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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:)	Chapter 11
)	
ENRON CORP., et al.,)	Case No. 01-16034 (AJG)
)	
Debtors.)	Jointly Administered
)	

**FINAL APPLICATION OF HINTON, SUSSMAN, BAILEY & DAVIDSON, L.L.P.,
COUNSEL FOR MICHAEL GRIGSBY, FOR ALLOWANCE OF COMPENSATION FOR
PROFESSIONAL SERVICES RENDERED AND
REIMBURSEMENT OF ACTUAL AND NECESSARY EXPENSES INCURRED
FROM JUNE 11, 2002 THROUGH AUGUST 2, 2002**

**TO: THE HONORABLE ARTHUR J. GONZALEZ
UNITED STATES BANKRUPTCY JUDGE:**

Hinton, Sussman, Bailey & Davidson, L.L.P., (“HSBD”), attorneys for Michael Grigsby as a former employee of Enron Corp. and its affiliated debtors in possession (collectively, “Enron” or the “Debtors”), for its final application (the “Application”) for an order pursuant to sections 330(a), 331 and 363(b) of Title 11 of the United States Code (the “Bankruptcy Code”) and Rule 2016 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), for the allowance of compensation for professional services performed by HSBD for the period commencing June 11, 2002 through and including August 2, 2002 (the “Compensation Period”),

and for reimbursement of HSBD's actual and necessary expenses incurred during the Compensation Period, respectfully represents:

**SUMMARY OF PROFESSIONAL COMPENSATION
AND REIMBURSEMENT OF EXPENSES REQUESTED**

1. This Application has been prepared in accordance with the Amended Guidelines for Fees and Disbursements for Professionals in Southern District of New York Bankruptcy Cases adopted on April 19, 1995 (the "Local Guidelines"), the United States Trustee Guidelines for Reviewing Applications for Compensation and Reimbursement of Expenses Filed Under 11 U.S.C. § 330, adopted on January 30, 1996 (the "UST Guidelines"), the Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals, dated January 17, 2002 (the "Initial Administrative Fee Order"), the Order Supplementing Administrative Order Dated January 17, 2002 Establishing Procedures for Interim Compensation and Reimbursement of Expenses by Establishing Fee Committee, Directing Preparation of Professional Budgets and Formatting for Presentation of Billing Statements, dated April 26, 2002 (the "Fee Committee Order"), the Second Supplemental Order Regarding (A) Procedures for Interim Compensation and Reimbursement of Expenses and (B) Preparation of Professional Budgets and Formatting for Presentation of Billing Statement, dated May 24, 2002 (the "Second Supplemental Fee Order"), the Third Supplemental Order Regarding (A) Procedures for Interim Compensation and Reimbursement of Expenses and (B) Preparation of Professional Budgets and Formatting for Presentation of Billing Statements, dated July 15, 2002 (the "Third Supplemental Fee Order"), the Fourth Supplemental Order Regarding (A) Procedures for Interim Compensation and Reimbursement of Expenses and (B) Preparation of Professional Budgets and Formatting for Presentation of Billing Statements, dated August 14, 2002 (the "Fourth Supplemental Fee Order", and collectively, the "Enron Fee Orders"), the Order Authorizing Debtors to Retain, *nunc pro*

tunc, Swidler Berlin Shereff Friedman, L.L.P. as Special Employees Counsel and to Pay for Legal Fees and Disbursements Pursuant to Sections 105(a), 327(e), 330, 331 and 363(b)(1) of the Bankruptcy Code, and this Court's Order Dated March 29, 2002 authorizing Debtors to Retain, *nunc pro tunc*, Hinton, Sussman, Bailey & Davidson, L.L.P. as Counsel to Michael Grigsby and to pay Legal Fees and Disbursements pursuant to Sections 105(a), 327(e), 330, 331, and 363(b)(1) of the Bankruptcy Code (the "HSBD Retention Order"), and the application for an order concurrently filed Pursuant to 11 U.S.C. §§ 105 and 107(b) and Rule 9018 of the Federal Rules of Bankruptcy Procedure, requesting an order granting Hinton, Sussman, Bailey & Davidson, L.L.P. Limited Relief From the Court's Administrative Order Dated January 17, 2002 Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals (the "Requested HSBD Confidentiality Order").

