

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF FLORIDA  
FORT LAUDERDALE DIVISION  
[www.flsb.uscourts.gov](http://www.flsb.uscourts.gov)

In re:

POMPANO SENIOR SQUADRON FLYING CLUB

Case No. 22-15714-PDR  
Chapter 11

Debtor.

\_\_\_\_\_ /

**SUMMARY OF FIRST AND FINAL APPLICATION  
FOR COMPENSATION AND REIMBURSEMENT OF EXPENSES  
OF CAROL L. FOX, AS SUBCHAPTER V TRUSTEE FOR THE  
PERIOD FROM JULY 27, 2022 THROUGH DECEMBER 1, 2022**

- 1. Name of Applicant:..... Carol L. Fox
- 2. Role of Applicant:.....Subchapter V Trustee
- 3. Name of Certifying Professional: ..... Carol L. Fox, Subchapter V Trustee
- 4. Date Case Filed: ..... July 26, 2022
- 5. Date of Appointment: ..... July 27, 2022
- 6. Period for this Application:..... July 27, 2022 through December 1, 2022
- 7. Amount of Compensation Sought for this period:.....\$1,750.00
- 7a. Estimated fees through substantial consummation: .....\$900.00
- 8. Gross actual fees sought for this period:.....\$2,650.00
- 9. Amount of Expense Reimbursement Sought:.....\$0.00
- 9a. Estimated expenses through substantial consummation: .....\$223.00
- 10. Gross actual expenses sought for this period:.....\$223.00
- 11. Net amount of fees and expenses sought for this period.....\$2,873.00**

**IF FINAL APPLICATION, COMPLETE 12, 13, 14, 15 AND 16 BELOW:**

12. Gross actual fees sought during case: .....\$1,750.00
- 12a. Estimated fees through substantial consummation: .....\$900.00
13. **Net amount of fees sought during case:**.....**\$2,650.00**
14. Gross actual expense reimbursement sought during case:.....\$0.00
- 14a. Estimated expenses through substantial consummation:.....\$223.00
15. **Net amount of expenses sought during case:**.....**\$223.00**
16. **Net award requested for this period (#13 + #15):**.....**\$2,873.00**
17. Amount of Original Retainer(s): Please disclose both Fee Retainer and Cost Retainer if such a retainer has been received:.....\$0.00
18. Current Balance of Retainer(s) remaining: .....\$0.00
19. Last Monthly Operating Report Filed..... September 30, 2022
20. If case is chapter 11, current funds in the Chapter 11 estate: ..... \$61,598.16<sup>1</sup>
21. If case is chapter 7, current funds held by Chapter 7 trustee: approximately .....N/A

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<sup>1</sup> Total cash balance as of September 30, 2022 per the Debtor's *Monthly Operating Report for the period from September 1, 2022 through September 30, 2022* [DE 60].

**FEE APPLICATION SUMMARY CHART**

REQUEST				APPROVAL				PAID		HOLDBACK		
Date Filed	ECF #	Period Covered	Fees Requested	Expenses Requested	Date Ordered	ECF #	Fees Approved	Expenses Approved	Fees Paid	Expenses Paid	Fees Holdback	Expenses Holdback
12/01/22		7/27/22 - 12/1/22	\$ 2,650.00	\$ 223.00			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>TOTALS</b>			<b>\$ 2,650.00</b>	<b>\$ 223.00</b>			<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

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**FIRST AND FINAL APPLICATION FOR COMPENSATION AND REIMBURSEMENT  
OF EXPENSES OF CAROL L. FOX, AS SUBCHAPTER V TRUSTEE FOR THE  
PERIOD FROM JULY 27, 2022 THROUGH DECEMBER 1, 2022**

Carol L. Fox, Subchapter V Trustee (“**Trustee**”), files her First and Final Application (the “**Application**”) for allowance of compensation for services rendered and reimbursement of expenses incurred for the period from July 27, 2022 through December 1, 2022 (the “**Application Period**”), and in support thereof states as follows:

**PRELIMINARY STATEMENT**

1. This Application is filed pursuant to 11 U.S.C. §§ 330 and 331 (the “**Bankruptcy Code**”), Rule 2016(a) of the Federal Rules of Bankruptcy Procedure, (the “**Fee Guidelines**”) and the Local Rules.

2. In accordance with the Fee Guidelines, the following exhibits are attached to this Application:

- |             |  |
|-------------|--|
| Exhibit A   | Certification  |
| Exhibit 1   | Fee Application Summary Chart  |
| Exhibit 2-A | Summary of Professional Time Total per Individual for This Period Only   |
| Exhibit 2-B | Summary of Professional Time by Activity Code for This Period Only       |
| Exhibit 3   | Summary of Requested Reimbursement of Expenses for this Time Period Only |

Exhibit 4 Applicant's Complete Time Records in Chronological Order by Activity Code for this Time Period Only

**BACKGROUND**

3. On July 26, 2022, (the “**Petition Date**”) Pompano Senior Squadron Flying Club, Inc., (the “**Debtor**”) filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code.

4. On July 27, 2022, the United States Trustee Appointed Carol L. Fox as Trustee (the “**Trustee**”) and filed the *Notice of Appointment of Subchapter V Trustee* [DE 8].

**SUMMARY OF SERVICES RENDERED**

5. The Trustee respectfully requests the allowance, award, and payment of fees for services performed.

6. The majority of services rendered by the Trustee during the Application Period are summarized below. A description of (i) the professional performing the services; (ii) the date the services were performed; and (iii) a detailed description of the nature of the services and the time expended.

