

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

IN RE:

CONSECO, INC., et al.,

Debtor.

Chapter 11

Case No.: 02 B49672

Honorable Carol A. Doyle  
(Jointly Administered)

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APPLICATION OF SMITH DEBNAM NARRON WYCHE SAINTSING & MYERS, L.L.P.  
FOR ALLOWANCE OF ADMINISTRATIVE CLAIM FOR COMPENSATION AND  
REIMBURSEMENT OF EXPENSES FOR THE PERIOD APRIL 28, 2003 THROUGH  
SEPTEMBER 15, 2003

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SUMMARY OF CLAIM

Name of Applicant:	Smith Debnam Narron Wyche Saintsing & Myers, L.L.P.
Authorized to Provide Professional Services to:	Conseco, Inc., et al., Debtors and Debtors-in-Possession
Role of Applicant:	Attorney to Debtors and Debtors-in-Possession
Date of Retention:	Retention Order entered January 14, 2003
Period for Which Compensation and Reimbursement is Sought:	April 28, 2003 to September 15, 2003
Amount of Requested Professional Fees for Services Rendered Sought as Actual, Reasonable and Necessary:	\$12,161.85
Amount of Expense Reimbursement Sought as Actual, Reasonable and Necessary:	\$ 828.02
Total Requested Professional Fees and Expense Reimbursement for Services Rendered:	\$12,989.87

**FILED**  
UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS

NOV 10 2003

KENNETH S. GARDNER, CLERK  
PS REP. - AJ

Pursuant to Section 503 of Title 11 of the United States Code (as amended, the "Bankruptcy Code"), Fed. R. Bankr. P. 2016 (the Federal Rules of Bankruptcy Procedure are referred to herein as the "Bankruptcy Rules"), rule 607 of the Bankruptcy Rules for the United States District Court and the United States Bankruptcy Court for the Northern District of Illinois (the "Local Bankruptcy Rules"), and the Retention Order (as defined below), Smith Debnam Narron Wyche Saintsing & Myers, L.L.P. ("Smith Debnam"), attorneys for the debtors and debtors-in-possession (the "Debtors") in the above-captioned Chapter 11 cases, hereby applies for payment (the "Application")) of (i) compensation in the amount of \$12,161.85 which represents 100% of its total post-petition fees attributable to the Debtors, for the reasonable and necessary services that Smith Debnam has rendered to the Debtors (the "Fees") and (ii) reimbursement in the amount of \$828.02 for the actual and necessary expenses that Smith Debnam incurred (the "Expenses"), in the cases for the period from April 28, 2003 through September 15, 2003 (the "Fee Period"). In support of this Application, Smith Debnam respectfully states as follows:

### **Background**

1. On December 17, 2002 (the "Petition Date"), each of the Initial Debtors filed its respective voluntary petition for relief under the Bankruptcy Code. On the Petition Date, the Debtors' Chapter 11 cases (the "Chapter 11 Cases") were consolidated for administrative purposes only. On February 3, 2003, the CFC Subsidiary Debtors filed their respective petitions for relief under the Bankruptcy Code. The Debtors are operating

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their businesses and managing their property as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code throughout the Chapter 11 Cases.

**Retention of and Continuing Disinterestedness of Smith Debnam**

2. By this Court's order dated January 14, 2003, the Debtors were authorized to retain Smith Debnam as one of their ordinary course attorneys, effective as of the Petition Date (the "Retention Order"). The Retention Order authorizes the Debtors to compensate Smith Debnam at Smith Debnam's hourly rates charged for services of this type and to be reimbursed for actual and necessary out-of-pocket expenses incurred, subject to application to this Court in accordance with the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, all applicable local rules, and orders of this Court.

3. Smith Debnam does not hold or represent any interest adverse to the estates, and is a disinterested person as that term is defined in Section 101(14) of the Bankruptcy Code as modified by Section 1107(b) of the Bankruptcy Code.

4. Smith Debnam performed the services for which it is seeking compensation on behalf of or for the Debtors and their estates and not on behalf of any committee, creditor or other person.

5. Smith Debnam has received no payment and no promises for payment from any source for services rendered or to be rendered in any capacity whatsoever in connection with the services for which it seeks compensation in the Chapter 11 Cases.

