

Jed W. Manwaring
 EVANS, KEANE LLP
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Attorneys for Trustee, Bernie R. Rakozy

IN THE UNITED STATES BANKRUPTCY COURT
 FOR THE DISTRICT OF IDAHO

In re:

AUTOMATED STRUCTURES, INC.,
 82-0492850

Debtor.

Case No. 96-03201

APPLICATION FOR INTERIM
 COMPENSATION FOR
 ATTORNEY OF TRUSTEE

Pursuant to Rule 2016 and Section 330(a) of the Bankruptcy Code, the law firm of EVANS, KEANE LLP, as attorney for Trustee, by and through its partner, Jed W. Manwaring, moves this Court for approval of compensation and reimbursement for costs in the total amount of \$1,803.08. EVANS, KEANE LLP, respectfully represents as follows:

I. INFORMATION ABOUT THE APPLICANT AND APPLICATION.	
The following information must be provided on all applicants for compensation and reimbursement of expenses:	
1. Date the bankruptcy petition was filed.	December 13, 1996
Date the application requesting approval of employment was filed.	December 18, 1996
Date the order approving employment of applicant was signed.	January 8, 1997
Identity of the party represented in this case.	Bernie R. Rakozy
Date services were first commenced.	January 10, 1997

If applicant seeking compensation under a provision of the Bankruptcy Code other than Section 330, state which section.	
2. Terms and conditions of employment and compensation.	Hourly rates plus costs subject to court approval.
Source of compensation.	
Identify the existence and terms controlling the use of any retainer received from any party for providing services in this case.	
Identify any budgetary or other limitations on fees.	
3. Names and hourly rates of applicant's professionals and paraprofessionals who are requesting compensation.	Jed W. Manwaring, attorney - \$120/hr Ruth Holz, paralegal - \$45/hr.
Explanation of any changes in hourly rates.	
Is the requested compensation based on the customary compensation charged by comparably skilled practitioners in cases other than cases under Title 11?	Yes
4. Applications is for interim or final compensation.	Interim
Dates of previous orders concerning interim compensation or expenses for this applicant.	None
Amount of compensation previously requested.	None
Amount of compensation previously allowed by the Court.	None
Amount of compensation and expenses paid to date.	None
Amount of allowed compensation remaining unpaid to date	None
5. Has the person on whose behalf the applicant is employed been given an opportunity to review the pending application.	Yes
Has the person employing the applicant approved the requested amount.	Trustee to Review
6. If the application filed less than 120 days after the order of relief or after a prior application was filed with the Court please state the date and terms of the order allowing the shortened period.	n/a
7. State time period of the services or expenses covered by the application.	

II. CASE STATUS.	
The following information should be provided to the extent that it is known or can reasonably be ascertained by the applicant.	
1. If a Chapter 7 case, then	
All funds received and disbursed by the trustee to date.	\$27,090 received; \$359.17 disbursed
Date a final accounting is expected to be filed by the trustee.	Within 60 days
If the application is seeking an interim award, are there any other administrative expenses of equal or higher rank which are or will be prejudiced by payment of this claim.	No
2. If a Chapter 11 case, then	
Has a plan and disclosure statement been filed?	
If your answer to 2a is no, then state date when disclosure statement and plan is expected to be filed.	
Have all of the monthly operating reports been filed?	
Have all Chapter 11 Quarterly Fees been paid current to the United States Trustee?	
3. For All Chapters:	
List the total amount of cash on hand or on deposit which belongs to the estate.	\$26,731.81
List the amount and nature of accrued unpaid administrative expenses.	None, other than the Trustee's fees and expenses which are unknown to attorneys.
State the amount of unencumbered funds in the estate.	\$26,731.81

<p>III. PROJECT SUMMARY.</p> <p>All time and service entries should be arranged by project categories. Separate project categories should be used for administrative matters and fee application preparation.</p> <p>a. Description of the project, its necessity and benefit to the estate and the status of the project including all pending litigation for which compensation and reimbursement are requested.</p> <p>b. Identification of each person providing billable services on the project.</p> <p>c. A statement of the number of hours spent and the amount of compensation requested for each professional and paraprofessional for each project; and</p> <p>d. Itemized time and service entries, as appropriate.</p>	<p>LIST OF PROJECTS CATEGORIES.</p> <p>1. Fee\Employment Applications</p> <p>2. Asset Analysis and Recovery</p> <p>3.</p> <p>4.</p> <p>5.</p>
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PROJECT NO 1: FEE\EMPLOYMENT APPLICATIONS

a. Description \ Necessity \ Benefit:

