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7 Attorneys for BCE West, L.P., et al.

8 **UNITED STATES BANKRUPTCY COURT**
9 **DISTRICT OF ARIZONA**

10 In re) No. 98-12547-12570 ECF CGC
11 BCE WEST, L.P., et al.,) Chapter 11
12 Debtors.) **FIFTH AND FINAL APPLICATION**
13 EID 38-3196719) **FOR ALLOWANCE OF**
14) **COMPENSATION AND**
15) **REIMBURSEMENT OF EXPENSES**
16) **OF LEWIS AND ROCA LLP**

17 Lewis and Roca LLP (“Lewis and Roca”), local counsel for BCE West, L.P. and related
18 entities (“Debtors”), respectfully requests final compensation and reimbursement of expenses for
19 services rendered and expenses incurred on behalf of the Debtors. Lewis and Roca submits its
20 billing statement attached as Exhibit A for the time period from March 1, 2000 through May 15,
21 2000, which itemizes the time and expenses incurred on behalf of the Debtors.

22 **A. INFORMATION ABOUT APPLICANT AND APPLICATION**

23 **1. Relevant Dates and Nature of Application**

24 a. On October 5, 1998, BCE West, L.P., Boston Chicken, Inc., Mayfair
25 Partners, L.P., BC Great Lakes, L.L.C., BC Goldengate, L.L.C., B.C.B.M. Southwest, L.P., BC
26 Boston, L.P., BC Superior, L.L.C., BC Heartland, L.L.C., BC Tri-States, L.L.C., Finest Foodservice,
L.L.C., BC New York, L.L.C., R&A Food Services, L.P., P&L Food Services, L.L.C., Mid-Atlantic

1 Restaurant Systems, Inc., BCI Massachusetts, Inc., BCI Southwest, Inc., BC Real Estate Investments,
2 Inc., BCI Mayfair, Inc., Progressive Food Concepts, Inc., BCI R&A, Inc., BCI West, Inc., BCI
3 Acquisition Sub, L.L.C., and Buffalo P&L Food Services, Inc., filed their voluntary petitions under
4 Chapter 11 of the United States Bankruptcy Code in the United States Bankruptcy Court for the
5 District of Arizona.

6
7 b. An order for joint administration of the twenty four cases was signed on
8 October 5, 1998.

9 c. No trustee or examiner was appointed pursuant to Sections 1107(a) and 1108
10 of the Bankruptcy Code, and the Debtors operated their businesses and managed their property as
11 Debtors in Possession through Plan confirmation.

12 d. By order of this Court dated October 26, 1998, the Debtors were authorized
13 to employ Lewis and Roca LLP as counsel.

14 e. Compensation is sought under 11 U.S.C. § 330(a)(1), and under no other
15 provision of the Code.

16
17 **2. Terms and Conditions of Employment**

18 a. Except for its partnership agreement, Lewis and Roca has no agreement of
19 any kind, express or implied, to divide with any other person or entity any portion of the
20 compensation sought or to be received by it herein. There is on file herein the necessary
21 statement required by Bankruptcy Rule 2016 and 11 U.S.C. § 329, which is incorporated herein
22 by this reference.

23
24 b. The source of compensation for the fees and expenses presently sought
25 through this application will be estate funds.
26

1 c. Lewis and Roca received a retainer prior to the filing of the petitions. It
2 currently holds \$69,920.00. Lewis and Roca has no budgetary or other limitations on fees.

3 d. Pursuant to the October 27, 1998 Order Establishing Procedures for Interim
4 Compensation and Reimbursement of Professionals, Lewis and Roca has submitted monthly
5 statements as required. Lewis and Roca has applied all payments received pursuant to the order of
6 the Court.

