

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

In re:

Case No. 02-04772-6B7

VOGELBACHER, GEORGE and
VOGELBACHER, MONIQUE,

Debtors.

ORDER

This matter came on the Trustee's Final Report and Application for Compensation submitted by Gene T. Chambers, the Chapter 7 Trustee ("Trustee").¹ L.S. Concannon, P.A. served as attorney for the Trustee. The services rendered by L.S. Concannon, P.A. included obtaining and reviewing documents and deposing the Debtors regarding the Debtors' financial affairs and pursuing a property recovery action.²

The reasonableness of attorney fees and costs is determined through an examination of the criteria enunciated in *In the Matter of First Colonial Corp. of America*³ and *Johnson v. Georgia Highway Express, Inc.*⁴

¹ See Doc. 31.

² See Doc. 31.

³ *In the Matter of First Colonial Corp. of America*, 544 F.2d 1291 (5th Cir.1977) stating:

In order to establish an objective basis for determining the amount of compensation that is reasonable for an attorney's services, and to make meaningful review of that determination possible on appeal, we held in *Johnson v. Georgia Highway Express, Inc.*, 488 F.2d at 717-19, that a district court must consider the following twelve factors in awarding attorneys' fees...

First Colonial at 1299.

⁴ *Johnson v. Georgia Highway Express, Inc.*, 488 F.2d 714 (5th Cir. 1974). The twelve *Johnson* factors are:

(1) the time and labor required;

After consideration of the *First Colonial* and *Johnson* factors, the reasonable number hours for the services performed is 30 at a rate of \$200.00 per hour. The reasonable costs incurred are \$49.39 for a total award of \$6,049.39.

Therefore it is

ORDERED, ADJUDGED AND DECREED that L.S. Concannon, P.A. is awarded fees of \$6,000.00 plus \$49.39 in costs, for a total of \$6,049.39.

Dated this 30th day of August, 2005.

/s/ Arthur B. Briskman
ARTHUR B. BRISKMAN
United States Bankruptcy Judge

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- (2) the novelty and difficulty of the questions involved;
 - (3) the skill requisite to perform the legal service properly;
 - (4) the preclusion of other employment by the attorney due to acceptance of the case;
 - (5) the customary fee;
 - (6) whether the fee is fixed or contingent;
 - (7) time limitations imposed by the client or the circumstances;
 - (8) the amount involved and the results obtained;
 - (9) the experience, reputation, and ability of the attorneys;
 - (10) the "undesirability" of the case;
 - (11) the nature and the length of the professional relationship with the client;
 - (12) awards in similar cases.

Johnson at 714.