

1 Lawrence E. Wilk, #006510  
2 **JABURG & WILK, P.C.**  
3 3200 North Central Avenue, Suite 2000  
4 Phoenix, Arizona 85012  
5 (602) 248-1000  
6  
7 Attorneys for James C. Sell, Receiver

8 SUPERIOR COURT OF ARIZONA

9 MARICOPA COUNTY

10 ARIZONA CORPORATION COMMISSION,

Case No: CV2003-005724

11 Plaintiff,

**SECOND APPLICATION FOR  
INTERIM COMPENSATION BY  
ANDERSON & OCHS, LLP, SPECIAL  
COUNSEL FOR DEBTOR AND  
DEBTOR IN POSSESSION**

12 v.

13 AMERICAN NATIONAL MORTGAGE  
14 PARTNERS, L.L.C., et al.

(Assigned to the Honorable J. Richard Gama)

15 Defendants.

16 Anderson & Ochs, LLP and staff, formerly of Anderson, Rottenberg & Ochs, P.C.,  
17 the duly appointed Special Counsel for Debtor and Debtor in Possession (hereinafter  
18 "Anderson & Ochs"), hereby makes their Second Application for Interim Compensation  
19 as follows:

20 1. By order of the Court, Anderson & Ochs and staff were appointed to serve as  
21 Special Counsel for Debtor and Debtor in Possession in this case. Anderson & Ochs  
22 has been retained to represent the debtor ANMP entities.

23 2. Attached hereto as **Exhibit "A"** is a detailed statement of the services which  
24 Anderson & Ochs has performed and the clerical expense incurred in connection herewith.  
25 All of the services performed were necessary and proper and were charged at hourly rates  
26 approved by the Court.

27 3. This Application covers the period from January 6, 2004 through April 16, 2004  
28 (the "Application Period"). Applicant's Second Application for Interim Compensation requests  
fees in the amount of \$6,441.00 and disbursements in the amount of \$2,249.43.

JABURG & WILK, P.C.  
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3200 NORTH CENTRAL AVENUE  
SUITE 2000  
PHOENIX, ARIZONA 85012

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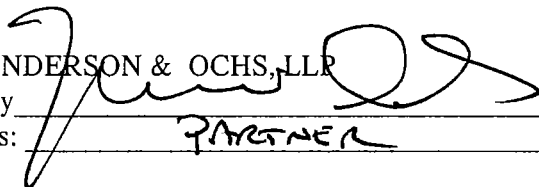
1           4. Pursuant to a previous order of the Court, which allowed Applicant to be paid  
2 eighty percent (80%) of his fees and one hundred percent (100%) of its disbursements, Applicant  
3 has not been paid any fees from the Receivership Estate during the Application Period, leaving a  
4 current unpaid balance due Applicant for the Application Period of \$8,690.43;


5           WHEREFORE, Applicant requests that the Court enter an Order:

6           A. Approving Anderson & Ochs, LLP's fees for the period from January 6,  
7 2004 through April 16, 2004 in the total amount of \$6,441.00 and disbursements in the amount of  
8 \$2,249.43;

9           B. Authorizing and directing the Receiver to pay the unpaid balance of fees and  
10 clerical expenses in the amount of \$8,690.43 to the Special Counsel for Debtor and Debtor in  
11 Possession at such time as the Receivership Estate has sufficient funds.

12           DATED this 19<sup>th</sup> day of July, 2004.

13  
14           ANDERSON & OCHS, LLP  
15 By:   
16 Its: PARTNER

17           JABURG & WILK, P.C.  
18   
19           Lawrence E. Wilk  
20           3200 North Central, Suite 2000  
21           Phoenix, Arizona 85012  
22           Attorneys for Receiver  
23  
24  
25  
26  
27  
28

**FEES/COSTS SUMMARY**

February 27, 2004

ANDERSON & ROTTENBERG, P.C.  
369 Lexington Avenue, Sixteenth Floor  
New York, NY 10017  
(212) 661-3080

RE: ANMP

Legal Services rendered January 6, 2004 through January 23, 2004

TOTAL FEES:	\$ 1,452.50
80% FEES:	\$ 1,161.60
COSTS	\$ 54.97
<b>TOTAL DUE</b>	<b>\$ 1,216.57</b>

ANDERSON ROTTENBERG & OCHS, P.C.