7
8 e. The services for which compensation is requested were rendered on behalf
9 of the Debtors and Debtors in Possession pursuant to 11 U.S.C. §§ 330(a), 331, and 503(a) and
10 (b), and Rule 2016(a), Fed. R. Bankr. P., and in compliance with the “Order Authorizing
11 Employment of Lewis and Roca LLP as Attorneys for Debtors,” entered on October 27, 1998, the
12 “Order Establishing Procedure for Interim Compensation and Reimbursement of Professionals”
13 entered October 27, 1998, and the Guidelines of the Office of the United States Trustee for the
14 District of Arizona.

15
16 **3. Names and Hourly Rates of Professionals**

17 a. The names of the Lewis and Roca professionals and paraprofessional
18 requesting fees and the hourly rate charged by each are as follows:

19

<u>Attorney</u>	<u>Billed Per Hour</u>	<u>Hours Billed</u>	<u>Amount Billed</u>
G. Smith	\$350	1.7	\$595.00
S. Freeman	\$300	69.9	\$20,970.00
B. Gardner	\$250	67.9	\$16,975.00
H. Taylor	\$160	0.9	\$144.00

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Paralegal	Billed Per Hour	Hours Billed	Amount Billed
Jean Lyman	\$100	45.4	\$4,540.00
Marilyn Schoenike	\$100	97.3	\$9,730.00
Deb McGill	100	1.0	\$ 100.00

Project Clerks /Library	Billed Per Hour	Hours Billed	Amount Billed
J. Duran	\$35	0.9	\$31.50
W. O'Connor	\$50	0.5	\$25.00

b. Solely for the purpose of the Court’s evaluation of the reasonableness of those standard hourly rates, a brief summary of the professional experience of the lawyers who provided the bulk of the services for which compensation is sought is attached.

c. The compensation sought is based on compensation charged by comparably skilled practitioners in cases other than cases under Title 11.

4. Status of Applications and Awards.

a. This application is final.

b. There have been payments of compensation and expenses made in accordance with Orders Establishing Procedures for Interim Compensation and Reimbursement of Professionals, (i.e., 80% of monthly 100% of expense).

c. On April 27, 1999, an Order was signed awarding Lewis and Roca LLP the sum of \$124,493.50 as an interim allowance for services rendered and \$77,236.77 expenses on its First Application for Interim Compensation and Reimbursement of Expenses. On May 3, 1999, Lewis and Roca was paid the balance of \$24,648.23 owed after application of the payments made in accordance with the Order Establishing Procedures for Interim Compensation and Reimbursement of Professionals.

1 d. On August 24, 1999 an Order was signed awarding Lewis and Roca LLP
2 the sum of \$76,961.50 as an interim allowance for services rendered and \$12,770.66 expenses on
3 its Second Interim Application for Compensation. Lewis and Roca was paid the balance due of
4 \$15,392.30 after application of the payments made in accordance with the Order Establishing
5 Procedures for Interim Compensation and Reimbursement of Professionals.
6

7 e. On November 16, 1999 an Order was signed awarding Lewis and Roca
8 LLP the sum of \$79,998.00 as an interim allowance for services rendered and \$13,244.11
9 expenses on its Third Interim Application for Compensation. Lewis and Roca was paid the
10 balance due of \$4,999.10 after application of the payments made in accordance with the Order
11 Establishing Procedures for Interim Compensation and Reimbursement of Professionals.
12

13 f. On April 25, 2000 an Order was signed awarding Lewis and Roca LLP the
14 sum of \$89,669.00 fees and \$8,897.05 expenses on its Fourth Interim Application for
15 Compensation. Lewis and Roca LLP was paid the balance due of \$17,933.80 in accordance with
16 the Order Establishing Procedures for Interim Compensation and Reimbursement of
17 Professionals.
18

19 **5. Client's Review and Approval of Application**

20 Prior to the hearing on this application, the client will have reviewed this
21 application and approved the requested amount.