2. HSBD seeks payment of final compensation for professional services rendered as counsel to Michael Grigsby during the Compensation Period, in the aggregate amount of \$30,618.75, and for reimbursement of expenses incurred in the rendition of such services in the amount of \$135.30. During the Compensation Period, HSBD attorneys and paraprofessionals expended a total of 101.25 hours for which compensation is requested.

3. There is no agreement or understanding between HSBD and any other person, other than members of the firm, for the sharing of compensation for services rendered in this case.

4. The fees charged by HSBD in this case are billed in accordance with its existing billing rates and procedures in effect during the Compensation Period. The rates HSBD charges for the services rendered by its professionals and paraprofessionals in these Chapter 11 cases are the same rates HSBD charges for professional and paraprofessional services rendered in comparable non-bankruptcy related matters. Such fees are reasonably based on the customary

compensation charged by comparably skilled practitioners in comparable non-bankruptcy cases in a competitive national legal market.

5. Pursuant to UST Guidelines, a schedule setting forth all HSBD professionals and paraprofessionals who have performed services in these Chapter 11 cases during the Compensation Period, the capacities in which each such individual is employed by HSBD, the department in which each individual practices, the year in which each professional was first licensed to practice law, the hourly billing rate charged for services performed by such individual, the aggregate number of hours expended in this matter, and the fees billed, which is attached as Exhibit 2.

6. Annexed hereto as Exhibit 3 is a schedule specifying the categories of expenses for which HSBD is seeking reimbursement and the amounts for each such expense category.

7. HSBD maintains computerized records of the time spent by all HSBD attorneys and paraprofessionals in connection with the rendition of services in these Chapter 11 cases. Concurrently filed with this request is a requested confidentiality order seeking to protect the attorney-client privilege and confidentiality of said time records.

8. With respect to the months of June, July, and August 2002, comprising the Compensation Period, HSBD has submitted monthly fee statements in the aggregate amount of \$30,618.75 for professional services, and \$135.30 for disbursements on behalf of Michael Grigsby. HSBD requests payment of \$30,754.05, representing 100 percent of the outstanding balance for professional services rendered and disbursements made on behalf of Michael Grigsby during the Compensation Period. Time spent preparing this Application is not included within the time for which compensation is sought.

9. To the extent time or disbursement charges for services rendered or disbursements incurred relate to the Compensation Period, but were not processed prior to the preparation of this Application, HSBD reserves the right to request additional compensation for such services and reimbursement of such expenses in a future application.

BACKGROUND

10. Commencing on December 2, 2001 (the "Petition Date"), the Debtors filed voluntary petitions for relief under Chapter 11 of the Bankruptcy Code. The Debtors continue to operate their businesses and manage their properties as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code. Pursuant to its authority under section 1102 of the Bankruptcy Code, the United States Trustee for the Southern District of New York appointed the Official Committee of Unsecured Creditors (the "Committee") on December 12, 2001 and the Employment Related Issues Committee on March 29, 2002.

11. On March 29, 2002, after notice and a hearing, this Court entered an Order, *inter alia*, Authorizing Retention and Employment, *nunc pro tunc*, of Swidler Berlin Shereff Friedman, LLP as Special Employees' Counsel and Granting Related Relief (the "March 29 Order"). Swidler Berlin Shereff Friedman's ("SBSF") retention as Special Employees' Counsel was authorized pursuant to sections 105(a), 327(e) and 363b)(1) of the Bankruptcy Code, but SBSF agreed that its compensation would be subject to the standards set forth in Bankruptcy Code sections 330 and 331.

