4/1/98	Attend Hearing	50.00
3/27/98	Court Appearance	100.00

**Asset Disposition**

<u>Date</u>	<u>Service</u>	<u>Time</u>
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**Business Operation**

<u>Date</u>	<u>Service</u>	<u>Time</u>
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**Case Administration**

<u>Date</u>	<u>Service</u>	<u>Time</u>
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**Claims**

<u>Date</u>	<u>Service</u>	<u>Time</u>
7/28/97	Telephone Conf w/Brenda	10.00
10/9/97	Telephone Conf w/Client	20.00
9/12/97	Letter to Client	10.00

**Employee Issues**

<u>Date</u>	<u>Service</u>	<u>Time</u>
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**Employment/Fee Applications**

<u>Date</u>	<u>Service</u>	<u>Time</u>
6/5/97	Telephone conf w/Howe	20.00
6/6/97	Revise Fee application	90.00
6/12/97	Attend Comp. Hearing	80.00

**Financing**

<u>Date</u>	<u>Service</u>	<u>Time</u>
9/18/97	Letter to client	10.00
1/27/98	Letter to client	10.00
1/23/98	Hearing - conversion	100.00
5/19/97	Telephone Conf w/Trustee	10.00
5/21/97	Telephone Conf w/Harrington, Client, Harrington	40.00
5/30/97	Telephone Conf w/Conf. Call, Client, Harrington	70.00

**Litigation**

4/15/97	Prepare for court	750.00
4/16/97	Court appearance	800.00
4/17/97	Trial	1,000.00
4/18/97	Trial	550.00
12/4/97	Review/Prepare affidavit	90.00
11/25/97	Review Affidavit	50.00
12/2/97	Review/Revise	160.00
11/24/97	Office conf w/client	220.00
12/10/97	Review file	30.00
	Telephone conf w/Boardman	
12/12/97	Telephone conf w/Client, Trustee	20.00
12/15/97	Telephone conf w/client, trustee	20.00
12/19/97	Attend SJ Hearing	220.00
	Prepare	
1/22/98	Letter to client	10.00
3/13/98	Letter to client	10.00

**Meeting of Creditors**

<u>Date</u>	<u>Service</u>	<u>Time</u>
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**Plans/Disclosure Statement**

<u>Date</u>	<u>Service</u>	<u>Time</u>
12/8/97	Letter to client	10.00
12/3/97	Final Review	80.00
12/3/97	Hand carry file	50.00
1/16/98	Office conf w/client	90.00
1/19/98	Office conf w/Trustee	150.00
1/14/98	Letter to client	10.00
1/15/98	Letter to client	10.00
2/6/98	Letter to client	10.00
2/9/98	Office Conf w/client, Trustee	40.00



Selection Criteria

Date range : 4/15/97 through latest  
 Slip numbers : All  
 User : All  
 Client : 15674-Hipwell  
 Activity : \$1 : \$2 : \$3  
           : \$4 : \$5 : \$6  
           : \$7 : \$8  
 Custom Fields : All  
 Reference : All  
 Slip status : Open  
 Billing status : All  
 Rate source : All at level All  
 Bookmark slips : Not checked  
 Hours : All  
 Dollars : All  
 Variance : Not checked

<u>Date</u>	<u>Description</u>	<u>Bill. Slip Value</u>	<u>Time Spent</u>
12/19/97	Postage Fees	0.55	
12/9/97	Facsimile Fee	5.00	
12/11/97	Facsimile Fee	4.00	
12/18/97	Photocopy Fees	1.20	
5/6/97	Postage Fees	3.72	
4/15/97	Photocopy Fees	120.00	
4/29/97	Facsimile Fee	12.00	
5/7/97	Facsimile Fee	54.00	
5/2/97	Facsimile Fee	4.00	
5/6/97	Facsimile Fee	4.00	
5/20/97	Photocopy Fees	115.50	
5/20/97	Postage Fees	38.50	
6/12/97	Postage Fees	0.32	
5/21/97	Facsimile Fee	16.00	
5/23/97	Facsimile Fee	1.00	
5/12/97	Facsimile Fee	12.00	
5/14/97	Facsimile Fee	2.00	
5/15/97	Facsimile Fee	3.00	
5/20/97	Facsimile Fee	2.00	
5/21/97	Facsimile Fee	5.00	
5/22/97	Facsimile Fee	10.00	
5/30/97	Facsimile Fee	2.00	
6/18/97	Postage Fees	1.47	
6/19/97	Postage Fees	0.55	
6/19/97	Postage Fees	0.78	
7/3/97	Photocopy Fees	0.45	
7/3/97	Postage Fees	0.32	
5/28/97	Long Distance Telephone Charges	0.35	
6/4/97	Long Distance Telephone Charges	0.35	
6/17/97	Long Distance Telephone Charges	0.35	
5/30/97	Conference Call	50.16	

<u>Date</u>	<u>Description</u>	<u>Bill. Slip Value</u>	<u>Time Spent</u>
8/5/97	Long Distance Telephone Charges	18.24	
8/6/97	Long Distance Telephone Charges	1.06	
8/15/97	Postage	0.32	
9/11/97	Long Distance Telephone Charges	0.65	
8/22/97	Facsimile Fee	2.00	
9/12/97	Long Distance Telephone Charges	1.59	
7/29/97	Long Distance Telephone Charges	0.35	
10/9/97	Facsimile Fee	1.00	
8/26/97	Long Distance Telephone Charges	0.35	
10/10/97	Long Distance Telephone Charges	0.28	
9/12/97	Photocopy Fees	0.45	
9/12/97	Postage Fees	0.32	
9/18/97	Postage Fees	0.78	
9/18/97	Photocopy Fees	0.75	
12/8/97	Postage Fees	0.32	
12/10/97	Long Distance Telephone Charges	0.36	
1/9/98	Long Distance Telephone Charges	0.23	
12/15/97	Facsimile Fee	1.00	
12/15/97	Facsimile Fee	1.00	
12/16/97	Facsimile Fee	2.00	
1/6/98	Long Distance Telephone Charges	0.35	
1/6/98	Long Distance Telephone Charges	0.35	
1/5/98	Facsimile Fee	4.00	
1/7/98	Facsimile Fee	1.00	
1/16/98	Facsimile Fee	1.00	
1/22/98	Photocopy Fees	0.60	
1/22/98	Postage Fees	0.32	
1/27/98	Photocopy Fees	0.30	
1/27/98	Photocopy Fees	0.30	
1/14/98	Postage Fees	0.32	
1/14/98	Photocopy Fees	0.75	
1/15/98	Postage Fees	0.32	
1/15/98	Photocopy Fees	0.30	
2/6/98	Photocopy Fees	1.35	
2/6/98	Postage Fees	0.78	
2/10/98	Long Distance Telephone Charges	5.47	
3/6/98	Long Distance Telephone Charges	0.81	
3/2/98	Photocopy Fees	1.35	
3/2/98	Postage Fees	0.78	
3/4/98	Photocopy Fees	0.45	
3/4/98	Postage Fees	0.32	
4/1/98	Facsimile Fee	3.00	
4/2/98	Photocopy Fees	1.50	
4/2/98	Postage Fees	0.55	
4/10/98	Long Distance Telephone Charges	0.07	
GRAND TOTAL		529.96	0.00