22 **6. Time Period For Services Covered By This Application.**

23 The time period covered by this application is from March 1, 2000 through May
24 15, 2000.
25
26

1 7. Lewis and Roca LLP Requests an Award of Final Compensation and
 2 Approval of amounts previously awarded as interim compensation and of the amounts set forth in
 3 this Fifth Application as follows:

<u>Application</u>	<u>Fees</u>	<u>Costs</u>	<u>Total</u>
(i) First Application	\$124,493.50	\$77,236.77	\$201,730.27
(ii) Second Application	76,961.50	12,770.66	89,732.16
(iii) Third Application	79,998.00	13,244.11	93,242.11
(iv) Fourth Application	<u>89,669.00</u>	<u>8,897.05</u>	<u>98,566.05</u>
Previously Awarded and Paid ¹	\$371,122.00	\$112,148.59	\$483,270.59
(v) Fifth Application	<u>\$53,110.50</u>	<u>\$7,203.57</u>	<u>\$60,314.07</u>
TOTAL	\$424,232.50	\$119,352.16	\$543,584.66

15 **B. CASE STATUS**

16 **1. Status of Plans and Disclosure Statements, Quarterly Fees and**
 17 **Monthly Operating Reports**

- 18 a. The Third Amended Plan was confirmed by Order of the Court dated May
 19 15, 2000.
- 20 b. All quarterly fees have been paid to the United States Trustee.
- 21 c. All monthly operating reports have been submitted to the Office of the U.S.
 22 Trustee.

26 ¹ With the exception of a balance of \$348.58 awarded on fees on the Fourth Application.

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2. Accrued Administrative Expenses

- a. As of the date of this application, Lewis and Roca holds a retainer of \$69,920.00.
- b. As of the date of this application, there are no pending unpaid applications for administrative expense that have been approved by this Court.

C. SUMMARY SHEET

See attached Exhibit A.

D. BACKGROUND OF DEBTORS

At the time of filing of the petition, Boston Chicken, Inc. (“BCI”) and certain of the other Debtors operated restaurants under the Boston Market brand name. Additionally, BCI franchised Boston Market restaurants. BCI owned a 51.2% interest in Einstein/Noah Bagel Corp., a publicly traded operator of approximately 543 specialty retail bagel stores. As of the Petition Date, the Boston Market system included 965 restaurants located in 36 states and the District of Columbia. The Debtors owned and operated 759 of these restaurants. As of the Petition Date, BCI and its subsidiaries employed approximately 18,500 employees.

During the last half of 1997 and the first half of 1998 the Debtors as a combined operational group experienced a marked decline in store sales and net operating revenues. These declines created a liquidity crisis for the Debtors.

As of September 1, 1998 the Debtors had assets of a book value of approximately \$1.8 billion and approximately \$1.5 billion in liabilities. The Debtors have more than 20,000 creditors and 98,000 shareholders.

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E. ADMINISTRATIVE CASE

Summary of Legal Services Performed by Lewis and Roca by client matter.

1. GENERAL MATTER NUMBER - 38496-00001

This number is used for all time entries not specific to a litigation issue for which a separate number has been assigned; to date Lewis and Roca has opened only one other file number, matter 002 for the Riverview BC Real Estate and Columbia Credit adversary proceeding, Adversary No. 99-0496. Time entries for matter 00001, separated by task code, are attached as Exhibit B.

a. B110 Case Administration

Lewis and Roca performed tasks of a general nature, including review of documents, dockets, and document control and worked with general counsel on jurisdiction issues. Time in this category included preparation and filing of numerous motions, operating reports and orders and attending omnibus and special hearings. Additionally, Counsel maintained service lists and responded to numerous inquiries from the client, creditors and stockholders.

Partner, G. Smith	\$350	x	1.2 hours	\$ 420.00
Partner, S. Freeman	\$300	x	11.5 hours	3,450.00
Associate, H. Taylor	\$160	x	0.7 hours	112.00
Paralegal, M. Schoenike	\$100	x	37.7 hours	\$3,770.00
Paralegal J. Lyman	\$100	x	3.8 hours	\$380.00
TOTAL			54.9 hours	\$ 8,132.00

b. B120 Asset Analysis and Recovery

Local counsel assisted with collection issues.

