

1 UNITED STATES BANKRUPTCY COURT  
2 EASTERN DISTRICT OF CALIFORNIA

3 In re: ) Case No. 25-20121-B-7  
4 )  
5 DONALD ALFRED GILSVIK, )  
6 )  
7 Debtor(s) . )  
8 )  
9 )

10 NOTICE OF INTENT TO DISGORGE ATTORNEY'S FEES AND  
11 AMENDED ORDER TO SHOW CAUSE  
12

13 The *Amended Disclosure of Compensation of Attorney for*  
14 *Debtor(s)* signed and filed by attorney Gary Ray Fraley on  
15 February 11, 2025, states that Attorney Fraley has agreed to  
16 accept \$7,199.00 for legal services in this individual chapter 7  
17 case.

18 The court has conducted its own independent review of  
19 attorney's fees charged by 20 bankruptcy practitioners who  
20 regularly represent debtors in chapter 7 cases filed in the  
21 Eastern District of California bankruptcy court and who have  
22 appeared in chapter 7 cases assigned to Department B in the past  
23 3 months. The attorney's fees charged by the attorneys in this  
24 sample range from a low of \$750.00 to a high of \$4,000.00.  
25 Notably, this sample includes attorney Fraley who has charged  
26 between \$2,249.00 and \$3,349.00.

27 In this court's view, \$7,199.00 exceeds the reasonable value  
28 of services to be provided in this individual chapter 7 case.  
The court intends to disgorge and order Attorney Fraley to return  
\$3,199.00 to the debtor or other source of payment from which

1 attorney's fees for this chapter 7 were received resulting in  
2 attorney's fees for the reasonable value of services in this  
3 chapter 7 case of \$4,000.00. See 11 U.S.C. § 329(b).

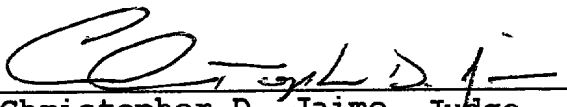
4 As stated on the record on February 11, 2025, Attorney  
5 Fraley is **ORDERED** to show cause, in writing filed by April 1,  
6 2025, why \$7,199.00 is the reasonable value of services to be  
7 provided in this chapter 7 case and why \$3,199.00 should not be  
8 disgorged and ordered returned. Attorney Fraley is cautioned  
9 that his written response is subject to and will be reviewed  
10 under Fed. R. Bankr. P. 9011.

11 A hearing on this amended order to show cause is **ORDERED** set  
12 on April 15, 2025, at 11:00 a.m. Attorney Fraley shall appear in  
13 person. Telephonic appearance is not permitted.

14 Alternatively, Attorney Fraley may file an amended  
15 compensation disclosure form that limits attorney's fees in this  
16 case to \$4,000.00 in which case no written response will be  
17 required and the hearing on April 15, 2025, will be removed from  
18 calendar.

19 Attorney Fraley is **ORDERED** to serve, by hand-delivery, a  
20 copy of this order to show cause on the debtor and file a  
21 certificate of service. Service shall be completed by Friday,  
22 February 14, 2025.

23 **Dated:** February 12, 2025  
24

25   
26 **Christopher D. Jaime, Judge**  
27 **United States Bankruptcy Court**  
28

**INSTRUCTIONS TO CLERK OF COURT  
SERVICE LIST**

The Clerk of Court is instructed to send the attached document, via the BNC, to the following parties:

Gary Ray Fraley  
1401 El Camino Ave, Suite 370  
Sacramento CA 95815