The Attorneys for the Trustee prepared Fee/Employment Applications necessary to be approved by the court and to obtain compensation. The estate benefitted by having full disclosure, review and opportunity for objection, if any.

b.c.d. Identification of persons, hours, compensation requested and itemization:

DATE	PERSON	DESCRIPTION	HOURS	COMPENSATION
10/16/97	RH	Review file in preparation for Application for Compensation (.50); Draft same and forward To Mr. Manwaring for his review	1.70	\$76.50
	JWM	Review and edit draft of Application for Compensation.	1.00	\$120.00
		TOTAL	2.7	\$196.50

TOTAL

Jed W. Manwaring (JWM) - Partner 1.00 hours \$120.00

Ruth F. Holz (RH) - Paralegal 1.70 hours \$76.50

TOTAL FEES-PROJECT 1

\$196.50

Disbursements and Expenses:

Photocopies	\$9.75
Postage	<u>14.80</u>

PROJECT NO 2: ASSET ANALYSIS AND RECOVERY

a. Description \ Necessity \ Benefit:

The Trustee hired his attorneys concurrently with the hiring of the same attorneys on the bankruptcy of Monterey Homes, which was a closely related corporation. Initially, the Trustee's attorneys in this bankruptcy reviewed, negotiated and denied a claim for return of \$22,000 in the Debtor's bank account. Thereafter, the Trustee's attorneys pursued, negotiated and compromised an account receivable from Dougal Construction. The account receivable was compromised because of a claim of lien on the constructed property by Franklin Building Supply. Dougal Construction would be ultimately liable on the claim of lien such that Douglas was given a setoff in the amount of approximately \$3,702.00. The Trustee's attorneys drafted the Motion for Approval of Compromise and obtained approval of the court. These services were necessary in order to collect the account receivable. The estate benefitted by obtaining \$4,500.00 in addition to the \$22,000 retained in the bank account.

b.c.d. Identification of persons, hours, compensation requested and itemization:

DATE	PERSON	DESCRIPTION	HOURS	COMPENSATION
01/10/97	JWM	Receipt and review correspondence from Larry Prince re: \$22,000 and Creative Homes (.70); telephone conference with Kirkemo of Creative Homes to decline demand of return of money (.50).	1.20	\$144.00
01/14/97	JWM	Receipt and review tax notices from FUTA and Idaho.	0.20	\$24.00
01/27/97	JWM	Telephone conference with Rakozy and Smith re: receivable from Dougal construction (.20).	0.20	\$24.00
01/28/97	JWM	Review invoices and draft demand letter for collection against Dougal Construction.	0.50	\$60.00
02/06/97	JWM	Receipt and review correspondence from Dougal Construction re: account receivable and transmit to Debtor and telephone conference with Debtor.	0.40	\$48.00
02/19/97	JWM	Telephone conference with Jerry Smith re: Dougal Account Receivable (.30); research extension of time to file claim of lien under section 108 (.50); review documents on Dougal account (.30).	1.10	\$132.00
02/26/97	JWM	Telephone conference with Alseths to locate witness on Dougal account.	0.30	\$36.00
02/27/97	JWM	Telephone interview with Rob Alseth re: Dougal Construction collection.	0.70	\$84.00
03/18/97	JWM	Telephone call from Jerry Smith re: Dougal Construction file (.20); review Dougal documents from Smith (.50)	0.70	\$84.00