6. Pursuant to Fed. R. Bankr. P. 2016(b), Smith Debnam has not shared, nor has Smith Debnam agreed to share (a) any compensation it received or may receive with

another person or party, or (b) any compensation another person or party has received or may receive.

7. This is the first and only application for administrative expenses that Smith Debnam has submitted.

8. All fees and expenses sought for the Fee Period are included as part of this Application, the detailed billing records for which are attached hereto as **Exhibit "A"**. The fees sought for the Fee Period total \$12,989.87.

### **Representations**

9. Although every effort has been made to include all fees and expenses incurred in the Fee Period, some fees and expenses might not be included in this Application due to delays caused by accounting and processing procedures. Smith Debnam reserves the right to make further application to this Court for allowance of such administrative fees and expenses not included herein.

10. In summary, by this Application, Smith Debnam requests payment of compensation for fees and expenses in the total amount of \$12,989.87, which is 100% of the post-petition fees incurred by the Debtors for reasonable and necessary professional services rendered by Smith Debnam during the Fee Period.

WHEREFORE, Smith Debnam requests that it be allowed reimbursement for its Fees and Expenses incurred during the Fee Period and that such Fees and Expenses be paid as administrative expenses of the estates.

RESPECTFULLY SUBMITTED this 7<sup>th</sup> day of November, 2003.

SMITH DEBNAM NARRON WYCHE SAINTSING  
& MYERS, L.L.P.

By: Byron L. Saintsing  
Byron L. Saintsing, Partner *by CEC*  
Post Office Drawer 26268  
Raleigh, NC 27611  
Telephone: (919) 250-2000

The undersigned makes the following solemn oath:

The above information contained in Smith Debnam's Application for Allowance of Administrative Claim for Compensation and Reimbursement of Expenses for the Period April 28, 2003 through September 15, 2003 and the attached billing statements and details are true and correct to the best of my knowledge and belief.

This the 7<sup>th</sup> day of November, 2003.

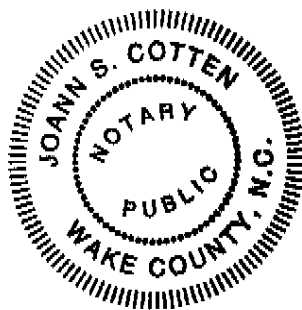
SMITH DEBNAM NARRON WYCHE SAINTSING  
& MYERS, L.L.P.

By: Byron L. Saintsing  
Byron L. Saintsing, Partner *by CEC*

Subscribed to and sworn before me  
this 7 day of November, 2003.

Joann S. Cotten  
Notary Public

My Commission expires:  
4-27-07



# EXHIBIT A



**SMITH DEBNAM**  
**NARRON WYCHE SAINTSING & MYERS, L.L.P.**  
Attorneys at Law

4700 New Bern Avenue  
Post Office Box 26268  
Raleigh, NC 27611-6268

Telephone: (919) 250-2000  
Facsimile: (919) 250-2100

Conseco Finance Corporation  
Textron Financial  
Attn John Clark  
St. Louis Business Center  
7711 Bonhomme, Suite 600  
St. Louis, MO 63105

June 30, 2003  
Invoice #174441  
Invoice prepared by:  
Byron L. Saintsing

Client No. M10796:                      Conseco Finance Corporation  
Matter No. 00002:                      Home City, Ltd.

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## CURRENT BILLING SUMMARY

Fees for Professional Services Through June 25, 2003:	6,239.00
Expense Advances Through June 25, 2003:	671.36
Total of Current Statement:	\$ 6,910.36
Retainer Applied to Current Statement:	( 540.65)
Previous Balance:	0.00
<b>TOTAL BALANCE DUE:</b>	<b><u>\$ 6,369.71</u></b>