369 LEXINGTON AVENUE  
SIXTEENTH FLOOR  
NEW YORK, NY 10017  
TELEPHONE (212) 661-3080  
TELECOPIER (212) 867-1914

Jaburg & Wilk

Attention: Mr. Roger Cohen, Esq.  
3200 No. Central Avenue  
Suite 2000  
Phoenix AZ 85012

Invoice No.: 220040081  
Date: February 04, 2004  
Client Code: 0001716

Page No.: 1

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		<u>Hours</u>	<u>Amount</u>
<u>Lis Pendens</u>			
1/6/04	HWL Reviewed motion to withdraw by L. Weiss; forwarded same to R. Cohen; emails with R. Cohen re: same; research re: attorney withdrawal; email to R. Cohen re: case law.	1.30	455.00
1/9/04	HWL Reviewed email from co-counsel containing draft response to motion to withdraw.	0.25	87.50
1/12/04	HWL Recalendared dates.	0.10	35.00
1/13/04	HWL Email to co-counsel re: calendar dates.	0.10	35.00
1/16/04	HWL Revised and finalized response to motion to withdraw; attended to service and set of filing thereof; prepared letter to Judge Preska enclosing courtesy copy.	1.00	350.00
1/19/04	HWL Reviewed email from client; emails with M. Ochs re: strategy.	0.30	105.00
1/20/04	HWL Email to R. Cohen re: status of motions and strategy.	0.30	105.00
1/21/04	HWL Reviewed file; teleconference with Preska's law clerk re: status; email to R. Cohen re: same.	0.50	175.00
1/23/04	HWL Reviewed order by Judge Preska and faxed same to client; calendered date.	0.30	105.00
Subtotal:		[ 4.15	1,452.50]
Total Fees		4.15	\$1,452.50

	<u>Amount</u>
<u>Lis Pendens</u>	
12/24/02 Federal Express	24.21
12/30/03 Federal Express	29.96
1/2/04 Copying Cost.	0.40
1/6/04 Copying Cost.	0.40
Subtotal:	[ 54.97]
Total costs	\$54.97
Total amount of this bill	\$1,507.47
Previous balance	\$44,072.56
Balance due	<u>\$45,580.03</u>

Attorney / Paralegal Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Harry W. Lipman	4.15	350.00	\$1,452.50



**FEES/COSTS SUMMARY**

March 31, 2004

ANDERSON & ROTTENBERG, P.C.  
369 Lexington Avenue, Sixteenth Floor  
New York, NY 10017  
(212) 661-3080

RE: ANMP

Legal Services rendered February 25, 2004 through February 27, 2004

<u>TOTAL FEES:</u>	<u>\$ 4,953.50</u>
80% FEES:	\$ 3,962.80
<u>COSTS</u>	<u>\$ 31.80</u>
<b>TOTAL DUE</b>	<b>\$ 3,994.60</b>

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ANDERSON ROTTENBERG & OCHS, P.C.

369 LEXINGTON AVENUE  
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Jaburg & Wilk

Attention: Mr. Roger Cohen, Esq.  
3200 No. Central Avenue  
Suite 2000  
Phoenix AZ 85012

Invoice No.: 115  
Date: March 17, 2004  
Client Code: 0001716  
Page No.: 1

		<u>Hours</u>	<u>Amount</u>
<u>Lis Pendens</u>			
2/5/2004	HWL Preparation for conference before Judge Preska tomorrow; emails with R. Cohen re: same.	0.50	175.00
2/6/2004	HWL Appeared before Judge Preska on motion for summary judgment and motion to withdraw; teleconference with R. Cohen re: same.	1.50	525.00
2/9/2004	CSR Conference with Harry Lipman re: junior mortgagees foreclosure rights.	0.25	93.75
	HWL Drafted proposed order and cover letter to Judge Preska; teleconference with R. Cohen re: mortgage recording tax question.	1.25	437.50
2/10/2004	HWL Reviewed fax from court contained signed order and faxed same to R. Cohen; teleconference with R. Cohen re: status and strategy, and mortgage recording tax question (with C. Rich).	0.75	262.50
	CSR Conference with Harry Lipman, receiver's counsel- foreclosure and docketing of judgment options.	0.50	187.50
2/11/2004	HWL Attended to docketing judgment.	0.30	105.00
2/12/2004	CV Docketing of judgment, emails w/Title Co.	1.00	240.00
	HWL Teleconference with R. Cohen re: recording judgment; meetings with C. Rich and M. Ochs re: information concerning imminent sale of real estate; C. Vergari re: same.	1.50	525.00

			<u>Hours</u>	<u>Amount</u>
2/12/2004	CSR	Conference with Harry Lipman, James Sell re: docketing of judgment. Pending foreclosure sale and legal status of claim, mortgage recording tax. Review options. Conference Steve Anderson.	1.25	468.75
2/17/2004	CV	Coordination of docketing.	0.50	120.00
2/18/2004	CV	Coordination of docketing.	1.00	240.00
2/19/2004	CV	Prepared Judgment for docketing.	0.50	120.00
	HWL	Emails with R. Cohen re: Preska's request for status report.	0.30	105.00
2/20/2004	HWL	Teleconference with R. Cohen re: strategy re: order and judgment from Preska; letter to Preska re: one-week extension.	0.75	262.50
2/22/2004	HWL	Teleconference with R. Cohen re: strategy re: order and judgment from Preska; letter to Preska re: one-week extension.	0.75	262.50
	HWL	Email to C. Vergari re: docketing judgment.	0.10	35.00
2/23/2004	CV	Retrieval of Judgment and Order	0.50	120.00
2/24/2004	HWL	Emails with R. Cohen re: drafting amended order; reviewed proposed order.	0.50	175.00
2/26/2004	DMP	Teleconference with H. Lipman. Reviewed file and retrieved/copied affidavits of service and forwarded to H. Lipman.	0.30	73.50
	HWL	Drafted letter to Judge Preska and modified proposed amended order; teleconference with with R. Cohen re: same; found and faxed affidavits of service to R. Cohen.	1.20	420.00
Subtotal:			[ 15.20	4,953.50]