12. As part of the application and hearing with respect to the March 29 Order, the reasons why current and former Enron employees required legal counsel were made a matter of record. As the Debtors explained in their application to retain SBSF, prior to and since the Petition Date, various governmental entities and agencies have been conducting investigations

concerning the Enron Companies, the precipitous decline in their financial condition, the events leading to the filing of the Debtors' Chapter 11 petitions, their employee benefit plans, certain of the Enron Companies' trading operations, and other related issues (such investigations and any additional governmental investigations that may be commenced concerning the Enron Companies are referred to collectively as the "Investigations"). The governmental entities and agencies that have commenced Investigations include the Securities and Exchange Commission (the "SEC"), numerous Congressional committees, the Department of Justice (the "DOJ"), the Commodity Futures Trading Commission (the "CFTC"), the Federal Energy Regulatory Commission (the "FERC"), the Department of Labor (the "DOL"), the attorneys general of the States of California, Washington and Oregon, the Harris County, (Texas) District Attorneys Office (which shall be referred to as the "Texas Investigation") and others.

13. With respect to the CFTC Investigation, there is a former employee of the Enron Companies, Michael Grigsby, who has not been advised that he is under investigation and who may have information that is relevant to the CFTC Investigation and whose assistance, cooperation and participation has been, or likely will be, sought in connection with one or more of the Investigations, in particular, the CFTC Investigation (such person represented by HSBF hereinafter called "Employee").

14. In addition to authorizing certain current and former employees to retain SBSF, Paragraph 4 of the March 29 Order provided for the retention of counsel other than SBSF for employees who are "simply witnesses" in the Investigations and who cannot be represented by SBSF, due to an actual or potential conflict of interest, or if SBSF recommends an individual retain other counsel, or for other reasons. Pursuant to the terms of Paragraph 4 of the March 29 Order, SBSF determined that, since none of its attorneys who were licensed to practice law in the

State of Texas were involved in the professional engagement relating to its representation of employees of Enron, it would recommend that Mr. Grigsby or other Enron employees or ex-employees involved in the CFTC Investigation engage counsel other than SBSF in that matter. Mr. Grigsby retained HSBD to represent him during the course of the CFTC Investigation.

15. HSBD filed with the Court a retention application (“HSBD Retention Application”) in order to represent this Employee. Pursuant to the HSBD Retention Order, this Court authorized the retention of HSBD to represent Michael Grigsby during the Compensation Period and the payment of HSBD’s fees and disbursements by the Debtors.

GENERAL SUMMARY OF SERVICES RENDERED

16. HSBD has rendered extensive professional services on behalf of Michael Grigsby in connection with the CFTC Investigation and has facilitated his participation and cooperation with respect thereto. All of the professional services rendered by HSBD are set forth in the computerized time records maintained by HSBD, and the Court is respectfully referred to those records for the details of all of the work performed by HSBD. The following is a summary description of the primary services rendered by HSBD during the Compensation Period, which highlights the benefits conferred upon the Employee, the Debtors, their estates and other parties-in-interest as a result of HSBD’s efforts.

17. HSBD rendered professional services to Michael Grigsby during the Compensation Period with respect to the CFTC Investigation being conducted by the CFTC that sought information or testimony from the Employee. This investigation can be broadly classified as covering various business activities of Enron.

18. CFTC is or has conducted an investigation into certain of Enron’s business practices. HSBD represented Michael Grigsby in providing information to, or testimony for, this

government agency. Representation of Michael Grigsby in the CFTC Investigation has required HSBD attorneys to gain a thorough understanding of a number of highly complex energy trading concepts and standards, as well as Michael Grigsby's knowledge of, and roles in, these matters. In order to properly represent Michael Grigsby and protect his rights, HSBD attorneys had to evaluate all of these matters and Michael Grigsby's participation in or knowledge of them against a number of potentially applicable Federal statutes.

