

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

IN THE MATTER OF
AARON FERER & SONS CO.,
Debtor.
AARON FERER & SONS CO.,
Debtor and Debtor-in
Possession,
Appellant,
vs.
WILLIAMS & GLYN'S BANK LTD.
and AARON FERER & SONS LTD.
in Liquidation,
Appellees.

FILED
DISTRICT OF NEBRASKA
AT) M
AUG 15 1984 - 6
William L. Olson, Clerk
By) Deputy

(BK74-0-482)
CODELCO I

MEMORANDUM ON
ATTORNEY'S FEES AND EXPENSES
OF WILLIAMS & GLYN'S BANK
AND AARON FERER & SONS LTD.

CV83-0-109

Following my order of July 10, 1984, Williams & Glynn's Bank and Aaron Ferer & Sons Ltd., the appellees, have made a showing regarding fees and expenses pertaining to the request for relief from judgment and the debtor has responded.

A point well made by the debtor is that the appellees have not invoked this court's jurisdiction to determine the applicability of 28 U.S.C. § 1927 to the proceedings before the bankruptcy court. No cross-appeal was taken by the appellees on the subject of fees and expenses. The result is that only those fees and expenses applicable to proceedings before this court on appeal are awardable.

I do not agree with the appellant-debtor that the record does not support a finding here that counsel have unreasonably and vexatiously multiplied the proceedings. They have indeed.

The fee itemized by time and person, computed at the rates requested, for the period of the appeal, comes to \$2,354.00. That is reasonable and will be awarded.

Dated August 14, 1984.

BY THE COURT


Chief Judge