

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

In re: CASE NO. 9:08-bk-04360-MGW

ULRICH FELIX ANTON ENGLER,
PRIVATE COMMERCIAL OFFICE, INC.,
and PCO CLIENT MANAGEMENT, INC.,

CHAPTER 7
(Substantively Consolidated)

Debtors.

**ORDER GRANTING SEVENTH INTERIM APPLICATION FOR
ALLOWANCE AND PAYMENT OF COMPENSATION AND
REIMBURSEMENT OF EXPENSES TO ROBERT F. ELGIDELY, ESQ.
AND THE LAW FIRM OF GENOVESE JOBLOVE & BATTISTA, P.A.,
AS SPECIAL COUNSEL FOR CHAPTER 7 TRUSTEE, ROBERT E.
TARDIF, JR. AND REQUEST FOR PAYMENT OF SECOND
INTERIM FEE APPLICATION HOLDBACK (Doc. 1039)**

THIS MATTER came before the Court without a hearing on the *Seventh Interim Application For Allowance And Payment Of Compensation And Reimbursement Of Expenses To Robert F. Elgidely, Esq. And The Law Firm Of Genovese Joblove & Battista, P.A., As Special Counsel For Chapter 7 Trustee, Robert E. Tardif, Jr. And Request For Payment Of Second Interim Fee Application Holdback* (Doc. 1039) filed on October 3, 2014 (the "Fee Application"). In the Fee Application, the Trustee's special counsel ("GJB") seeks an award of fees in the amount of \$217,298.85 (consisting of \$138,352.50 for services rendered in the period April 1, 2013 through July 31, 2014 (the "Application Period") and \$78,946.35 held back from GJB's Second Interim Fee Application (Doc. Nos. 447 and 469)) and reimbursement of expenses in the amount of \$6,055.45, for a total award sought in the amount of \$223,354.30. The Court, having reviewed the Fee Application, having noted the lack of any response or objection thereto by the October 29, 2014 deadline set forth in the Order Directing Response to the Fee Application (Doc. 1040), and being otherwise duly advised in the premises, does hereby

ORDER as follows:

1. The Fee Application is GRANTED.

2. GJB is awarded: (a) interim fees in the amount of \$217,298.85 (consisting of \$138,352.50 for services rendered in the Application Period and \$78,946.35 held back from GJB's Second Interim Fee Application (Doc. Nos. 447 and 469)) and (b) interim expenses in the amount of \$6,055.45; for a total award of \$223,354.30 (the "Award").

3. In allowing the foregoing fees, the Court has considered the criteria in 11 U.S.C. §§ 330 and 331 and the requirements of Bankruptcy Rule 2016 in light of the principles stated in *Norman v. Housing Authority of Montgomery*, 836 F.2d 1292, 1299 (11th Cir. 1988); *Pennsylvania v. Delaware Valley Citizen's Council for Clean Air*, 478 U.S. 546 (1986); *Blum v. Stenson*, 465 U.S. 886, 897 (1984); *Hensley v. Eckerhart*, 461 U.S. 424, 433 (1983); each of the factors that govern the reasonableness of fees as set forth in *Matter of First Colonial Corp. of America*, 544 F.2d 1291 (5th Cir. 1977), and *Johnson v. Georgia Highway Express, Inc.*, 488 F.2d 714 (5th Cir. 1974). Specific findings and a statement of the facts and considerations supporting each of these conclusions have been omitted in the interest of brevity but will be prepared and filed at the request of any party if received by this Court within ten (10) days after the date of entry of this Order.

4. The Chapter 7 Trustee is hereby authorized and directed to pay the Award to GJB.

DONE AND ORDERED at Tampa, Florida on November 06, 2014.



Michael G. Williamson
United States Bankruptcy Judge

Robert F. Elgidely, Esq. is directed to serve a copy of this Order on all creditors and/or interested parties in accordance with the Order Granting Trustee's Motion To Establish Certain Notice, Case Management And Administrative Procedures (Doc. 451) including those creditors and/or interested parties registered on the Court's CM/ECF System.