19. As noted above, the Enron Companies determined that it was in their best interests to encourage all current and former employees to cooperate with the Investigations, and this Court found that providing legal representation for the employees conferred a benefit to the Debtors' estates. In facilitating this policy, HSBD's representation of the Employee has provided substantial benefits to the Debtors' estates, including:

- a. HSBD has assisted Michael Grigsby in providing information requested during the course of the CFTC Investigation in a manner that has both satisfied the government agency conducting the Investigation and furthered the policy of cooperation that Enron management had determined was necessary to protect the Enron Companies, and hence, the Debtors' estates.
- b. In providing representation to Michael Grigsby, HSBD has helped the Enron Companies retain current employees and obtain qualified new employees, by demonstrating that the Enron Companies have policies designed to protect the rights of their employees.
- c. In providing this representation, HSBD has protected Michael Grigsby's constitutional and other legal rights throughout all phases of the CFTC Investigation, thereby helping to assure his continued cooperation in the

CFTC Investigation.

20. Due to the complexity of these Chapter 11 cases and the repeated objections by the Committee to the Debtors' payment of the legal expenses of current and former Enron employees by outside counsel even after the Court issued orders authorizing such payment, HSBD rendered significant professional services in connection with numerous issues attendant to these proceedings, including: preparation of separate HSBD Retention Applications and HSBD Retention Orders approved in separate actions by this Court, attendance at hearings related to each HSBD Retention Application, preparation of responses to the objections filed by the Committee, and, concurrently filed with this Application, a petition to the Court for a Confidentiality Order to protect the attorney-client privilege between HSBD and Michael Grigsby.

21. The amount requested in this Application does not include compensation for services rendered in connection with the preparation of monthly fee statements during the Compensation Period but, instead, only the amount resultant from the time involved in the representation of Mr. Grigsby's interests in the CFTC Investigation.

22. Debtors' business practices and the government's related regulatory structures are complex, and the numerous issues raised during this Investigation and the related proceedings required substantial effort by HSBD's partners, associates, and paraprofessionals. HSBD has addressed the issues in an expeditious and efficient manner, always mindful of the costs to Debtors' estates. As described above, HSBD has provided services to facilitate the CFTC Investigation and to help move this Investigation forward. In addition, HSBD has provided counsel to, advised and vigorously protected the legal rights of Michael Grigsby, while assisting in his cooperation with this Investigation. All of these services have furthered the

resolution of the CFTC Investigation, and by doing so have benefitted the Employees, the Debtors, their estates and other parties-in-interest.

23. These professional services performed by HSBD were necessary and appropriate to protect the interests of Michael Grigsby, as well as the Debtors, their estates, and other parties-in-interest, and therefore, were necessary to the administration of these Chapter 11 cases. Compensation for these services as requested is commensurate with the complexity, importance, and nature of the problems, issues or tasks involved.

24. During the Compensation Period, HSBD's hourly billing rates for partners was \$400.00 per hour and associates at \$250.00 per hour. Such fees are reasonable based on the customary compensation charged by comparably skilled practitioners in comparable bankruptcy cases in a competitive legal market.

THE COMPENSATION REQUESTED

25. There are numerous factors to be considered by the Court in determining allowances of compensation. *See, e.g., In re First Colonial Corp. of America*, 544 F.2d 1291 (5th Cir. 1977), cert. denied, 431 U.S. 904 (1977); *Johnson v. Georgia Highway Express, Inc.*, 488 F.2d 714 (5th Cir 1974); *In re Drexel Burnham Lambert Group Inc.*, 133 B.R. 13 (Bankr. S.D.N.Y. 1991). *See also In re Nine Associates, Inc.*, 76 B.R. 943 (S.D.N.Y. 1987); *In re Cuisine Magazine, Inc.*, 61 B.R. 210 (Bankr. S.D.N.Y. 1986).

