

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

In re: CASE NO. 9:08-bk-04360-ALP  
ULRICH FELIX ANTON ENGLER and CHAPTER 7  
PRIVATE COMMERCIAL OFFICE, INC., (Substantively Consolidated)  
Debtors.

**EX-PARTE ORDER GRANTING FIRST 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.**

THIS CAUSE came before the Court on the *First 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.* [D.E. #147] (the "GJB Application"). In the Application, GJB seeks fees for the period of December 21, 2008 through October 15, 2009 in the amount of \$45,027.50 and reimbursement of expenses in the amount of \$2,888.22. As a result, GJB seeks an interim award of \$45,027.50 for fees and \$2,888.22 for reimbursement of expenses.

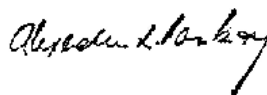
The Court, having reviewed the Application, having reviewed the pleadings in this case and being otherwise duly advised in the premises, does hereby

**ORDER AND ADJUDGE** as follows:

1. GJB is awarded: (a) interim fees in the amount of \$ 45,027.50 and (b) interim expenses in the amount of \$ 2,888.22.

2. 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 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*, (5 Cir. 1977), 544 F.2d. 1291 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 entry of this Order.

DONE AND ORDERED in the Middle District of Florida on November 05, 2009.



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ALEXANDER L. PASKAY  
CHIEF BANKRUPTCY JUDGE EMERITUS

Copies furnished to:

Robert E. Tardif, Jr., Trustee, 2430 Shadowlawn Drive, Suite 18, Naples, Florida 34112  
Assistant United States Trustee, 501 East Polk Street, Suite 1200, Tampa, Florida 33602  
Robert F. Elgidely, Esq., 200 East Broward Boulevard, Suite 1110, Fort Lauderdale, Florida 33301

All Parties on the 1007(d) Parties in Interest Service List