

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 Attorneys for James C. Sell, Receiver

7 SUPERIOR COURT OF ARIZONA

8 MARICOPA COUNTY

9 ARIZONA CORPORATION COMMISSION,

10 Plaintiff,

11 v.

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

14 Defendants.

Case No: CV2003-005724

**EIGHTH APPLICATION FOR INTERIM
COMPENSATION BY MICHAEL W.
CARMEL, SPECIAL COUNSEL FOR
DEBTOR AND DEBTOR IN
POSSESSION**

(Assigned to the Honorable J. Richard Gama)

15 Michael W. Carmel and staff, the duly appointed Special Counsel for Debtor and Debtor
16 in Possession (hereinafter "Carmel"), hereby makes his Eighth Application for Interim
17 Compensation as follows:

18 1. By order of the Court, on June 5, 2003, Michael W. Carmel and staff were
19 appointed to serve as Special Counsel for Debtor and Debtor in Possession in this case. Carmel
20 has been retained to represent the debtor ANMP entities.

21 2. Attached hereto as Exhibit "A" is a detailed statement of the services, which
22 Carmel has performed and the clerical expense incurred in connection herewith. All of the
23 services performed were necessary and proper and were charged at hourly rates approved by the
24 Court.

25 3. This Application covers the period from January 17, 2005 through April 15, 2005
26 (the "Application Period"). Applicant's Eighth Application for Interim Compensation requests
27 fees and expenses in the amount of \$38,791.62.
28

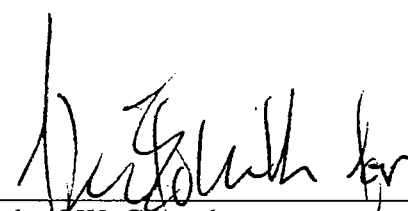
1 4. Pursuant to a previous order of the Court, which allowed Applicant to be paid
2 eighty percent (80%) of his fees, or \$28,633.30, Applicant was entitled to be paid fees from the
3 Receivership Estate during the Application Period, leaving a current unpaid balance due
4 Applicant of \$7,158.32.

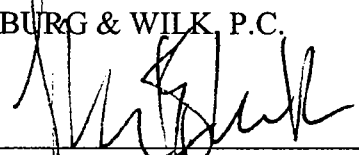
5 WHEREFORE, Applicant requests that the Court enter an Order:

6 A. Approving Michael W. Carmel's fees and costs for the period from January 17,
7 2005 through April 15, 2005 in the total amount of \$38,791.62.

8 B. Authorizing and directing the Receiver to pay the unpaid balance of fees set forth
9 in Paragraph A above to the Special Counsel for Debtor and Debtor in Possession at such time as
10 the Receivership Estate has sufficient funds.

11 DATED this 1st day of July, 2005.

12
13
14
15 
16 _____
17 Michael W. Carmel,
18 Special Counsel for Debtor in Possession

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

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

EXHIBIT "A"

FEES/COSTS SUMMARY

February 11, 2005

Michael W. Carmel, Ltd.
80 East Columbus Avenue
Phoenix, Arizona 85012
(602) 264-4965

Re: Period covered January 19, 2005 through February 11, 2005

<u>TOTAL FEES:</u>	<u>\$ 9,151.62</u>
TOTAL 80% Fees	\$ 7,321.30

MICHAEL W. CARMEL, LTD.

80 East Columbus Avenue

Phoenix, AZ 85012-2334

Fax: (602) 264-4965

(602) 277-0144

Employer I.D. No. 86-0538615

Submitted to:

ANMP 74th ST LLC/ANMP

c/o JABURG & WILK P.C.

Attn: Lawrence E. Wilk

3200 N. Central Ave., #2000

Phoenix AZ 85012-2440

February 15, 2005

Invoice 14847
#:

In Reference To: ANMP 74TH ST. LLC; ANMP
Bankruptcy Proceedings

Professional Services

Hours

CASE ADMINISTRATION

1/19/2005 Start review of Schedules for avoidance actions 1.75

2/1/2005 Meet with Larry and Jim re: status 1.00

SUBTOTAL:

[2.75]

LITIGATION

2/2/2005 Work on avoidance actions 2.40

2/3/2005 Continue work on preference claims 3.00

2/8/2005 Work on preference actions 1.80

2/10/2005 Work on preference issues 2.75

2/14/2005 Review pleadings filed re: State Court suit 1.00

2/15/2005 Attend hearing re: motion to file suit 1.50

SUBTOTAL:

[12.45]

HoursPLAN AND DISCLOSURE STATEMENT

1/17/2005	Review changes to Plan	1.00
1/18/2005	Work on Plan	2.25
1/25/2005	Work on Plan	1.75
2/2/2005	Work on changes to Plan	2.00
2/7/2005	Work on Plan changes	1.80
2/11/2005	Work on Disclosure Statement items	2.70

SUBTOTAL:

[11.50]

Amount

For professional services rendered	26.70	\$9,151.62
Previous balance		\$5,194.38
2/1/2005 Payment - thank you.		(\$5,194.38)
Total payments and adjustments		(\$5,194.38)
Balance due		<u>\$9,151.62</u>

FEES/COSTS SUMMARY

March 10, 2005

Michael W. Carmel, Ltd.
80 East Columbus Avenue
Phoenix, Arizona 85012
(602) 264-4965

Re: Period covered February 16, 2005 through March 8, 2005

<u>TOTAL FEES:</u>	<u>\$ 8,400.00</u>
TOTAL 80% Fees	\$ 6,720.00

MICHAEL W. CARMEL, LTD.