Partner, S. Freeman	\$300	x	0.2 hours	\$60.00
TOTAL			0.2 hours	\$60.00

c. B130 Asset Disposition

1 Local counsel assisted on sale of real property.

2 Paralegal, M. Schoenike \$100 x 0.4 hours \$40.00

3 **TOTAL 0.4 hours \$40.00**

4 d. B140 Relief-Stay/Adequate Protection

5 Lewis and Roca reviewed the lift stay motions; worked on issues for lift stay
6 matters and advised counsel for creditors on local procedures.

7 Partner, S. Freeman \$300 x 0.3 hours \$ 90.00

8 Paralegal, M. Schoenike \$100 x 0.6 hours 60.00

9 **TOTAL 0.9 hours \$150.00**

10 e. B160 Fee/Employment Applications

11 Time allocated to this category was spent on filing or issues relating to
12 employment and the employment applications, affidavits and orders for various professionals.
13 Additionally, Lewis and Roca worked on its fourth application for compensation.

14 Partner, S. Freeman \$300 x 6.2 hours \$1,860.00

15 Paralegal M. Schoenike \$100 x 3.5 hours 350.00

16 **TOTAL 9.7 hours \$2,210.00**

17 f. B185 Assumption/Rejection Leases/Cont.

18 Motions for rejections of leases and motions to assume and assign leases were
19 reviewed. Counsel responded to numerous inquiries re lease assumptions/rejection and
20 researched issues. Additionally, time was spent on the DOTO rent dispute. Counsel assisted in
21 preparation of orders.

22 Partner, S. Freeman \$300 x 3.2 hours \$ 960.00

23 Partner, B. Gardner \$250 x 2.8 hours 700.00

24 Paralegal M. Schoenike \$100 x 4.1 hours \$410.00

25 **TOTAL 10.1 hours \$2,070.00**

26

1 g. B190 Other Contested Matters

2 Substantial time in this category related to disputes on Pricketts, Parkway and
3 DOTO leases and Reilly administrative claim.

4	Partner, S. Freeman	\$300	x	41.0 hours	\$12,300.00
5	Partner, B. Gardner	\$250	x	9.8 hours	2,450.00
	Paralegal M. Schoenike	\$100	x	1.2 hours	120.00
6	TOTAL			51.2 hours	\$14,870.00

7
8 h. B310 Claims Administration and Objections

9 Counsel for the Debtors was directed to maintain the proof of claims registers for
10 the twenty-four entities. Counsel responded to calls regarding filing of proofs of claim, proofs of
11 interest and administrative claims. An administrative claims register was prepared.

12	Partner G. Smith	\$350	x	0.5 hours	\$ 175.00
	Partner, S. Freeman	\$300	x	4.1 hours	1,230.00
13	Paralegal J. Lyman	\$100	x	41.6 hours	4,160.00
	Paralegal M. Schoenike	\$100	x	22.3 hours	2,230.00
14	Paralegal D. McGill	\$100	x	1.0 hours	100.00
	Library, J. Duran	\$ 35	x	0.9 hours	31.50
15	TOTAL			70.4 hours	\$7,926.50

16
17 i. B320 Plan and Disclosure Statement

18 Lewis and Roca provided assistance to General Counsel on plan issues and local
19 procedures, and responded to inquiries about the plan and the asset purchase under the plan.
20 Assistance with respect to the confirmation hearing was provided. Lewis and Roca assisted with
21 the selection of a plan trustee, and responding to numerous inquiries on plan provisions.

22	Partner, S. Freeman	\$300	x	3.4 hours	\$ 1,020.00
	Partner, B. Gardner	\$250	x	1.3 hours	325.00
23	Partner, H. Taylor	\$160	x	0.2 hours	32.00
	Paralegal M. Schoenike	\$100	x	27.0 hours	2,700.00
24	TOTAL			31.9 hours	\$4,077.00

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j. L120 Analysis/Strategy

Time in this category was spent on the analysis and litigation strategy on DOTO's Motion for Reconsideration and Objection to Fifth Motion for Extension of Time to Assume or Reject Lease.

