

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEBRASKA

IN THE MATTER OF

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HY-GAIN ELECTRONICS CORPORATION,)	CASE NO. BK78-0-26
HY-GAIN DE PUERTO RICO, INC.,)	CASE NO. BK78-0-25
HY-GAIN ELECTRONIC SYSTEMS CORP.,)	CASE NO. BK78-0-81
)	
BANKRUPTS)	

MEMORANDUM AND ORDER

Before me is the application by the law firm of Swarr, May, Smith & Andersen as attorneys for the trustee in each of the above-captioned cases seeking interim compensation and reimbursement of expenses. The application for interim compensation and reimbursement of expenses is opposed by three banks which claim to be secured and unsecured creditors in these proceedings.

The banks have voiced a number of objections to the interim application. However, having reviewed the files in this proceeding together with the application for interim compensation and reimbursement of expenses, the court concludes that this is an appropriate case for the allowance of interim compensation and reimbursement of expenses.

As the trustee found the case, it involved sizeable dollar amounts of assets and claims, having previously operated manufacturing plants in the United States and Puerto Rico. There remained assets in the United States and in Puerto Rico for liquidation by the trustee. There also were involved potential claims against the secured banks and against officers and directors of the bankrupts. The legal questions at times were intricate and the size and intricacy of the estates required that the attorneys for the trustee spend large amounts of time investigating and advising the trustee. In addition, the straight bankruptcy which has followed the now aborted Chapter XI proceeding has, at this point, taken approximately two years.

All in all, the court concludes that this is an appropriate case for interim compensation.

The law firm has applied for a total of \$69,900.00 in fees plus an additional \$4,956.18 in expenses. Given the fact that the following is an interim allowance only and that the court reserves the right to reconsider interim allowances at the final meeting and adjust them either upward or downward, it is

ORDERED that Swarr, May, Smith & Andersen be, and they hereby are, allowed the following interim compensation and reimbursement of expenses, subject to further order:

1. Hy-Gain Electronics Corporation
\$17,000.00 fees plus \$1,804.12 expenses

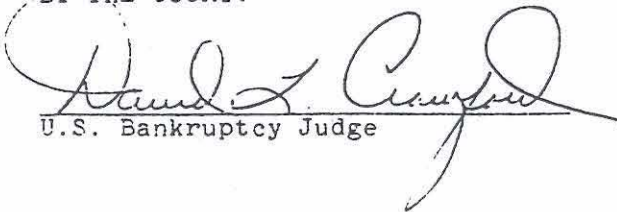
2. Hy-Gain De Puerto Rico, Inc.,
\$5,000.00 fees plus \$2,261.44 expenses
3. Hy-Gain Electronic Systems Corp.,
zero fees, \$890.62 expenses;

and it is further

ORDERED that the trustee in each of the above-captioned cases shall first give credit to the estate for any previous interim allowances awarded and pay only the difference between the previous interim allowances and the foregoing interim allowances.

DATED: June 18, 1980.

BY THE COURT:


U.S. Bankruptcy Judge

Copies mailed to each of the following:

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