Total Fees

15.20 \$4,953.50

Lis Pendens

2/9/2004	Copying Cost.	3.40
	Copying Cost.	1.40
	Copying Cost.	2.20
2/20/2004	Filing Fees.	9.00
	Copying Cost.	0.20
2/25/2004	Copying Cost.	0.80

	<u>Amount</u>
2/27/2004 Messenger Service	14.80
Subtotal:	[ 31.80]
Total costs	<u>\$31.80</u>
Total amount of this bill	\$4,985.30
Previous balance	\$45,580.03
Balance due	<u><u>\$50,565.33</u></u>

Attorney / Paralegal Summary

Name	Hours	Rate	Amount
Charles S. Rich	2.00	375.00	\$750.00
Harry W. Lipman	9.40	350.00	\$3,290.00
Chase Vergari	3.50	240.00	\$840.00
David M Powers	0.30	245.00	\$73.50

**FEES/COSTS SUMMARY**

April 27, 2004

ANDERSON, ROTTENBERG & OCHS, P.C.  
369 Lexington Avenue, Sixteenth Floor  
New York, NY 10017  
(212) 661-3080

RE: ANMP  
Legal Services rendered through April 2, 2004

<u>TOTAL FEES:</u>	\$	35.00
80% FEES:	\$	28.00
<u>COSTS</u>	\$	<u>28.06</u>
<b>TOTAL DUE</b>	<b>\$</b>	<b>56.06</b>

CFW  
 RECEIVED BY  
 APR 02 2004  
 JABURG & WILK, P.C.

**ANDERSON ROTTENBERG & OCHS, P.C.**

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 Attention: Mr. Roger Cohen, Esq.  
 3200 No. Central Avenue  
 Suite 2000  
 Phoenix AZ 85012

Invoice No.: 229  
 Date: April 02, 2004  
 Client Code: 0001716  
 Page No.: 1

	<u>Hours</u>	<u>Amount</u>
<u>Lis Pendens</u>		
3/8/2004 HWL Sent Preska judgment to R. Cohen.	0.10	35.00
Subtotal:	[ 0.10	35.00]
Total Fees	0.10	\$35.00
<u>Lis Pendens</u>		
3/2/2004 Federal Express		27.06
Copying Cost.		0.20
3/8/2004 Copying Cost.		0.80
Subtotal:		[ 28.06]
Total costs		\$28.06
Total amount of this bill		\$63.06
Previous balance		\$50,565.33

Jaburg & Wilk

Invoice No.: 229

Page: 2

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	<u>Amount</u>
Balance due	\$50,628.39

Attorney / Paralegal Summary			
<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Harry W. Lipman	0.10	350.00	\$35.00

**FEES/COSTS SUMMARY**

May 26, 2004

ANDERSON, ROTTENBERG & OCHS, P.C.  
369 Lexington Avenue, Sixteenth Floor  
New York, NY 10017  
(212) 661-3080

RE: ANMP  
Legal Services rendered through April 16, 2004

<u>TOTAL FEES:</u>	\$ 00.00
<u>COSTS</u>	<u>\$ 2,134.60</u>
<b>TOTAL DUE</b>	<b>\$ 2,134.60</b>

ANDERSON ROTTENBERG & OCHS, P.C.

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Jaburg & Wilk

Attention: Mr. Roger Cohen, Esq.  
3200 No. Central Avenue  
Suite 2000  
Phoenix AZ 85012

Invoice No.: 321  
Date: May 03, 2004  
Client Code: 0001716

Page No.: 1

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	<u>Amount</u>
<u>Lis Pendens</u>	
4/1/2004 Searches	2,100.00
Copying Cost.	0.40
Copying Cost.	0.40
4/13/2004 Messenger Service	16.90
4/16/2004 Federal Express	16.90
Subtotal:	[ 2,134.60]
Total costs	\$2,134.60
Previous balance	\$50,628.39
Balance due	<u><u>\$52,762.99</u></u>

**ANDERSON & OCHS, LLP**

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**Jaburg & Wilk**

Attention: Mr. Roger Cohen, Esq.  
3200 No. Central Avenue  
Suite 2000  
Phoenix AZ 85012

Invoice No.: 52004010  
Date: June 01, 2004  
Client Code: 0001716  
Page No.: 1

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	<u>Amount</u>
Previous balance	\$52,762.99
Balance due	<u>\$52,762.99</u>