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RE: THE BENNETT FUNDING GROUP, INC.  
CASE NO. 96-61376  
Chapter 11 Substantively Consolidated  
Coll Davidson Carter Smith Salter & Barkett, P.A.

**LETTER, DECISION AND ORDER**

Coll Davidson Carter Smith & Barkett (“Coll Davidson”) filed its Second Application For Allowance of Compensation and Reimbursement of Expenses (“Second Application”) on November 23, 1998. The Second Application came on for hearing before this Court on December 17, 1998 and was adjourned to January 29, 1999.

The Second Application covered the period June 1, 1998 through October 31, 1998, and sought \$78,502.50 in fees and \$2,256.64 in expense reimbursement. At the hearing held on January 28, 1999, the Court made a provisional award of \$50,000 in fees and \$690.89 in expenses.

Upon further review of the Second Application, and being advised that Coll Davidson has

agreed with the United States Trustee to a voluntary reduction in fees and expenses as set out in Coll Davidson's letter to the Court dated January 12, 1999, the Court will further reduce the fee request by limiting Coll Davidson's fees for preparation of the instant Second Application to a total of \$1,000. Thus, the Court will approve a total fee of \$67,394.63 and total expenses of \$1,974.56.

The Debtor will be credited with the amounts provisionally awarded and the Trustee is authorized to pay Coll Davidson \$17,394.63 in fees and \$1,283.67 in expenses from unencumbered funds of the Debtors' Estate.

IT IS SO ORDERED.

Dated at Utica, New York

this 27<sup>th</sup> day of December 1999

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STEPHEN D. GERLING  
Chief U.S. Bankruptcy Judge