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<u>DATE</u>	<u>ATTY</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
04/28/03	BLS	Receipt and review of letter from counsel for home city re: sale of tanya dickerson unit;	.20
04/29/03	CEC	Receipt and review of letter from attorney for defendants regarding status of Dickerson unit; Conference with BLS regarding BB&T request; Telephone conf w/client regarding above issues and other case issues; Prepared letter to attorney for defendants regarding various issues; Prepared Letter to client with copy of attorney letter enclosed	1.00
04/30/03	CEC	Continue revisions to petition for arbitration; locate and organize additional exhibits for same	2.70
05/01/03	BLS	final review of arbitration petition;	.30
05/01/03	BLS	Telephone conference with counsel for bb&t request that client contact champion homes re: missing MCOs	.30
05/01/03	CEC	Prepared letter to AAA enclosing arbitration demand; Conference with BLS regarding claim strategy; Conference with paralegal regarding same	.80
05/01/03	JSC	Receipt of cost check for arbitration filing fee; Deposited check to client trust	.30
05/07/03	CEC	Telephone conference with attorney for BB&T requesting assistance with issuance of manufacturer's statement of origin for Lionetti unit; Telephone conf w/client regarding same	.40
05/08/03	JSC	Made three copies of the Arbitration Demand with exhibits; Made three copies of the Arbitration Demand without exhibits; Sent by federal express the original and one copy of the Arbitration Demand with exhibits to AAA Arbitration; Served one copy of the Arbitration Demand with exhibits to Ed Gaskins; Sent copies of Arbitration Demand without exhibits to John Clark, Steve Ugland and Tom Dasher; Notes to file re: above	3.00
05/09/03	JSC	Set up our copy of Arbitration Demand with exhibits in notebook; Set up file box for Arbitration; Prepared letter to client enclosing original checks for arbitration filing fee	1.00
05/12/03	CEC	Telephone conferences w/client regarding various case issues; Telephone conference with attorney for BB&T regarding status of Lionetti unit	.60
05/16/03	CEC	E-mail messages from and to client regarding status of McNeil unit; Prepared letter to attorney for Home City regarding same; Prepared Letter to client with copy of attorney letter enclosed	.70
05/19/03	BLS	Receipt and review of six page letter from AAA regarding petition filed by client;	.30
05/19/03	CEC	Receipt and review of fax from AAA case administrator; review relevant rules and documents regarding same	1.30

05/23/03	CEC	Conference with BLS regarding status of next week's conference call; Prepared Letter to client with copy of correspondence from AAA enclosed; Prepared letter to AAA enclosing conflicts checklist; begin drafting administrative conference checklist; Telephone conference with attorney for defendant regarding request for continuance	2.50
05/27/03	BLS	revised draft of letter to AAA case manager;	.30
05/27/03	CEC	Telephone conferences with attorney for defendant seeking consent to continuance; Telephone conference with AAA regarding same; Receipt and review of letter from attorney confirming consent; Telephone conf w/client regarding conflicts checklist and status of closings; Prepared letter to attorney regarding closings issue; revise conflicts checklist; Prepared Letter to client with copy of attorney letter enclosed and conflicts checklist for review and approval	1.60
05/28/03	CEC	Continue review of arbitration rules and other relevant documents in preparation of arbitration strategy and checklists	2.90
05/29/03	CEC	Telephone conferences w/client regarding conflicts statement; edit conflicts statement; Prepared letter to AAA enclosing same; Prepared Letter to client with copy of AAA letter and statement enclosed; Conference with BLS regarding rescheduling of administrative conference; Telephone conference with AAA case manager regarding same	1.60
06/02/03	BLS	Receipt and review of e-mail from cec re: discussions with opposing counsel and re: status of sale of 2 units;	.20
06/02/03	CEC	Telephone conferences with attorney for defendants regarding status of pending closings and other case issues; Receipt and review of letter from AAA rescheduling administrative conference; Prepared Letter to client with copy of AAA letter enclosed; e-mails to and from client regarding status of pending closings; Conference with BLS regarding attorney inquiries	1.60
06/03/03	CEC	Receipt and review of letter from attorney for defendants regarding issues discussed yesterday about status of proceedings	.30
06/04/03	BLS	Receipt and review of response to arbitration demand filed by debtors; revised draft of letter to AAA enclosing conflict checklist; reviewed memo re: administrative conference call to be held on 6-4	.50
06/04/03	BLS	attend conference call with AAA re: client's claim;	.30
06/04/03	CEC	Conferences with BLS regarding status of claim; administrative conference with BLS, AAA case manager and attorney for defendants; Conference with attorney for defendants and BLS regarding options for settlement of claim; Receipt and review of response to our demand for arbitration and counterclaim filed by defendants; Prepared Letter to client with copy of response enclosed; finalize conflicts check and send to AAA	1.90
06/05/03	CEC	Receipt and review of letter from AAA case manager confirming details discussed at yesterday's administrative conference; Telephone conference	.90



with case manager regarding counterclaim filing fee; Prepared Letter to client with copy of AAA letter enclosed

