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5 UNITED STATES BANKRUPTCY COURT
6 EASTERN DISTRICT OF CALIFORNIA
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8 In re:) Case No. 04-20249-D-13L
9)
10 JOHN CRANSHAW and NORMA CRANSHAW,) Docket Control No. F&F-11
11) Continued Hearing:
12) DATE: August 30, 2005
13 Debtor(s).) TIME: 1:00 p.m.
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MEMORANDUM DECISION

Norma and John Cranshaw ("debtors") filed a Voluntary Petition for relief under Chapter 13 of the Bankruptcy Code on January 12, 2004. Fraley & Fraley ("Counsel") acted as counsel for debtors from the time the petition was filed until May 18, 2005, at which time Counsel substituted out. Counsel then filed an Application and Declaration Re: Fees and Expenses in Chapter 13 Case on June 28, 2005 (the "Application") and noticed a hearing on the Application for July 26, 2005. Debtors filed opposition to the Application on July 12, 2005. The initial hearing on the Application was then continued to August 30, 2005. Counsel filed a reply to debtors' opposition along with reply declarations of Jamie Steele, Gary Ray Fraley, and Roger Steele on August 12, 2005 (collectively referred to as the "Reply"); the record was closed thereafter and the matter came on for hearing before the court on August 30, 2005.

1 Debtors dispute the reasonableness and accuracy of the fees
2 sought by Counsel in the Application. Debtors identify specific
3 charges they believe to be inaccurate and/or unreasonable. The
4 Reply addresses some of the objections raised by debtors.

5 At the outset the court notes this is a simple Chapter 13
6 case. In light of the simple nature of the debtors' case, the
7 court finds certain charges to be excessive and/or not reasonable.
8 The Application reflects a two-hour time entry on January 8, 2004
9 for preparation of a "skeleton Chapter 13 filing". The skeletal
10 filing is comprised of five pages of form pleadings which require
11 only a number of different blanks to be filled in. A two hour
12 charge for this task is excessive and the court will allow one hour
13 as reasonable. (Reduction of one hour at \$75 per hour = <\$75.00>.)

14 The Application reflects a one-hour time entry on January 8,
15 2004 for meeting with debtors. Debtors' opposition indicates that
16 they met with Counsel for only twenty minutes on that date.
17 Accordingly, the court will allow one-half hour as reasonable.
18 (Reduction of 0.5 hour at \$240 per hour = <\$120.00>.)

19 The Application reflects a time entry of four hours on
20 January 20, 2004 for preparing debtors' Statement of Financial
21 Affairs and Chapter 13 Plan. Debtors' opposition points out that
22 most of the information contained in these pleadings was already
23 available to Counsel as Counsel had represented debtors in a prior
24 Chapter 13 bankruptcy. A four hour charge for this task is
25 excessive and as such the court will approve two hours as
26 reasonable. (Reduction of two hours at \$75 per hour = <\$150.00>.)

27 The Application reflects a time entry of three hours on March
28 22, 2004 for "Draft of Motion for First Amended Chapter 13 Plan".

1 Even assuming that this time entry included preparation of the
2 attendant motion and notice, both of which are form pleadings,
3 three hours is excessive. A reasonable time allocation for this
4 task is at most two hours. (Reduction of one hour at \$75 per hour
5 = <\$75.00>.)

6 The Application reflects a two-hour time entry on March 22,
7 2004 for objection to claim of the City of Sacramento with
8 declaration and exhibits. Even assuming that this time entry
9 included drafting the objection, which is a form pleading, the
10 court believes two hours to be excessive and the court will allow
11 one hour as reasonable. (Reduction of one hour at \$75 per hour =
12 <\$75.00>.)

13 Based on the foregoing Counsel's fee request will be reduced
14 by \$495.00 and Counsel is allowed additional fees in the amount of
15 \$3,599 and \$24.15 in expenses to be paid through the debtors'
16 Chapter 13 plan.

17 An order will issue accordingly.

18 Dated: September 1, 2005

19 _____/s/
20 ROBERT S. BARDWIL
21 United States Bankruptcy Judge
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