Partner, B. Gardner	\$250	x 26.3 hours	\$6,575.00
TOTAL		26.3 hours	\$6,575.00

k. L210 Pleadings

Lewis and Roca worked on the Objection to DOTO's Motion for Reconsideration.

Partner, B. Gardner	\$250	x 6.6 hours	\$1,650.00
TOTAL		6.6 hours	\$1,650.00

l. L440 Other Trial Preparation/Support

Time in this category was spent preparing for hearing on DOTO leases.

Partner, B. Gardner	\$250	x 9.7 hours	\$2,425.00
TOTAL		9.7 hours	\$2,425.00

m. L450 Trial and Hearing Attendance

Counsel attended hearing and conference on possible settlement of DOTO lease dispute.

Partner, B. Gardner	\$250	x 6.1 hours	\$1,525.00
TOTAL		6.1 hours	\$1,525.00

n. L470 Enforcement

Lewis and Roca worked on issues relating to stay of DOTO default remedies

Partner, B. Gardner	\$250	x 1.4 hours	\$350.00
Paralegal M. Schoenike	\$100	x 0.5 hours	50.00
TOTAL		1.9 hours	\$400.00

1 o. Summary of Costs

2 Lewis and Roca seeks reimbursement for costs incurred in the amount of
3 \$7,203.57. All costs are also customarily charged to non-bankruptcy clients of Lewis and Roca.
4 The amount charged by Lewis and Roca for photocopies is 20¢ per page. All costs from outside
5 parties, such as Federal Express, mail, long distance telephone charges, travel expenses, LEXIS
6 and Westlaw searches and the like, are charged at the unit rate generally charged by the vendors.
7 The summary of the requested expense is:

<u>Description</u>	<u>Amount</u>
Package/Letter Delivery	\$326.30
Travel Expense	72.03
Court Fees	26.50
Postage	296.08
Photocopying	4,663.80
Reporting Services and Transcript	1,122.00
Delivery	62.00
Payment by 3 rd Party of Costs Advanced	-50.00
Lexis	51.25
Long Distance Telephone	316.99
Document Preparation	5.00
Hot Shot Delivery	39.08
Copying Expense (Outside Office)	<u>272.54</u>
Total Advances	\$7,203.57

18 p. Summary of General Matter 00001

19 The time for matter 38496-1 for all timekeepers was 285.5 hours, total fees
20 \$53,110.50 and \$7,203.57 expenses incurred.

21
22 **2. ADVERSARY MATTER 38496-00002**

23 Client Matter Number 38496-00002 was used for all time relating to Adversary
24 No. 99-496, *Riverview Community Bank v. BC Real Estate*. No time was recorded under this
25 number for this time period.
26

1 **3. EVALUATING STANDARDS**

2 The fees billed by Lewis and Roca to the Debtors for professional services
3 rendered for Matter No. 1 are \$53,110.50.

4 In accordance with 11 U.S.C. § 330, this amount was calculated using the hourly
5 rate for the attorneys involved. *See also In Re Yermakov*, 718 F.2d 1465, 1471 (9th Cir. 1983)
6 (“The primary method used to determine a reasonable attorneys’ fee in a bankruptcy case is to
7 multiply the number of hours expended by an hourly rate”). This has also been referred to as the
8 “lodestar” or basic fee which, if warranted, can be adjusted upward or downward. In that regard,
9 the Ninth Circuit in *Yermakov* made specific references to *Johnson v. Georgia Highway Express,*
10 *Inc.*, 488 F.2d 714, 717-19 (5th Cir. 1974), in which the Fifth Circuit listed twelve factors which
11 should be considered in awarding attorneys’ fees. These “*Johnson* factors” have been referred to
12 and utilized by many courts in considering and awarding attorneys’ fees in bankruptcy cases. *See*
13 *In Re Nucorp Energy, Inc.*, 754 F.2d 655 (9th Cir. 1985).

