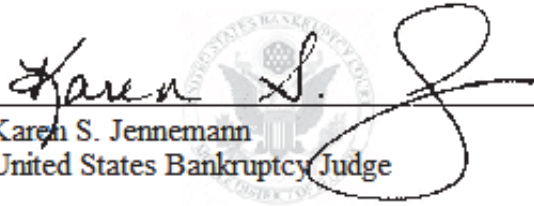


ORDERED.

Dated: July 10, 2020



Karen S. Jennemann
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION
www.flmb.uscourts.gov

In re)	
)	
MELBOURNE BEACH, LLC,)	Case No. 6:17-bk-07975-KSJ
)	Chapter 11
Debtor.)	
)	
)	

**ORDER PARTIALLY OVERRULING OBJECTIONS TO
FOURTH INTERIM APPLICATION OF CARLTON FIELDS, P.A.**

THIS CASE came before the Court on April 15, 2020, on the Fourth Interim Application for Allowance of Attorneys’ Fees and for Reimbursement of Expenses filed by Carlton Fields, P.A., (“Carlton Fields”) as Counsel for Daniel J. Stermer, Chief Restructuring Officer of the Debtor for the Period of June 1, 2019 through November 30, 2019, as supplemented (the “Fourth Application”),¹ and objections filed by Pirogee Investments, LLC, Yellow Funding Corp., and Brian G. West to the Application (collectively the “Objections”).² The Court took these matters under advisement, and upon further review, entered an order directing Carlton Fields and other interested parties to file a response to Mr. West’s objections, and allowed Mr. West to file a reply

¹ Doc. Nos. 527 and 536.

² Doc. Nos. 529, 538, 549, and 636.

to any filed responses.³ Carlton Fields and Mr. Stermer filed responses,⁴ and Mr. West a reply.⁵ After reviewing the pleadings and considering the positions of all interested parties, it is

ORDERED:

1. The Objections (Doc. Nos. 529, 538, 549, and 636) are **PARTIALLY OVERRULED**.

2. To the extent the Objections assert Carlton Fields has a conflict of interest or is disinterested or that the Court lacks authority to award professional fees to Carlton Fields, the Objections are overruled.

3. Carlton Fields does not hold or represent an interest adverse to the estate and is disinterested under 11 U.S.C. § 327.

4. The Court however defers making any ruling on West's Objection on the reasonableness of the fees sought by Carlton Fields in the Fourth Application. Carlton Fields shall receive no further **interim** payments.

5. Any further payments, including those requested in the Fourth Application, will be assessed for reasonableness upon the **final** award of fees and costs.

6. The Court in its discretion later may file written findings of facts and conclusions of law.

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Attorney Donald R. Kirk will serve a copy of this order on interested parties who are non-CM/ECF users and file a proof of service within three (3) days of entry of the order.

³ Doc. No. 658.

⁴ Doc Nos. 692 and 697.

⁵ Doc. No. 748.