

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MAINE

In re:

TIMOTHY PAUL RIENDEAU and
MARIETTE GEORGETTE RIENDEAU,

Debtors.

Chapter 13
Case No. 21-20089

ORDER GRANTING, IN PART, FIRST AND FINAL APPLICATION OF SHANKMAN & ASSOCIATES FOR COMPENSATION OF LEGAL SERVICES

Shankman & Associates filed a first and final fee application on August 25, 2023 (Docket Entry (“D.E.”) 109) (the “Fee Application”) seeking compensation in the amount of \$76,170.00 and reimbursement of expenses in the amount of \$2,133.12. A plan has not yet been confirmed in this case but the pending Second Modified Plan (D.E. 31) (the “Plan”) estimates attorney fees in this case of \$14,000.00. Shankman & Associates received \$3,000.00 prior to filing the case and the Plan provides for a reserve of \$11,000.00 to pay remaining legal fees.

The Chapter 13 Trustee filed an objection to the Fee Application on September 22, 2023 (D.E. 121) in which he questions the benefit and necessity of the services rendered by Shankman & Associates. As the Trustee notes, the bulk of the fees incurred resulted from litigation against the Town of Sabattus. That dispute was resolved through a compromise approved by the Court on August 28, 2023 (D.E. 111) pursuant to which the Town agreed to pay \$50,000.00. The compensation requested by Shankman & Associates exceeds those settlement funds by \$26,170.00.

Since filing the Fee Application, Mr. Shankman surrendered his license to practice and, therefore, is unable to provide further support regarding the necessity of the services rendered in connection with the litigation against the Town. His inability to represent the Debtors going forward has left them in the unfortunate position of seeking replacement counsel without an immediately apparent path for paying the fees incurred by the new attorney.

On this limited record, and without the possibility of Mr. Shankman providing further support for the necessity of his fees, the Court hereby finds that Mr. Shankman provided *at least* \$5,000.00 worth of reasonable services in this case. Accordingly, the Court hereby awards Mr. Shankman \$5,000.00 in fees and expenses. The Debtors already paid Shankman & Associates \$3,000.00 so the Trustee is directed to pay \$2,000.00 to Shankman & Associates, to the extent of available funds.

Dated: October 18, 2023

/s/ Peter G. Cary
Judge Peter G. Cary
United States Bankruptcy Court