14 The Ninth Circuit Bankruptcy Appellate Panel has held that the “lodestar”
15 approach, coupled with consideration for the “*Johnson* factors” is the appropriate standard to be
16 applied in awarding fees in a bankruptcy case. *See In re Powerine Oil Co.*, 71 Bankr. 767 (Bankr.
17 9th Cir. 1986).

18 The provisions of § 330(a) place a premium on the timeliness of administration of
19 the case. Compensable services must be “performed within a reasonable amount of time
20 commensurate with the complexity, importance and nature of the problem, issue or task
21 addressed.” 11 U.S.C. § 330(a)(3)(A). Lewis and Roca believes all services have been provided
22 on a timely basis.

23 Please consult the attached project billing for a more specific description of the
24 various services provided, categorized on a project basis, as well as a general description of what
25 was accomplished with respect to each project.
26

1 The results obtained by Lewis and Roca within the time frames of this application
2 illustrate that Lewis and Roca:

- 3 • Used the skill required to perform the legal services properly;
- 4 • Provided services necessary to the administration of the case; and
- 5 • Performed the services within a reasonable amount of time commensurate
6 with the complexity, importance and nature of each task.

7 **F. CONCLUSION**

8 Based upon the foregoing, Lewis and Roca respectfully requests the Court to enter
9 an order allowing:

10 1. Final approval of the amounts previously awarded as follows:

<u>Application</u>	<u>Fees</u>	<u>Costs</u>	<u>Total</u>
12 (i) First Application	\$124,493.50	\$77,236.77	\$201,730.27
13 (ii) Second Application	76,961.50	12,770.66	89,732.16
14 (iii) Third Application	79,998.00	13,244.11	93,242.11
15 (iv) Fourth Application	<u>89,669.00</u>	<u>8,897.05</u>	<u>98,566.05</u>
16 Previously Awarded	\$371,122.00	\$112,148.59	\$483,270.59

17
18 2. Final approval of compensation for professional services rendered by Lewis
19 and Roca as attorneys for Debtors as set forth in the Fifth and Final Application in the sum of
20 \$53,110.50

21 3. Final approval of \$7,203.57 for actual and necessary expenses incurred as
22 set forth in the Fifth and Final Application in connection with the rendering of such professional
23 services.

24 ////

25 ////

26 ////

1 4. An order authorizing Lewis and Roca to apply the retainer it holds to pay
2 the balances owed on the (a) Fourth Application of \$348.58 and (b) the Fifth and Final
3 Application in the amount of \$20,709.30 fees and \$4,498.38 costs or a total of \$25,556.26.

4 5. Lewis and Roca further requests it be authorized to receive an additional
5 contingent award of fees and costs in an amount not to exceed \$3,000 to cover time and costs to
6 conclude its representation of the Debtors and cover any unbilled time, or costs not included in
7 this application to be paid from its retainer. The balance of the \$3,000, to the extent not used at
8 Lewis and Roca's standard rates and actual costs, will be turned over to the Plan Trustee.

9 6. Lewis and Roca further requests that the balance of the retainer be turned
10 over to Gerald K. Smith, the Plan Trustee.

11 DATED this 10th day of July, 2000.

12 LEWIS AND ROCA LLP

13
14 By /s/SMF(004199)
15 Susan M. Freeman

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LEWIS
AND
ROCA
LLP

L A W Y E R S

1 COPY of the foregoing
mailed this 10th day of
2 July, 2000, to:

3
4 Fitts, Jeff
GE Capital Corporation
GE Capital Funding Group
5 401 Merritt 7, Second Floor
Norwalk, CT 06856

6
7 Joyce, Patrick
Citizens Bank
1 Citizens Plaza
8 Providence, RI 02903-1339

9
10 Lehmann, Richard
Bond Investors Association
6175 NW 153 St., Suite 221
Miami Lakes, FL 33014

11
12 Norman, Dan
Pilgrim America Prime Rate Trust
Two Renaissance Square
13 40 N. Central Ave., Suite 1200
Phoenix, AZ 85004-3444

