

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

In re

N.A. CARY, LTD.

Case No. 89-11392 K

Debtor

DECISION AND ORDER

To: Trustee, Claimant, Attorney for Debtor, United States Trustee

On December 17, 1991, I determined (at hearing after notice to all Parties-in-Interest) that Mr. Robert W. Anderson was a "professional person" employed as a consultant by the debtor-in-possession under 11 U.S.C. § 327 and that good cause existed for his employment to be approved by the Court nunc-pro-tunc.

Mr. Cary was invited to submit, within one to two weeks, documentary support of his hours worked, work-product, and other evidence of benefit to the estate, so that the reasonable value of his services could be determined under 11 U.S.C. § 330.

By letter dated January 2, 1992 (copy to Mr. Anderson), Donald B. Iwanicki, Trustee advises that Mr. Anderson has not submitted the invited documentary support for his administrative expense claim beyond that attached to his claim filed August 21, 1989. The letter further advises that on July 31, 1991 (after Mr. Iwanicki filed objection to Mr. Anderson's August 21, 1989 claim, but before my December 17, 1991 ruling) Mr. Anderson filed another claim in the same amount. Mr. Iwanicki has objected to this claim

as being a duplicate of the earlier claim. This objection will be heard on February 11, 1992 at the Batavia Term of the Court.

It is now ORDERED, that any and all documentation which Mr. Anderson intends to file in support of his claim shall be filed with the Court and served upon Mr. Iwanicki and the United States Trustee no later than January 31, 1992, so that a final ruling may be made on this matter at the hearing on February 11, 1992.

Failure to provide the materials requested by the Court may result in the disallowance of Mr. Anderson's claim in toto.

SO ORDERED.

Dated: Buffalo, New York
January 15, 1992

/S/ MICHAEL J. KAPLAN

U.S.B.J.