

SIGNED.



Dated: May 21, 2008

James M. Marlara
JAMES M. MARLAR
U.S. Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA

In re:) Chapter 13
ROBERT S WAGONER and DENA A) No. 4:07-bk-00032-JMM
WAGONER,)
Debtor(s).) **MEMORANDUM DECISION**
RE: ATTORNEYS' FEES

Debtors' counsel have requested \$6,174 in fees for this case. The court has reviewed the time slips attached to the application (Dkt. #37), and notes that a total of 35.5 hours was devoted to this case, 14 of which were by attorneys at \$250 per hour, and 21.5 by paralegals billed at \$95 per hour.

The case was a typical one, without any extraordinary activity to differentiate it from other routine cases of this type.

The case was filed on January 10, 2007, and the Debtors' plan appears to be on the verge of confirmation, as a stipulated order was forwarded to the Trustee's office on April 25, 2008 (Dkt. #40).

When the attorneys accepted representation in this case, they agreed that their standard fee of \$3,500 was acceptable. See Rule 2016 Statement. In this District, custom and practice dictates that a routine case costs approximately \$3,500 in fees to administer, and courts approve "no challenge" or "no look" fees, for that sum, on a regular basis.

1 This case is not unusual or atypical. Additionally, the amount of time devoted to it
2 by the attorneys and paralegals is also reasonable. The problem, however, is that the effort to apply
3 a \$250 hourly attorney rate to a routine chapter 13 case takes it outside the acceptable norm for
4 consumer cases of this type. These chapter 13 cases cannot easily accommodate that hourly rate,
5 even when a case is well managed and efficient, as this one was. Application of that rate (\$250 per
6 hour), under all circumstances, renders the total cost unreasonable.

7 Unfortunately, this court must find that the agreed Rule 2016 fee of \$3,500 is the
8 reasonable, and thus approved, fee for this case. The requested balance will therefore be DENIED.

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10 DATED AND SIGNED ABOVE.

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12 COPIES served as indicated below
13 on the date signed above:

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