06/10/03	CEC	Telephone conference with arbitration case manager regarding payment of arbitration fee by defendants; Receipt and review of letter from client regarding settlement negotiations; e-mails to and from client regarding status of McNeill unit; Prepared letter to attorney for defendants regarding same; Prepared Letter to client with copy of attorney letter enclosed	1.60
06/11/03	BLS	Prepared e-mail to john clark	.20
06/11/03	CEC	Begin drafting deposition questions and requests for production of documents to Mike Allen of Home City	1.40
06/12/03	CEC	Continue drafting deposition questions and requests for production of documents to Mike Allen at Home City; Receipt and review of letter from attorney for Home City regarding status of McNeill unit; e-mail message to client regarding same	1.60
06/13/03	BLS	Receipt and review of fax from john clark with copy of letter from mike allen to mr. clark enclosed;	.20
06/14/03	BLS	Receipt and review of letter from ed gaskins inquiring as to owner of claim against home city and whether claim sold by conseco in bankruptcy case;	.20
06/17/03	BLS	extended Telephone conference with steve ugland re: issues regarding settlement with debtor;	.30
06/17/03	BLS	Receipt and review of notice of arbitrators to select from from AAA and deadline for same;	.30
06/20/03	BLS	Telephone call from ed gaskins re: various case issues;	.30
06/24/03	BLS	Conference with cec re: various case issues; conference call with ed gaskins and cec re: selection of arbitration panel;	.50
06/24/03	CEC	Receipt and review of letter from AAA listing proposed arbitrators; letters from client regarding incentive plan in effect; letters from attorney for defendants regarding status of settlement and bankruptcy stay; review arbitration rules regarding response to counterclaim; Conference with BLS regarding arbitration strategy; Telephone conference with BLS and attorney for defendants regarding arbitrator selection and other case issues; Conferences with other firm attorneys regarding arbitrator selections	3.10
06/25/03	CEC	Prepared letter to client relaying arbitrator information; Telephone conferences with client and bankruptcy attorney for client requesting status of sale; Prepared draft of letter to attorney for defendants addressing various issues; Conference with BLS regarding same	1.00

**TOTAL FEES:**

**\$ 6,239.00**

DATE

EXPENSE NAME

AMOUNT

<u>DATE</u>	<u>EXPENSE NAME</u>	<u>AMOUNT</u>
	Copies (Summary)	499.50
	Express Mail (Summary)	38.61
	Fax Charge-Incoming (Summary)	23.00
	Fax Charge-Outgoing (Summary)	74.00
	Long Distance Calls (Summary)	36.25
<b>TOTAL EXPENSES:</b>		<b>\$ 671.36</b>
<b>TOTAL FEES PLUS EXPENSES:</b>		<b>\$ 6,910.36</b>



**SMITH DEBNAM**  
**NARRON WYCHE SAINTSING & MYERS, L.L.P.**  
Attorneys at Law

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Telephone: (919) 250-2000  
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July 31, 2003  
Invoice #174654  
Invoice prepared by:  
Byron L. Saintsing

Conseco Finance Corporation  
Textron Financial  
Attn John Clark  
St. Louis Business Center  
7711 Bonhomme, Suite 600  
St. Louis, MO 63105

Client No. M10796:                      Conseco Finance Corporation  
Matter No. 00002:                      Home City, Ltd.

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**CURRENT BILLING SUMMARY**

Fees for Professional Services Through July 25, 2003:	1,920.00
Expense Advances Through July 25, 2003:	27.50
Total of Current Statement:	<u>\$ 1,947.50</u>
Previous Balance:	6,369.71
<b>TOTAL BALANCE DUE:</b>	<u><b>\$ 8,317.21</b></u>

