

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

In re

J & S SPORT SHOP, INC.

Case No. 84-10249 K

Debtor

MEMORANDUM AND DECISION
REGARDING ALLOWANCE OF FEES


The Applicant has voluntarily reduced his request from \$660.00 to \$555.00 in response to the U.S. Trustee's objections. Nonetheless, I am troubled by the fact that the U.S. Trustee has to file an Objection in order to obtain information sufficient to form a conclusion regarding so many time entries.

I will not approve the pre-appointment time as such, but will take favorable notice of the applicant's pre-appointment efforts. Thus, two hours of pre-appointment time (at \$100/hr.) is disallowed as such, but \$150.00 will be allowed as an upward departure consistent with "lodestar" analysis.

\$505.00 in fees and \$4.00 in expenses are allowed. Please take notice, however, that future allowances to this attorney may be reduced if fee applications do not contain sufficient information explaining why the tasks set forth required

the expertise of an attorney, even if such further information is later provided in response to an objection.

Dated: Buffalo, New York
March 14, 1992


/S/ MICHAEL J. KAPLAN

U.S.B.J.