03/28/97	JWM	Telephone conference with Ken Harris and Terry Ivey re: retention of accountant.	0.30	\$36.00
04/18/97	JWM	Telephone conference interview with witness against Dougal Construction.	0.30	\$36.00
04/21/97	JWM	Review documents from Debtor and interview witness regarding interpretation of documents on Dougal Construction collection.	1.00	\$120.00
04/22/97	JWM	Draft demand letter to Dougal Construction for collection.	0.70	\$84.00
05/01/97	JWM	Receipt and review correspondence from Dougal and transmit to Rakozy with recommendation.	0.30	\$36.00
05/07/97	JWM	Receipt and review correspondence from Dougal and transmit to client.	0.30	\$36.00
05/12/97	JWM	Receipt and review correspondence from Dougal and negotiate by telephone with him.	0.50	\$60.00
05/13/97	JWM	Telephone call from Sam Diddle re: Franklin lien (.20); telephone conference with Jerry Smith re: facts with Dougal (.20).	0.40	\$48.00
05/21/97	JWM	Receive and review correspondence from Dougal (.30); transmit to and evaluate offer with Rakozy (.20); draft correspondence to Dougal accepting offer (.30); telephone conference with Dougal x2 (.20).	1.00	\$120.00
05/27/97	JWM	Review documents and settlement and draft Motion for Approval of Compromise and Notice of Hearing re: Dougal Construction account.	1.10	\$132.00
05/28/97	JWM	Edit and final Motion for Approval of Compromise and Notice of hearing (.60); telephone conference with Jerry Smith and draft Affidavit in Support of Compromise (.50).	1.10	\$132.00
07/08/97	JWM	Review Motion to Compromise in preparation for hearing and draft Order Approving Compromise with Dougal.	0.40	\$48.00
07/09/97	JWM	Attend hearing on Motion to Approve Compromise with Dougal Construction.	0.30	\$36.00
		TOTAL	13	1560

TOTAL

Jed W. Manwaring (JWM) - Partner

13 hours

\$1,560.00

TOTAL FEES-PROJECT 2

Disbursements and Expenses:

Photocopies	\$16.65
Postage	\$5.18
Telephone	<u>\$0.50</u>

TOTAL COSTS AND DISBURSEMENTS - PROJECT 2

\$22.33

IV. SUMMARY SHEET

Fees previously requested: \$0
 Fees previously awarded: \$0
 Expenses previously requested: \$0
 Expenses previously awarded: \$0
 Total retainer paid: \$0
 Current retainer balance: \$0

CURRENT APPLICATION

Fees requested: \$ 1,756.50
 Expenses requested: 46.58
 Total requested: \$ 1,803.08

BILLING INFORMATION

NAMES OF PROFESSIONALS	YEAR OF BAR ADMISSION	HOURS BILLED	BILLING RATE	TOTAL FOR APPLICATION
PARTNERS				
Jed W. Manwaring	1983	14/hrs	\$120.00	\$1680.00
PARAPROFESSIONALS:				
Ruth Holz - paralegal		1.70/hrs	\$45.00	\$76.50
TOTAL BLENDED HOURLY RATE: (Excluding paralegals and other paraprofessionals)		\$ 120.00/hr.		

RESPECTFULLY SUBMITTED this 12 day of November, 1997.

EVANS, KEANE LLP

By Jed W. Manwaring
 Jed W. Manwaring, Of the Firm
 Attorneys for Trustee

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12 day of November, 1997, a true and correct copy of the foregoing document was served by first-class mail, postage prepaid, and addressed to; by fax transmission to; by overnight delivery to; or by personally delivering to or leaving with a person in charge of the office as indicated below:

Automated Structures, Inc.
2070 East Commercial Street
Meridian, ID 83642

U.S. Mail
 FAX
 Overnight Delivery
 Hand Delivery

U.S. Trustee
P. O. Box 110
Boise, ID 83701

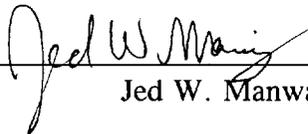
U.S. Mail
 FAX
 Overnight Delivery
 Hand Delivery

Harold Q. Noack, Jr.
Attorney at Law
733 N. 7th St.
P. O. Box 875
Boise, ID 83701

U.S. Mail
 FAX
 Overnight Delivery
 Hand Delivery

Bernie R. Rakozy, Trustee
P. O. Box 1738
Boise, ID 83701

U.S. Mail
 FAX
 Overnight Delivery
 Hand Delivery



Jed W. Manwaring