26. The perspective from which an application for an allowance of compensation should be viewed in a reorganization case was aptly stated by Congress member Edwards on the floor of the House of Representatives on September 28, 1978, when he made the following statement with respect to section 330 of the Bankruptcy code:

[B]ankruptcy legal services are entitled to command the same competency of counsel as other cases. In that light, the policy of this

section is to compensate attorneys and other professionals serving in a case under title 11 at the same rate as the attorney or other professional would be compensated for performing comparable services other than in a case under title 11. Contrary language in the Senate report accompanying S.2266 is rejected, and *Massachusetts Mutual Life Insurance Co. v. Brock*, 405 F.2d 429, 432 (5th Cir 1968) is overruled. Notions of economy of the estate in fixing fees are outdated and have no place in a bankruptcy code. 124 Cong. Rec. H11, 089 (daily ed. Sept. 28, 1978) (emphasis added). *See also In re McCombs*, 751 F.2d 286 (8th Cir. 1984); *In re Drexel Burnham Lambert Group Inc.*, 133 B.R. at 13; *In re Carter*, 101 B.R. 170 (Bankr. D.S.D. 1989); *In re Public Service Co. of New Hampshire*, 93 B.R. 823 (Bankr. D.N.H. 1988); *In re White Motor Credit Corp.*, 50 B.R. 885 (Bankr. N.D. Ohio 1985).

27. The philosophy underlying the adoption of section 330 of the Bankruptcy Code is equally applicable to interim and final compensation. The Bankruptcy Code provides that the same considerations apply to making interim awards of compensation under section 331 as to final allowances under section 330. *See In re Public Service Co. of New Hampshire*, 93 B.R. at 826; *In re International Horizons, Inc.*, 10 B.R. 895 (Bankr. N.D. Ga. 1981). Section 331 of the Bankruptcy Code provides:

A trustee, an examiner, a debtor's attorney, or any professional person employed under section 327 or 1103 of this title may apply to the court not more than once every 120 days after an order for relief in a case under this title, or more often if the court permits, for such compensation for services rendered before the date of such an application or reimbursement for expenses incurred before such date as is provided under section 330 of this title. After notice and a hearing, the Court may allow and disburse to such applicant such compensation or reimbursement.

11 U.S. C. § 331.

28. In awarding compensation pursuant to sections 330 and 331 of the Bankruptcy Code to professional persons employed under sections 327 and 363 of the Bankruptcy Code, the Court must take into account, among other factors, the cost of comparable non-bankruptcy services. Section 330 of the Bankruptcy Code provides, in pertinent part, for payment of:

- (A) reasonable compensation for actual, necessary services rendered by the trustee, examiner, professional person, or attorney and by any paraprofessional person employed by such person; and
- (B) reimbursement for actual, necessary expenses.

11 U.S.C. § 330(a)(1).

29. The professional services rendered by HSBD have required an expenditure of substantial time and effort. During the Compensation Period, in excess of 100 recorded hours have been expended by HSBD's professionals and paraprofessionals in the rendition of the required professional services for which HSBD seeks compensation.

30. Time and labor devoted, however, is only one of many pertinent factors to be considered in awarding attorney compensation. The number of hours expended must be considered in light of (i) the amount involved and the results achieved to date; (ii) the novelty and difficulty of the questions presented; (iii) the skill requisite to perform properly the legal services; (iv) the preclusion of other employment on behalf of other clients; (v) the customary fee charged to a private client for the services rendered; (vi) awards in similar cases; (vii) time constraints required by the exigencies of the case, including the frequency and amount of time required to be devoted other than during regular business hours; (viii) the experience, reputation and ability of the attorneys rendering services; and (ix) the nature and length of the professional relationship with the client (collectively, the "Johnson Factors"). *See: Johnson v. Georgia Highway Express*, 488 F.2d at 717-19 (enumerating factors to be considered in awarding attorneys' fees in equal employment opportunity cases under Title VII); *In re First Colonial Corp. of America*, 544 F.2d at 1298 (applying the Johnson Factors in bankruptcy cases).