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<u>DATE</u>	<u>ATTY</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
06/26/03	BLS	reviewed draft of letter to opposing counsel re: potential stay violations by filing counterclaim against conseco in arbitration proceeding and other case issues; revised draft of same; Telephone conference with cec re: selection of arbitrators	.60
06/26/03	CLC	Telephone call from arbitration coordinator regarding status of arbitrator selection; Conference with BLS regarding same and other case issues; edit letter to attorney for defendant to incorporate arbitrator choices; Prepared Letter to client with copy of attorney letter enclosed	.90
06/27/03	CEC	Telephone conferences with attorney for defendants regarding arbitrator choices; Prepared letter to AAA regarding same; Prepared letter to attorney for defendants enclosing same; Prepared Letter to client with copies of above documents enclosed	1.30
06/30/03	CEC	Receipt and review of letter from client to debtor regarding authorization to sell and deliver unit	.30
07/01/03	CEC	Conference with BLS regarding status of arbitrator selection	.20
07/01/03	JSC	Set up subfile for unit sale to K. Douglass Barfield, Serial Number 66784	.30
07/08/03	CEC	Receipt and review of letter from attorney for defendants regarding status of McNeil closing; Prepared Letter to client with copy of attorney letter enclosed	.60
07/09/03	CEC	Receipt and review of fax from AAA regarding arbitrator selection issues; review relevant documents regarding same; Conferences with BLS regarding same; Telephone conferences with attorney for defendants regarding same	1.40
07/10/03	CEC	Telephone conferences with attorney for defendants regarding arbitrator selection issue; Conferences with BLS regarding same	1.00
07/11/03	BLS	reviewed objections to arbitrators from opposing counsel; Conference with cec re: selection of arbitrators;	.40
07/11/03	BLS	revised draft of letter to carmen frobos, case manager for AAA, re: selection of arbitrators;	.30
07/11/03	CEC	Receipt and review of copy of letter from attorney for defendants to AAA re: arbitrator selection issue; Conference with BLS regarding same; Prepared letter to AAA relayng our opinion about arbitrator selection issue; Prepared letter to attorney for defendants enclosing copy of same; Prepared Letter to client with copies of above documents enclosed	1.20
07/15/03	BLS	Receipt and review of e-mail from john clark re: debtor having paid invoice short at closing; Prepared e-mail to john clark re: same;	.30
07/15/03	BLS	Receipt and review of e-mail from john clark re: payment of amount due on mcneil unit; Prepared e-mail to mr. clark re: same;	.20

07/15/03	BLS	revised draft of letter to ed gaskins;	.20
07/15/03	CEC	Receipt and review of letter from attorney for defendants regarding arbitrator selection issues; several e-mail messages from and to client regarding status of various units; Prepared letter to attorney for defendants regarding short pay on serial number 4320; Prepared Letter to client with copy of attorney letter enclosed; Telephonic conference with AAA case administrator regarding arbitrator selection issue	1.90

**TOTAL FEES:** **\$ 1,920.00**

<u>DATE</u>	<u>EXPENSE NAME</u>	<u>AMOUNT</u>
	Copies (Summary)	2.50
	Fax Charge-Incoming (Summary)	4.00
	Fax Charge-Outgoing (Summary)	20.00
	Research (Summary)	1.00

**TOTAL EXPENSES:** **\$ 27.50**

**TOTAL FEES PLUS EXPENSES:** **\$ 1,947.50**



**SMITH DEBNAM**  
**NARRON WYCHE SAINTSING & MYERS, L.L.P.**  
Attorneys at Law

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Telephone: (919) 250-2000  
Facsimile: (919) 250-2100

August 31, 2003  
Invoice #176292  
Invoice prepared by:  
Byron L. Saintsing

Green Tree Servicing, LLC  
C/O Textron Financial  
Attn John Clark  
7711 Bonhomme  
Suite 600  
St. Louis, MO 63105

Client No. M10796: Green Tree Servicing, LLC  
Matter No. 00002: Home City, Ltd.

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**CURRENT BILLING SUMMARY**

Fees for Professional Services Through August 25, 2003:	2,337.00
Expense Advances Through August 25, 2003:	40.75
Total of Current Statement:	\$ 2,377.75
Retainer Applied to Current Statement:	( 73.50)
Previous Balance:	8,317.21
<b>TOTAL BALANCE DUE:</b>	<b><u>\$ 10,621.46</u></b>