80 East Columbus Avenue

Phoenix, AZ 85012-2334

Fax: (602) 264-4965

(602) 277-0144

Employer I.D. No. 86-0538615

Submitted to:

ANMP 74th ST LLC/ANMP

c/o JABURG & WILK P.C.

Attn: Lawrence E. Wilk

3200 N. Central Ave., #2000

Phoenix AZ 85012-2440

March 10, 2005

Invoice 14871

#:

In Reference To: ANMP 74TH ST. LLC; ANMP
Bankruptcy Proceedings

Professional Services

Hours Amount

ASSET ANALYSIS & RECOVERY:

3/3/2005 Review District Court Complaints 1.00 300.00

3/4/2005 Work on Complaints for avoidance actions 2.50 750.00

SUBTOTAL: [3.50 1,050.00]

CASE ADMINISTRATION

2/22/2005 Work on consolidation issues 2.60 780.00

3/7/2005 Attend status hearing on Dexter matter 0.50 150.00

SUBTOTAL: [3.10 930.00]

LITIGATION

2/17/2005 Work on avoidance actions 1.40 420.00

2/18/2005 Prepare drafts of avoidance actions against insiders 3.70 1,110.00

2/21/2005 Continue work on avoidance actions 3.75 1,125.00

	<u>Hours</u>	<u>Amount</u>
3/2/2005 Research for consolidation matters	2.70	810.00
Work on avoidance actions	1.50	450.00
3/7/2005 Revise certain Complaints	2.00	600.00
3/8/2005 Continued revisions to Complaints	0.70	210.00
Review Federal Court Complaint	0.50	150.00
	<hr/>	<hr/>
SUBTOTAL:	[16.25	4,875.00]

PLAN AND DISCLOSURE STATEMENT

2/16/2005 Work on Plan	1.75	525.00
3/8/2005 Work on Plan issues	3.40	1,020.00
	<hr/>	<hr/>
SUBTOTAL:	[5.15	1,545.00]
	<hr/>	<hr/>
For professional services rendered	28.00	\$8,400.00

Additional Charges :

3/3/2005 Clerk, U.S. Bankruptcy Court - File Adversary Complaint against Kesler, et al.	150.00
Clerk, U.S. Bankruptcy Court - File Adversary Complaint against Zoeliner, et al.	150.00
Clerk, U.S. Bankruptcy Court - File Adversary Complaint against Strasser, et al.	150.00
Clerk, U.S. Bankruptcy Court - File Adversary Complaint against Vigarino, et al.	150.00
Clerk, U.S. Bankruptcy Court - File Adversary Complaint against Stocker, et al.	150.00
Clerk, U.S. Bankruptcy Court - File Adversary Complaint against Rehm, et al.	150.00
Clerk, U.S. Bankruptcy Court - File Adversary Complaint against NP Investments	150.00
Clerk, U.S. Bankruptcy Court - File Adversary Complaint against Multivest, LLC	150.00

Amount

3/3/2005 Clerk, U.S. Bankruptcy Court - File Adversary Complaint against MOSC FBO ROBERT K REHM	150.00
Clerk, U.S. Bankruptcy Court - File Adversary Complaint against Meka, et al.	150.00
Clerk, U.S. Bankruptcy Court - File Adversary Complaint against Helen Patricia Bailey, et al.	150.00
Clerk, U.S. Bankruptcy Court - File Adversary Complaint against Kiesel, et al.	150.00
Clerk, U.S. Bankruptcy Court - File Adversary Complaint against Hartze, et al.	150.00
Clerk, U.S. Bankruptcy Court - File Adversary Complaint against Harrington, et al.	150.00
Clerk, U.S. Bankruptcy Court - File Adversary Complaint against Fisher, et al.	150.00
Clerk, U.S. Bankruptcy Court - File Adversary Complaint against Durant, et al.	150.00
Clerk, U.S. Bankruptcy Court - File Adversary Complaint against Dunning, et al.	150.00
Clerk, U.S. Bankruptcy Court - File Adversary Complaint against Coulter, et al.	150.00
Clerk, U.S. Bankruptcy Court - File Adversary Complaint against Caspare, et al.	150.00
Clerk, U.S. Bankruptcy Court - File Adversary Complaint against Michael Barreras, et al.	150.00
Total costs	\$3,000.00
Total amount of this bill	\$11,400.00
Previous balance	\$9,151.62
Balance due	\$20,551.62

FEES/COSTS SUMMARY

April 15, 2005

Michael W. Carmel, Ltd.
80 East Columbus Avenue
Phoenix, Arizona 85012
(602) 264-4965

Re: Period covered March 9, 2005 through April 15, 2005

<u>TOTAL FEES:</u>	<u>\$ 18,240.00</u>
TOTAL 80% Fees	\$ 14,592.00

MICHAEL W. CARMEL, LTD.

