

The relief described hereinbelow is **SO ORDERED**.

SIGNED this 24th day of June, 2020.




Robert D. Berger
United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF KANSAS**

In re:

**TRACEY A. OLIVER and
PATRICE I. OLIVER,**

Debtors.

Case No. 20-20530
Chapter 13

ORDER GRANTING APPLICATION FOR ATTORNEY FEES

Attorney Patrick Wiesner represented Debtors in this Chapter 13 case until April 21, 2020, when this Court granted his motion to withdraw as counsel. This matter comes before the Court on Mr. Wiesner's application for attorney fees and expenses totaling \$4,195.42.¹ Debtors oppose the application, arguing that Mr.

¹ [ECF 38](#).

Wiesner should receive only the \$900 Debtors paid him before he filed their Chapter 13 petition.²

Under [11 U.S.C. § 330\(a\)\(4\)\(B\)](#), a court “may allow reasonable compensation to a Chapter 13 debtor’s attorney for representing the interests of the debtor in connection with the bankruptcy case.” In determining what constitutes “reasonable compensation” for the attorney’s services, the court considers a number of factors, including—

- (A) the time spent on such services;
- (B) the rates charged for such services;
- (C) whether the services were necessary to the administration of, or beneficial at the time at which the service was rendered toward the completion of, the bankruptcy case;
- (D) whether the services were performed within a reasonable amount of time commensurate with the complexity, importance, and nature of the problem, issue, or task addressed;
- (E) whether the person is board certified or otherwise has demonstrated skill and experience in the bankruptcy field; and
- (F) whether the compensation is reasonable based on the customary compensation charged by comparably skilled practitioners in non-bankruptcy cases.³

² [ECF 50](#).

³ *See* [11 U.S.C. § 330\(a\)\(3\)](#).

Mr. Wiesner is not only an attorney, but also a CPA; he has practiced law for over 20 years. This Court is familiar with Mr. Wiesner's work quality and that of his associate, Gary Mardian. Having reviewed Mr. Wiesner's fee application in light of the factors set out in § 330, the Court holds that the compensation he requests is reasonable, and hereby grants his fee application pursuant to § 330(a)(4)(B).

Because Debtors have already paid \$900, Mr. Wiesner is hereby allowed an administrative expense of \$3,295.42 under [11 U.S.C. § 503\(b\)\(2\)](#), with such expense to receive priority under [11 U.S.C. § 507\(a\)\(2\)](#).

IT IS SO ORDERED.