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<u>DATE</u>	<u>ATTY</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
07/28/03	CEC	Conference with BLS regarding arbitrator selection issue; Prepared letter to AAA regarding same; Prepared letter to opposing counsel enclosing copy of same; Prepared Letter to client with copy of same enclosed; Receipt and review of copy of letter from client to defendant authorizing moving of unit # 53959; review Court of Appeals docket to ascertain status of appeal	1.40
07/30/03	CEC	Receipt and review of two (2) orders from North Carolina Court of Appeals granting motions to amend record on appeal; Receipt and review of copy of letter from attorney for defendants to AAA regarding arbitrator selection issue; Prepared Letter to client with copies of above documents enclosed	1.20
07/31/03	CEC	Receipt and review of copies of letters from client to defendant authorizing delivery of units to Trillis McGilvary and Lloyd Washington; e-mail messages from and to client regarding storage lien issue	.80
08/01/03	CEC	Prepared letter to attorney for defendants addressing storage lien issue; review file documents regarding same; e-mail to client requesting status of short paid unit	.70
08/06/03	BLS	revised draft of letter to counsel for home city re: unit no. 3959	.20
08/06/03	CEC	Receipt and review of order of Court of Appeals dismissing defendants' appeal; Prepared Letter to client with copy of order enclosed; finalize letter to client enclosing previous Court of Appeals orders and letter to attorney for defendants regarding transfer of unit	1.00
08/08/03	CEC	Receipt and review of letter from attorney for defendants regarding status of storage lien; Prepared letter to client enclosing same with request for guidance	.60
08/10/03	BLS	Receipt and review of letter from mjulie doorenbos re: sale of conseco business unit to green tree investment holdings; instructions to cec re: counterclaim by home city in arbitration case being violation of automatic stay;	.30
08/11/03	BLS	revised draft of letter to john clark;	.20
08/11/03	CEC	Receipt and review of fax from AAA regarding status of arbitrator selection; review appellate rules and docket regarding publishing of opinions	.60
08/12/03	BLS	extended telephone call from steve ugland and dave schwartz of client re: various case issues; Prepared e-mail to steve ugland re: same	.60
08/12/03	BLS	conference call with dryden little re: motion for relief filed by home city and 9,000,000.00 claim;	.40
08/12/03	CEC	Receipt and review of fax from AAA regarding selection of arbitrator; Conference with BLS regarding same; Prepared letter to AAA addressing same; Prepared letter to attorney for defendants enclosing copy of same;	1.60

Prepared Letter to client with copies of AAA letters enclosed; Receipt and review of copy of letter from defendants to AAA regarding arbitrator selection issue

08/13/03	BLS	revised draft of letter to AAA case manager carmen frobos;	.30
08/13/03	CEC	Finalize letter to AAA regarding arbitrator selection issue	.30
08/15/03	BLS	Receipt and review of e-mail from john clark re: not being paid in full on unit no.4320; Prepared e-mail to john clark re: same;	.30
08/15/03	BLS	reviewed order entered by north carolina court appeals dismissing appeal taken by home city and Letter to client with copy of same enclosed;	.50
08/15/03	CEC	Conference with BLS regarding settlement overture to be made to defendants and status of payoff on unit #4320; Prepared letter to attorney for defendants regarding same; Prepared Letter to client with copy of same enclosed	.90
08/20/03	BLS	Receipt and review of e-mail from john clark; Prepared e-mail to john clark;	.20
08/25/03	BLS	Receipt and review of e-mail from john clark re: funds to pay unit no. 4320 have been received;	.10
08/25/03	CEC	Continue preparation for arbitration conference	1.00

**TOTAL FEES:** **\$ 2,337.00**

<u>DATE</u>	<u>EXPENSE NAME</u>	<u>AMOUNT</u>
	Copies (Summary)	3.75
	Fax Charge-Incoming (Summary)	9.00
	Fax Charge-Outgoing (Summary)	28.00

**TOTAL EXPENSES:** **\$ 40.75**

**TOTAL FEES PLUS EXPENSES:** **\$ 2,377.75**





**SMITH DEBNAM**  
**NARRON WYCHE SAINTSING & MYERS, L.L.P.**  
Attorneys at Law

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Facsimile: (919) 250-2100

Green Tree Servicing, LLC  
C/O Textron Financial  
Attn John Clark  
7711 Bonhomme  
Suite 600  
St. Louis, MO 63105

September 30, 2003  
Invoice #177056  
Invoice prepared by:  
Byron L. Saintsing

Client No. M10796:                      Green Tree Servicing, LLC  
Matter No. 00002:                      Home City, Ltd.

