

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

MICHAEL J. QUILLING,

Plaintiff,

v.

TRADE PARTNERS, INC. ET AL

Defendants.

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CASE NO. 1:03-CV-236

Hon. Richard Alan Enslin

**ORDER REGARDING PROFESSIONAL FEES**

On July 23, 2003, a Rule 16 Scheduling Conference was conducted by the Hon. Ellen S. Carmody. At the time of the hearing, the Court considered the Status Report filed in this matter by the parties. At the hearing, the Court considered the proposal contained in the Status Report with respect to the payment of professionals by the Receiver. At the hearing, the Court approved the terms proposed by the parties. Thus, it is:

ORDERED that a procedure is hereby established and approved for payment of the professional fees and costs for the work of the professionals employed by the Receiver in this case.

The Receiver, Examiner, Receiver's Special Counsel, Receiver's accountants and other professionals required by the Receiver to perform the work of the receivership ("Professionals") shall be permitted, if warranted, to file with the Court a Notice of Billing Statements each month.

The Notice of Billing Statements shall be filed with the District Clerk in Grand Rapids, Michigan, with a copy to Magistrate Carmody. By this Order, the payment of professional fees is hereby

assigned to Magistrate Carmody for determination of objections, if any. The Professionals shall also provide actual notice either electronically or by fax only to the actual parties in the case (not including those who have simply filed a notice of appearance) with a banner in bold at the outset of the Notice advising the parties that they have ten (10) days to file any objection to the relief requested. The Professionals shall also post immediately on the web sites of the Receiver and the Examiner copies of all Notices of Billing Statements with instructions to all interested parties to contact, respectively, the Receiver or the Examiner with objection or comment. If no objections are received within the ten day period following the filing of the Notice, the Receiver is empowered to pay ninety percent (90%) of the fees and one hundred per cent (100%) of the expenses. If objections are filed, and the Receiver and/or the Examiner can resolve the objection to the satisfaction of the objecting party, upon advice to the Receiver that the objections have been resolved, the Receiver is empowered to pay the fees and expenses at the percentages indicated. If objections are filed and the objections cannot be resolved between the objecting party and the party filing the Notice, then the Receiver is authorized to pay the undisputed portion and the portion subject to objection shall be presented to Magistrate Carmody for resolution. Once every quarter, beginning with the quarter ending September 30, 2003, the professionals in this matter shall file a fee application addressing all of the issues that are relevant to the determination of whether the fees are reasonable and necessary and for the purpose of obtaining approval of fees and expenses previously paid and for payment of the 10% retained from prior payments.

Signed this the \_\_\_\_ day of \_\_\_\_\_ 2003.

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Hon. Ellen S. Carmody  
United States Magistrate Judge