14
15 Simmons, Lynn (Ms.)
Vice President
Bank of America
16 231 S. LaSalle St., 8th Floor
Chicago, IL 60697

17
18 Jean B. LeBlanc
Murphy, Sheneman, Julian & Rogers
2049 Century Park East, Suite 2100
19 Los Angeles, CA 90067

20
21 Larry Nyhan
Sidley & Austin
One First National Plaza
Chicago, IL 60603

22
23 Office of the U.S. Trustee
2929 North Central Avenue, Suite 700
P.O. Box 36170
24 Phoenix, Arizona 85067-6170

25 _____
/s/Roseann J. Kapp
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DECLARATION OF SUSAN M. FREEMAN

I, Susan M. Freeman, do hereby declare as follows:

1. I am a Partner in the law firm of Lewis and Roca LLP
2. The fee application will be reviewed and approved by the client prior to the hearing.

DATED July 10, 2000

/s/ SMF (004199)
Susan M. Freeman

Brief Biographical Information of Attorneys

Gerald K. Smith: Partner in the Phoenix, Arizona law firm of Lewis and Roca LLP. Born Manhattan, Kansas, 1936; admitted to bar, 1962, Arizona. Education: Kansas State University (B.S., 1958); New York University (LL.B., 1961). Order of the Coif; Phi Alpha Theta; Phi Kappa Phi. Root-Tilden Scholar. Member, Board of Editors, New York University Law Review, 1960-1961. Member, National Bankruptcy Conference, American Bar Association Business Bankruptcy Section (Chair, Subcommittee on Professional Ethics, member Ad Hoc Committee on Partnerships in Bankruptcy), Advisory Committee on Rules of Bankruptcy of the Judicial Conference of the United States, American Law Institute (Advisor, Article 9 Drafting Committee), American Bankruptcy Institute (Director), American College of Bankruptcy (Chairman of the Board of Directors). Deputy Director, Commission on the Bankruptcy Laws of the United States (1972-73). Contributing editor Collier on Bankruptcy (14th edition); contributing editor Practicing Under the Bankruptcy Reform Act (CRR 1979); contributing editor Norton Bankruptcy Law and Practice; and coeditor Norton Bankruptcy Law Advisor.

Susan M. Freeman: Partner in the law firm of Lewis and Roca LLP, Certified specialist in bankruptcy law, Arizona Board of Legal Specialization. Education: New York University, J.D., 1975 (Root-Tilden Scholar); Mt. Holyoke College, B.A., with distinction 1972; University of Edinburgh, Edinburgh, Scotland. Concentration is in the areas of appeals, and business bankruptcy. Member of the State Bar Associations, and its Bankruptcy Section and of the American Bar Association Business Bankruptcy Section (Chair Programs and Publications Subcommittee, former Chair, Professional Ethics Subcommittee). Fellow, American College of Bankruptcy (Board of Directors). Author of Chapter 27, "Ethical Responsibilities," Norton Bankruptcy Law & Practice 2d. Lectures at various continuing legal education programs on bankruptcy in Arizona and nationally.

Brent C. Gardner: Partner in Phoenix, Arizona law firm of Lewis and Roca LLP. Education: J. Reuben Clark Law School, Brigham Young University, J.D., 1981 (B.A., cum laude, 1978). Member of the State and Maricopa County Bar Association and the Bankruptcy Section of the Bar. His practice primarily involves the representation of financial institutions and other creditors in bankruptcy and workout matters.

J. Henk Taylor: Associate in the law firm of Lewis and Roca LLP in the Finance Section. Admitted to the Florida bar, 1993, Arizona bar, 1995. Education: Harvard University (B.A., magna cum laude, 1990); University of Florida (J.D. with high honors, 1993). Senior research editor, Florida Law Review. Law clerk to the Honorable Susan H. Black, U.S. Eleventh Circuit Court of Appeals, 1995-1996; Honorable Lacey A. Collier, U.S. District Court, Northern District of Florida, 1993-1995.