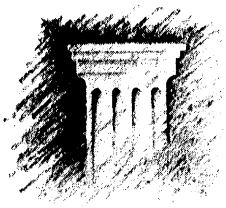
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Dated: June 21, 2015

To: Buzzy Stubbs

From: John Orcutt

Re: Attorney fees

Buzzy:

Thank you for taking the lead on this important issue.

As promised, attached please find a notebook which contains the major cases that seem to require a faster payment of attorney fees than it presently being done.

The seminal case is DeSardi, followed by Hill (MDNC), Erwin and Marks. The Denton case goes the other way, but it completely fails to address the mandates of section 1326(b) and is therefore completely distinguishable.

I have also included data on rates of collection. This was supplied by both your former Chapter 13 office and by Trustee Logan's office. Basically, I asked both of these offices for data on all Chapter 13 cases closed in the lasts 12 months, to include data on fees approved versus fees actually paid. I included 2 extra copies so that you can, if you wish, provide one each to Judges Warren and Humrickhouse.

Last, but not least, I drafted and include a presentation of some of the important considerations on this issue. I also provided 2 extra copies of this so that, if you wish, you can provide a copy to each of our judges.

Trustee Bledsoe data: In analyzing the Bledsoe data, it is real easy to overlook the losses incurred in unconfirmed cases since, with respect to unconfirmed cases, the data does not indicate what fee was requested or how much of it may have been collected up front. But, we do know one thing for sure: Substantial work was expended by the respective debtor attorneys both before the filing and after, at least up to the point when the case was dismissed. Adding in a guestimate of these losses, arguable the effective average collection rate for all attorneys (except me) in Chapter 13 is about **60%**. As you can also see, the data would indicate that fully 29% of Bledsoe's cases don't get confirmed. WOW! My collection rate seems to be higher: 92% not taking into account unconfirmed cases and probably closer to 70 to 75% if you fold in a guestimate for my losses on unconfirmed cases.

Trustee Logan data: This data is more complete and does not require any "guestimates" on losses

incurred in unconfirmed cases. As you can see on page 29 of the data, even even averaging in data on my cases (which paid at 81.33%), the collection rate was only 71.46%. I suspect that if my cases were parsed out of the data, the average collection rate for all other attorneys would be more like **60%**.

Result: 60% of $3,700 base fee = an average collection rate of only $2,220.

Another WOW and maybe even a "holy crap"!

Let me know if there is anything else you may require.

Thanks,

John

P.S. We still have not received similar data from Logan's office.