31. The majority of the Johnson Factors are codified in section 330(a) of the Bankruptcy Code and have been applied by various courts in making determinations that

requested attorneys' fees constitute reasonable compensation. The Supreme Court has clearly articulated that the "lodestar method"¹ is presumed to subsume the Johnson Factors, as does section 330(a) of the Bankruptcy Code. See, e.g., *Pennsylvania v. Delaware Valley Citizens Counsel for Clean Air*, 483 U.S. 711 ("Delaware Valley I"), on remand, 826 F.2d 238 (3d Cir. 1987); *Pennsylvania v. Delaware Valley Citizens Council for Clean Air*, 478 U.S. 546 (1986); *United States Football League v. National Football League*, 887 F.2d 408, 413 (2d Cir. 1989), cert. denied, 493 U.S. 1071 (1990); *Lindy Bros. Builders Inc. v. American Radiator and Standard Sanitary Corp.*, 487 F.2d 161 (3d Cir. 1973), vacated on other grounds, 540 F.2d 102 (3d Cir. 1976); *In re Cena's Fine Furniture, Inc.*, 109 B.R. 575 (E.D.N.Y. 1990); *In re Drexel Burnham Lambert Group Inc.*, 133 B.R. at 13.

32. HSBD respectfully submits that application of the foregoing criteria more than justifies the compensation requested in this Application.

33. As described above, HSBD has encountered novel and difficult legal problems during the course of the Compensation Period, involving many areas of expertise. The professional services rendered in the CFTC Investigation have been performed by attorneys with broad expertise and high levels of skill in their practice area or specialty. This highly professional group of attorneys has ensured that this representation has progressed in an efficient manner.

34. During the Compensation Period, HSBD has been required to furnish extensive

¹ Application of the "lodestar method" involves multiplying the number of hours reasonably expended on the case by the reasonable hourly rate of compensation for each attorney. *In re Grant Assocs.*, 154 B.R. 836, 843 (S.D.N.Y. 1993). This method of calculating attorney fees is appropriate in light of section 330(a) of the Bankruptcy Code, which serves as a starting point, permitting bankruptcy courts, in their own discretion, to consider other factors, such as the novelty and difficulty of the issues, the special skills of counsel, and their results obtained. *In re Copeland*, 154 B.R. 693, 698 (Bankr. W. D. Mich. 1993).

services, which have often occupied a substantial portion of the time of its attorneys. If this were not a case under the Bankruptcy Code, HSBD would charge the Debtors and expect to receive on a current basis, an amount at least equal to the amounts requested herein for the professional services rendered. Pursuant to the criteria normally examined in bankruptcy cases, and based upon the factors to be considered in accordance with sections 330 and 331 of the Bankruptcy Code, the results that have been achieved during the Compensation Period more than substantiate charges in that amount. The services that HSBD has rendered thus far have produced benefits that have inured to the Employees, the Debtors, their estates and their creditors.

35. HSBD's services as counsel to the Employees justifies compensation at least in the amount requested. Thus, HSBD requests that one hundred percent (100%) of such compensation be allowed. In view of the policy underlying sections 330 and 331 of the Bankruptcy Code that attorneys in bankruptcy cases be compensated on parity with attorneys practicing in other fields, it is respectfully submitted that this final compensation should be allowed as requested.

HSBD's STAFFING AND BILLING PRACTICES

36. HSBD has assigned the work performed during the Compensation Period to attorneys having the experience and specialization to perform the services required efficiently and properly, often to the exclusion of providing services for other clients of HSBD. Moreover, to provide the required services on the most economical basis possible, HSBD assigned as much work as possible that did not require significant levels of experience to associates and/or paraprofessionals.

37. This Application summarizes the time and effort required of HSBD attorneys and paraprofessionals during the Compensation Period to address the complex legal issues and a

variety of other matters that have arisen as a result of HSBD's position as Counsel to Michael Grigsby. During the Compensation Period, Michael Grigsby called on HSBD to furnish substantial services that often fully occupied the time of a significant number of its attorneys and paraprofessionals. In summary, the services that HSBD has rendered to date have, in HSBD's view, produced benefits that have inured to all parties-in-interest in this case.