80 East Columbus Avenue

Phoenix, AZ 85012-2334

Fax: (602) 264-4965

(602) 277-0144

Employer I.D. No. 86-0538615

Submitted to:

ANMP 74th ST LLC/ANMP

c/o JABURG & WILK P.C.

Attn: Lawrence E. Wilk

3200 N. Central Ave., #2000

Phoenix AZ 85012-2440

April 15, 2005

Invoice 14891

#:

In Reference To: ANMP 74TH ST. LLC; ANMP
Bankruptcy Proceedings

Professional Services

Hours Amount

CASE ADMINISTRATION

3/29/2005	Review draft of Report	0.80	240.00
SUBTOTAL:		[0.80	240.00]

LITIGATION

3/24/2005	Review Agreements re: Zoellner/San Miguel issue	1.25	375.00
3/28/2005	Attend hearing on Dexter motion and meet with Larry and Jim re: strategy	2.25	675.00
	Prepare draft of Response to San Miguel Motion	0.40	120.00
4/1/2005	Review new draft of Receiver's Report	1.20	360.00
4/14/2005	Attend hearing on San Miguel	0.50	150.00
	Prepare for San Miguel hearing	0.50	150.00
	Review Castle's Response on San Miguel	0.40	120.00
SUBTOTAL:		[6.50	1,950.00]

	<u>Hours</u>	<u>Amount</u>
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PLAN AND DISCLOSURE STATEMENT

3/23/2005 Work on Disclosure Statement	2.80	840.00
3/28/2005 Work on Disclosure Statement review and revisions	1.50	450.00
3/29/2005 Work on Disclosure Statement	2.50	750.00
3/30/2005 Continue work on Plan	3.20	960.00
3/31/2005 Review changes to Disclosure Statement	1.00	300.00
4/4/2005 Continue work on Plan	3.75	1,125.00
4/6/2005 Work on Disclosure Statement	2.00	600.00
4/7/2005 Work on Disclosure Statement	4.50	1,350.00
4/11/2005 Work on Plan changes	2.30	690.00
4/12/2005 Work on Disclosure Statement	3.70	1,110.00
4/13/2005 Work on Disclosure Statement	1.80	540.00
4/14/2005 Work on Plan	3.70	1,110.00
4/15/2005 Work on Plan	2.00	600.00
 SUBTOTAL:	 [34.75	 10,425.00]
 For professional services rendered	 42.05	 \$12,615.00
 Previous balance		 \$20,551.62
 Balance due		 <u><u>\$33,166.62</u></u>

MICHAEL W. CARMEL, LTD.

80 East Columbus Avenue

Phoenix, AZ 85012-2334

Fax: (602) 264-4965

(602) 277-0144

Employer I.D. No. 86-0538615

Submitted to:

Avion Holdings, L.L.C.

c/o RFI Operating Corp.

Attn: Mr. G. Neil Elsey

3200 N. Central Ave., Suite 100

Phoenix AZ 85012

USA

April 15, 2005

Invoice 14892

#:

In Reference To: Santa Clarita Property

Professional Services

	<u>Hours</u>	<u>Amount</u>
3/21/2005 Review documents to start work on Response to Whitaker 327 Motion	1.25	375.00
3/23/2005 Review pleadings re: Plan issues	1.80	540.00
3/25/2005 Start work on research for Response to Whitaker Motion	1.00	300.00
3/31/2005 Research on Section 327 Motion from Whittaker	1.50	450.00
4/1/2005 Work on first draft of Response to Whittaker Motion	1.50	450.00
4/5/2005 Meet with Neil and Alisa re: Response	3.00	900.00
Make revisions to Response	1.25	375.00
Work on additional research on Section 327 Motion	1.20	360.00
4/6/2005 Work on revisions to Response to Whittaker pleading	1.50	450.00
4/13/2005 Prepare for hearing on Whittaker's Motion	1.50	450.00
Meet with Neil, Jim, Julian, Wayne and Alisa re: hearing	1.25	375.00
Attend hearing on Whittaker Motion	2.00	600.00
SUBTOTAL:	[18.75	5,625.00]

	<u>Hours</u>	<u>Amount</u>
For professional services rendered	18.75	\$5,625.00
Previous balance		\$1,290.00
Balance due		<u><u>\$6,915.00</u></u>