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**CURRENT BILLING SUMMARY**

Fees for Professional Services Through September 25, 2003:	5,450.00
Expense Advances Through September 25, 2003:	88.41
	<hr/>
Total of Current Statement:	\$ 5,538.41
Previous Balance:	10,621.46
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<b>TOTAL BALANCE DUE:</b>	<b><u>\$ 16,159.87</u></b>

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<u>DATE</u>	<u>ATTY</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
08/26/03	BLS	Receipt and review of e-mail from dryden little re: motion for relief from stay filed by home city and same enclosing sale order and sale agreement; Prepared e-mail to dryden little and others re: same; Telephone conference with john clark re: conversation with steve ugland and obtaining settlement authority;	.80
08/26/03	CEC	Conference with BLS regarding status of motion for relief from stay by Home City; review sale agreement and order for Conseco sale of assets to third party to ascertain status of Home City counterclaim; review e-mail messages between BLS and bankruptcy counsel regarding same; review Conseco bankruptcy docket regarding same	4.60
08/27/03	JSC	Set up sub files for mobile homes sales for Lloyd Washington and Trillis McGilvary	.30
08/29/03	BLS	Receipt and review of e-mail from john clark with interest computations on out of trust balances; Prepared e-mail to mr. clark re: amounts due and owing on inventory still being liquidated;	.30
08/29/03	CEC	Conferences with BLS regarding claim strategy; review stipulation and order granting Home City's motion for relief from stay in Conseco's bankruptcy proceeding; Receipt and review of motion to add CFN as party and motion to modify preliminary injunction order filed by attorney for defendants; Prepared letter to attorney for defendants outlining terms of settlement	1.60
09/08/03	BLS	revised draft of letter to counsel for home city; Conference with cec re: same and re: other case issues; e-mail draft of letter to client for approval;	.80
09/08/03	CEC	Conferences with BLS regarding case strategy; review edited settlement letter to attorney for defendants; Telephone conf w/client regarding settlement proposal	.90
09/09/03	CEC	Telephone conferences with client representatives John Clark and Steve Ugland regarding approval of settlement letter to defendants; Telephone conference with bankruptcy attorney for Conseco to discuss status of account; Telephone conference with general counsel for Green Tree and Steve Ugland regarding same	1.40
09/10/03	CEC	Receipt and review of name change documents from David Schwartz; Telephone conf w/client Steve Ugland regarding same and edits to settlement letter; Conference with BLS regarding above issues	1.00
09/11/03	BLS	Receipt and review of letter from case administrator re: selection of arbitration panel and other issues;	.20
09/11/03	CEC	Receipt and review of letter from AAA regarding arbitrator selection; receipt and analysis of purchased business schedules from bankruptcy attorney for Conseco; edit letter to attorney for defendants with various changes suggested by Clark and Ugland	1.30

09/16/03	BLS	Receipt and review of petition for discretionary review to nc supreme court filed by debtor; instructions to cec re: same; revised draft of letter to counsel for debtor re: offer of settlement;	.40
09/16/03	CEC	Receipt and review of letter from AAA regarding arbitrator selection issue; Conference with BLS regarding status of client entities; Receipt and review of petition for discretionary review filed by defendants; begin drafting response to same; review appellate rules regarding same; review relevant law regarding orders compelling arbitration	3.60
09/17/03	BLS	Receipt and review of e-mail from karla robinson re: 2 units being out of trust; instructions to cec re: same;	.30
09/17/03	BLS	reviewed and revised draft of response to petition for discretionary review;	1.30
09/17/03	CEC	Conference with BLS regarding units sold out of trust and dates of availability for AAA preliminary hearing; continue drafting response to petition for discretionary review; Prepared letter to AAA outlining available dates and times for preliminary hearing	1.10
09/18/03	BLS	finalize client's response to debtor's petition for discretionary review before the NC Supreme Court;	1.20
09/18/03	CEC	Finalize response to petition for discretionary review; Prepared letter to North Carolina Supreme Court enclosing same; Prepared letter to attorney for defendants enclosing copy of same; Prepared Letter to client with copies of petition and response enclosed; e-mail to client regarding out of trust units	2.40
09/19/03	CEC	Conferences with paralegal regarding status of response to petition for discretionary review	.60
09/19/03	JSC	Telephone conference with the Supreme Court to confirm receipt of Response to Petition for Discretionary Review	.20
09/19/03	JSC	Copies Petition for Discretionary Review and Response to Petition for Discretionary Review ; Sent same to all parties at client	.40
09/21/03	CEC	Continue drafting motion to clarify status of claim; review various documents regarding same	1.10
09/22/03	CEC	E-mail message from client regarding status of out of trust units; Prepared letter to attorney for defendant regarding same; Prepared Letter to client with copy of attorney letter enclosed; continue drafting clarification motion; Receipt and review of letter from AAA regarding arbitrator disclosure; Conference with BLS regarding same; Prepared letter to AAA responding to same; Prepared letter to attorney for defendants enclosing copy of same; Prepared Letter to client with copy of AAA letter enclosed	2.20
09/23/03	CEC	E-mails from and to client regarding payoff received on two out-of-trust units; Conference with BLS regarding same; finalize letter to AAA regarding mediator conflict and Prepared letters to attorney for defendants and to client representatives enclosing copy of same	1.20