ACTUAL AND NECESSARY DISBURSEMENTS

38. As set forth in Exhibit 3 hereto, HSBD has disbursed \$135.30 as actual and necessary expenses incurred in providing professional services during the Compensation Period.

39. With respect to these expenses, HSBD charges \$0.25 per page for internal copying charges; HSBD charges for external copying charges at the provider's charge to HSBD without markup; HSBD charges for computer research at the provider's charge to HSBD without markup. The basis for these rates is HSBD's calculation of the actual cost of these services and any discounts are passed on to the client. These charges are intended to cover HSBD's direct operating costs, which costs are not incorporated into HSBD's hourly billing rates. Only clients who actually use services of the types set forth in Exhibit 3 are separately charged for such services. The effect of including such expenses as part of the hourly billing rates would impose that cost upon clients who do not require extensive photocopying and other facilities and services. The amount of the standard photocopying charge is intended to allow HSBD to cover the related expenses of its photocopying service. A determination of the actual expenses per page of photocopying, however, is dependant on both the volume of copies and the total expenses attributable to photocopying on an annual basis.

40. Due to the locations of the Investigations occasional delivery of documents and other materials was required as a result of the exigencies and circumstances of these

Investigations. The disbursements for such services are not included in HSBD's overhead for the purpose of setting billing rates and HSBD has made every effort to minimize its disbursements for these services.

MEMORANDUM OF LAW

41. HSBD submits that the relevant legal authorities are set forth herein and that the requirement pursuant to Local Bankruptcy Rule 9013-1 that the Debtors file a memorandum of law in support of this Application is satisfied.

NOTICE

42. Notice of this Application has been given in accordance with the Amended Case Management Order Establishing, Among Other Things, Noticing Electronic Procedures, Hearing Dates, Independent Website and Alternative Methods of Participation at Hearings, entered February 26, 2002. HSBD submits that such Notice is adequate and sufficient.

CONCLUSION

43. In light of the complexity of the issues involved, the results achieved, the significant contributions made and time devoted, often under severe time constraints and to the preclusion of other matters, awards of compensation in similar cases, and other factors pertinent to the allowance of compensation, HSBD believes that the compensation sought herein is fair and reasonable and is authorized under the relevant provisions of the Bankruptcy Code.

WHEREFORE, HSBD respectfully requests this Court to enter an order (i) allowing and awarding final compensation for professional services rendered during the Compensation Period in the amount of \$30,618.75 and reimbursement for actual and necessary expenses incurred during the Compensation Period in the amount of \$135.30, totaling \$30,754.05, without prejudice to HSBD's right to seek additional compensation for services performed and expenses incurred during the Compensation Period that were not processed at the time of this Application, and (ii) granting HSBD such other and further relief as this Court deems just and proper.

Dated: Houston, TX
March 21, 2006

Respectfully Submitted,
Hinton, Sussman, Bailey & Davidson, L.L.P.

By: 

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CERTIFICATE OF SERVICE

I hereby certify on March 21, 2006 that a true and correct copy of the foregoing Final Application of Hinton, Sussman, Bailey & Davidson, L.L.P., Counsel for Current and Former Enron Employees for and Allowance of Interim Compensation for Professional Services Rendered and for Reimbursement of Actual and Necessary Expenses Incurred from June 11, 2002 Through and Including August 2, 2002 is to be accomplished by Bankruptcy Services, Inc. to all necessary parties pursuant to the Amended Case Management Order Establishing, Among Other Things, Noticing Electronic Procedures, Hearing Dates, Independent Website and Alternative Methods of Participation at Hearings as entered in Case NO. 01-16034 (AJG) In re: Enron Corp., et al (Jointly Administered) on February 26, 2002 and hard copies are delivered by Federal Express with supplemental and confidential information to the following:

Mary Elizabeth Tom Office of US Trustee 33 Whitehall Street, 21st Floor New York, NY 10004	Brian S. Rosen Weil, Gotshal & Manges LLP 767 Fifth Avenue New York, NY 10153
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MICHAEL J. HINTON