

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEBRASKA

IN THE MATTER OF )

WEST BELLEVUE CO., )  
a Nebraska Corporation, )  
DEBTOR )

CASE NO. BK76-1239

MEMORANDUM OPINION


Before me are applications for attorney fees and expenses filed by the attorneys for the trustee and by the attorneys for the debtor-in-possession in the now superseded Chapter XI proceeding.

Objection is made to the allowance of the fees for the attorneys for the trustee on the basis that the hourly fees charged are excessive. While the hourly rates may seem to be high, consideration must also be given to the delay in receiving payment for services rendered over a long period of time and to the efficient manner in which those services were rendered which is evident in this proceeding. In addition, consideration must be given in this case to the high quality of the services rendered. Considering the foregoing and the other factors necessary as set forth in numerous court decisions, the conclusion that the Court reaches is that the fees are reasonable under the circumstances of this case.

Turning attention to the fees requested by the two firms that represented the debtor-in-possession, objection is made that the services did not benefit the estate and, therefore, are unreasonable. However, the Court concludes that the services rendered by the attorneys for the debtor-in-possession did, in fact, benefit the estate by preserving assets which ultimately were administered in this straight bankruptcy proceeding. The efforts of the attorneys for the debtor-in-possession, therefore, are of benefit to the estate and a review of the hourly charges and the time expended together with consideration of all of the other factors which are proper in determining a reasonable attorney fee led to the conclusion that the application should be allowed as applied for.

DATED: February 24, 1981.

BY THE COURT:

  
U.S. Bankruptcy Judge

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