09/23/03	JSC	Telephone conference with the Trial Court Administrator to clarify upcoming court hearings	.20
09/24/03	BLS	Receipt and review of notice of hearing re: home city motion to modify injunction; instructions to cec and jsc re: same;	.20
09/25/03	BLS	revised draft of motion for clarification of ownership of claim to be filed in conseco bankruptcy case;	.40
09/25/03	CEC	Receipt and review of defendants' response to arbitrator conflict issue; Receipt and review of letter from AAA reaffirming arbitrator selection; Telephone conference with arbitration coordinator to finalize date and time of preliminary hearing; continue drafting motion to clarify ownership of asset	1.60

**TOTAL FEES:** **\$ 5,450.00**

<u>DATE</u>	<u>EXPENSE NAME</u>	<u>AMOUNT</u>
	Copies (Summary)	11.25
	Express Mail (Summary)	18.14
	Fax Charge-Incoming (Summary)	18.00
	Fax Charge-Outgoing (Summary)	12.00
	Long Distance Calls (Summary)	29.02

**TOTAL EXPENSES:** **\$ 88.41**

**TOTAL FEES PLUS EXPENSES:** **\$ 5,538.41**

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

IN RE:

**CONSECO, INC., et al.,**

Debtor.

Chapter 11

**Case No.: 02 B49672**

Honorable Carol A. Doyle  
(Jointly Administered)

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**CERTIFICATE OF SERVICE**

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The undersigned, being eighteen (18) years of age or older, hereby certifies that he has served the foregoing **APPLICATION OF SMITH DEBNAM NARRON WYCHE SAINTSING & MYERS, L.L.P. FOR ALLOWANCE OF ADMINISTRATIVE CLAIM FOR COMPENSATION AND REIMBURSEMENT OF EXPENSES FOR THE PERIOD APRIL 28, 2003 THROUGH SEPTEMBER 15, 2003** upon the following individuals on the date indicated below by United States Mail, first class delivery:

Bankruptcy Management Corp.  
ATTN: Conseco Finance, Inc., Claims Agent  
Post Office Box 1042  
El Segundo, CA 90245-1042

Kirkland & Ellis  
Bankruptcy Counsel to the Debtors and  
Counsel to the Post-Consummation Estate  
200 East Randolph Drive  
Chicago, Illinois 60601  
ATTN: Anup Sathy, Esq. and Roger Higgins, Esq.

Greenberg Traurig, P.C.  
Counsel to the Creditors' Committee  
77 West Wacker Drive, Suite 2500  
Chicago, Illinois 60601  
ATTN: Nancy Mitchell, Esq.

The Office of the United States Trustee  
227 West Monroe Street  
Suite 3350  
Chicago, Illinois 60606  
ATTN: Richard Friedman, Esq. and  
Gretchen Silver, Esq.

Anthony H. N. Schnelling  
The Plan Administrator  
Bridge Associates LLC  
747 Third Avenue, Suite 32A  
New York, NY 10017

This the 7<sup>th</sup> day of November, 2003.

SMITH DEBNAM NARRON WYCHE SAINTSING  
& MYERS, L.L.P.

By: Byron L. Saintsing  
Byron L. Saintsing, Partner *by CEC*  
Post Office Drawer 26268  
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