

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF KENTUCKY**

In re:)	
)	
ADVANCED CHEMTECH, INC.)	CASE NO. 03-31381
)	CHAPTER 11
Debtor(s))	
_____)	(Substantively Consolidated
)	and Jointly Administered)
In re:)	
)	
ADVANCED SYNTECH, LLC)	
)	
Debtor(s))	
_____)	

MEMORANDUM

This matter comes before the Court on the Third Application for Interim Allowance and Payment of Attorneys' Fees and Expenses filed by Frost Brown Todd LLC (hereinafter "applicant"), counsel for Robert W. Leasure, trustee of the consolidated bankruptcy estates of Advanced Chemtech Inc. and Advanced Syntech LLC. Applicant seeks allowance of fees in the amount of \$268,689.00 for professional services rendered and \$3,796.93 for reimbursement of costs and expenses incurred, for the period beginning January 1, 2005 through July 31, 2005. No party objected to the application, however, the Court has an independent duty to review the application.

In order to properly consider the application, the Court must review the application in context, considering the posture of the case for the time period in question. This case was commenced in March 2003, and the trustee was appointed in December 2003. In November 2004, the trustee filed his motion to sell substantially all of the debtors' assets. An order was entered in February 2005, approving the sale of the chemical business. A second order was entered in March 2005, approving the trustee's sale of the instrument business. With the sale of substantially all the debtors' assets, the trustee submitted a disclosure statement and a plan of liquidation which the

Court confirmed on July 15, 2005. Considering the dates outlined above, there should have been a significant reduction in services performed by the applicant after the sale of the debtors' assets. This conclusion is supported by the fact that at the last fee application hearing held in April 2005, representations were made to the Court that the case was close to being completed and that everything was expected to be wrapped-up by August 1, 2005. The Court expressly directed the applicant to work toward finishing this case as expeditiously as possible. The application submitted by the applicant, however, reveals a great deal of time spent on the case well beyond the close of the sale of the assets.

Another troubling aspect of this particular fee application involves the excessive time entries for preparing the fee application. For example, counsel expended an inordinate amount of time on drafting, reviewing, and revising fee applications, especially considering the somewhat "routine" nature of fee applications facilitated by technological advances. Moreover, no party contested the fee applications. In addition to fee application issues, numerous entries involve billing at a high dollar rate for relatively simple tasks (docket review, file pleadings, serve pleadings, draft sign-in sheet, request a court reporter). Finally, there are several entries which clearly must be a mistake (over 53 hours billed by a single attorney on a single day, \$342 for 0 hours expended).

Rather than evaluate and dissect each time entry to determine whether it is excessive, erroneous, or unreasonable, the Court elects to make an overall 10% reduction which addresses the concerns raised by the Court, and still fairly compensates the applicant. The Court stresses that despite this reduction it recognizes the overall high quality of the work performed by the applicant. Applicant has handled this case with the great deal of care and professionalism one would expect from a firm with the applicant's experience and expertise. A separate order will be entered this day consistent with this memorandum.

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ORDER

Pursuant to the Court’s Memorandum entered this same date and incorporated herein by reference, and the Court being otherwise sufficiently advised,

The application is **APPROVED** and Frost Brown Todd LLC is allowed fees in the sum of \$241,820.10 and reimbursement of expenses in the sum of \$3,796.93.