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The Honorable Patricia C. Williams
Chapter 11

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8 UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF WASHINGTON
9 AT SPOKANE

10 In re

Case No. 04-08822

11 THE CATHOLIC BISHOP OF SPOKANE
a/k/a The Catholic Diocese of Spokane,
12
13 Debtor.

**LIMITED OBJECTION OF TORT
CLAIMANTS' COMMITTEE TO FIRST
INTERIM APPLICATION FOR
AWARD OF COMPENSATION FOR
SERVICES RENDERED AND
REIMBURSEMENT OF EXPENSES
PURSUANT TO 11 U.S.C. § 330
(PAINE, HAMBLLEN, COFFIN,
BROOKE & MILLER LLP –
ATTORNEYS FOR DEBTOR)
[DOCKET NO. 422]**

17 The Tort Claimants' Committee ("TCC") believes that general objections to the
18 fee applications of opposing counsel in a contested case such as this often are
19 viewed as tactical and unproductive. Accordingly, the TCC will defer to the U.S.
20 Trustee in its general review of the fee application of Paine, Hamblen, Coffin, Brooke
21 & Miller LLP. However, the TCC has two limited objections to the fee application.

22 First, the fees and costs of Paine Hamblen related to the Tort Litigants'
23 Committee ("TLC") and Shea §541 Actions, Adversary Nos. 05-80038 and Adversary
24 No. 04-00291 respectively, should not be allowed until the Court decides the Motion
25 by Tort Claimants' Committee to Restrict Use of Estate Property [Docket No. 391],
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1 which requests an order restricting the Debtor from using its personnel or counsel, or
2 expending undisputed property of the estate, to disclaim its interest in the property it
3 claims is owned by the Parishes.

4 Second, it appears that Debtor or its counsel have employed and/or are
5 actively using the services of other attorneys, including but not limited to canon law
6 attorneys, whose employment has not been approved by this Court. For example,
7 the Debtor's Memorandum in support of its Motion for Summary Judgment in the
8 Tort Litigants' Committee §541 Action [Docket No. 203, Adversary Nos. 05-80038]
9 substantially incorporates and relies heavily on the Affidavit of Nicholas P. Cafardi
10 [Docket No. 209, Adversary Nos. 05-80038], who identifies himself as a canon
11 lawyer based in Pittsburgh. The Court should order Debtor to disclose the nature
12 and extent of all services being provided by all attorneys whose employment has not
13 been approved in the same format and detail as required by the Court in fee
14 applications, so that the Court and all parties can evaluate the full extent of the legal
15 services being provided to the Debtor to which the TCC and the TLC must respond.

16 Dated this 2nd day of June, 2005.

17 RIDDELL WILLIAMS P.S.

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