

40 North Central Avenue
Phoenix, Arizona 85004-4429
Facsimile (602) 262-5747
Telephone (602) 262-5311

James J. Belanger-State Bar No. 011393

Attorneys for Gerald K. Smith,
Boston Chicken Plan Trustee

FILED

AUG 30 2000

KEVIN E. O'BRIEN, CLERK
UNITED STATES
BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF ARIZONA**

In Re:

BCE WEST, L.P., *et al.*,

Debtors.

EID # 38-3196719

Chapter 11

Case Nos. 98-12547
through 98-12570 PHX CGC
Jointly Administered

**ORDER ON LEWIS AND ROCA
LLP'S FINAL FEE APPLICATION
[DE #1885]**

Hearing: August 30, 2000
Time: 10:00 a.m.
Location: Phoenix, Arizona
10th Floor, Courtroom 6

Lewis and Roca LLP filed its Fifth and Final Application for Allowance of Compensation and Reimbursement of Expenses as local counsel for BCE West, L.P. and related entities ("Debtors") on July 10, 2000 ("Fifth Application"). Due notice of the Fifth Application having been given, the Court having considered the Notice of Filing of Daigle Objections to Lewis and Roca LLP's Application for Compensation and Reimbursement for Expenses ("Daigle Objections") and the Response to Objections to Lewis and Roca LLP's Fee Application, and the Court having determined to overrule those portions of the

1 Daigle Objections to which Lewis and Roca did not consent in its Response, and good
2 cause appearing, it is:

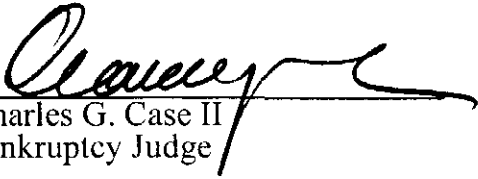
3 ORDERED that Lewis and Roca LLP, local counsel for the Debtors, is awarded the
4 sum of \$53,110.50 as fees for the services specifically described in the Fifth Application,
5 and \$7,203.57 as reimbursement of expenses set forth in the Fifth Application;
6

7 FURTHER ORDERED allowing as a final fee award the amount set forth in the
8 *Fifth Application, plus the amounts previously awarded as interim compensation, less*
9 *\$2,263.00.*
10

11 FURTHER ORDERED allowing an additional contingent award of fees and costs
12 in an amount not to exceed \$3,000 to cover time and costs to conclude its representation of
13 the debtors and cover any unbilled time or costs not included in the Fifth Application,
14 payable from Lewis and Roca's retainer, subject to the requirement that any amount not
15 used at Lewis and Roca's standard rates and actual costs shall be turned over to the Plan
16 Trustee.
17

18 FURTHER ORDERED that Lewis and Roca may apply the retainer it holds to pay
19 (a) the balance owed on the Fourth Application of \$348.58, plus (b) the balance owed on
20 the Fifth Application of \$25,556.26 fees and costs, plus (c) \$3,000 contingent additional
21 fee, less (d) \$2,263.00.
22

23 DATED this 30 day of August, 2000.

24
25
26

Hon. Charles G. Case II
U.S. Bankruptcy Judge