7. Specifically, the Trustee rendered the following services during the Application Period:

**Case Administration**

Hours Expended: 2.10  
Fees Requested: \$1,080.00

This task includes:

**Preparation for and telephonic attendance at the:**

- (a) Initial Debtor Interview (IDI),
- (b) 341 meeting of creditors, and
- (c) Subchapter V Status Conference.

Additionally, this category includes time spent (a) attending case hearings, (b) reviewing case pleadings, (c) preparing and filing various documents with the Court.

**Financial Analysis**

Hours Expended: 0.70  
Fees Requested: \$315.00

This task includes review and analysis of the Debtor's Monthly Operating Reports and financial projections.

**Fee Application**

Hours Expended: 1.40  
Fees Requested: \$355.00

This task includes the preparation of the *First and Final Application for Compensation and Reimbursement of Expenses of Carol L. Fox, as Subchapter V Trustee for the period from July 27, 2022 through December 1, 2022.*

**FACTORS TO BE CONSIDERED**

8. The Trustee believes that the requested fee of \$1,750.00 for 4.50 hours is reasonable considering the twelve factors enumerated in *Johnson v. Georgia Highway Express, Inc.*, 488 F.2d 714 (5th Cir. 1974), made applicable to bankruptcy proceedings by *In re First Colonial Corp. of America*, 544 F.2d 1291 (5th Cir. 1977), set forth below:

- (a) Time and Labor Required;
- (b) Novelty and Difficulty of the Services Rendered;
- (c) Skill Requisite to Perform the Services Properly;

- (d) Preclusion of Other Employment by the Professional Due to the Acceptance of the Case;
- (e) Customary Fee;
- (f) Whether the Fee is Fixed or Contingent;
- (g) Time Limitations Imposed by the Client or Other Circumstances;
- (h) Experience, Reputation, and Ability of the Professional;
- (i) Undesirability of the Case;
- (j) Nature and Length of the Professional Relationship with the Client; and
- (k) Awards in Similar Cases.

9. Based on the standards set forth in section 330 of the Bankruptcy Code and *First Colonial*, the Trustee believes that the amounts requested herein represent the fair and reasonable value of its services rendered during the Application Period.

10. The Trustee also requests reimbursement of \$0.00 which amount equals one hundred percent (100%) of the actual and necessary out-of-pocket disbursements and charges incurred by the Trustee during the Application Period.

### **CONCLUSION**

11. The Trustee submits that this Application complies with the applicable provisions of the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, the Local Rules and the Fee Guidelines.

12. No agreement or understanding exists between the Trustee and any other person for the sharing of compensation received or to be received for services rendered in connection with this case except as permitted under 11 U.S.C. § 504.

WHEREFORE, the Trustee requests the entry of an Order (i) granting this the First and

Final Application; (ii) allowing and awarding fees in the amount of \$1,750.00 and estimated fees of \$900.00 for a total amount of fees of \$2,650.00; (iii) allowing and awarding expenses in the amount of \$0.00 and estimated expenses of \$223.00 for a total amount of expenses of \$223.00; for a total award of **\$2,873.00** for the period July 27, 2022 through December 1, 2022, for which no previous fee application has been made; (iv) authorizing payment of fees and costs awarded; and (v) affording such other and further relief as may be fair and reasonable under the circumstances.

Respectfully submitted: December 1, 2022

CAROL L. FOX  
Subchapter V Trustee  
200 E. Broward Blvd., Suite 1010  
Ft. Lauderdale, FL 33301  
(954) 859-5075

By:     /s/ Carol L. Fox      
CAROL L. FOX



**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true copy of the *First and Final Application for Compensation and Reimbursement of Expenses of Carol L. Fox, as Subchapter V Trustee for the period from July 27, 2022 through December 1, 2022* was served by transmission of Notices of Electronic Filing generated by CM/ECF to those parties registered to receive electronic notices of filing in this case this 1<sup>st</sup> day of December, 2022.

CAROL L. FOX  
Subchapter V Trustee  
200 E. Broward Blvd., Suite 1010  
Ft. Lauderdale, FL 33301  
(954) 859-5075

By:     /s/ Carol L. Fox      
CAROL L. FOX

**EXHIBIT “A”**

UNITED STATES BANKRUPTCY COURT  
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Debtor.

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Case No. 22-15714-PDR  
Chapter 11

**CERTIFICATION**

1. I am the professional with responsibility in this case for compliance with the “Guidelines for Fee Applications for Professionals in the Southern District of Florida in Bankruptcy Cases” (the “Fee Guidelines”).

2. I have read the application for compensation and reimbursement of expenses (the “Application”). The Application complies with the Fee Guidelines, and the fees and expenses sought fall within the Fee Guidelines, except as specifically noted in this certification and described in the Application.

3. The fees and expenses sought are billed at rates and in accordance with practices customarily employed by Carol L. Fox in her Subchapter V cases.

4. The following are the variances with the provisions of the Fee Guidelines, the date of each court order approving the variance, and the justification for the variance: Not applicable.

Dated: December 1, 2022

CAROL L. FOX  
Subchapter V Trustee  
200 E. Broward Blvd., Suite 1010  
Ft. Lauderdale, FL 33301  
(954) 859-5075

By: /s/ Carol L. Fox  
CAROL L. FOX

Summary of Professional Time  
 Total Per Individual This Period Only  
 (EXHIBIT "2-A")

Professional	Title	Year Licensed / Years of Experience		Total Hours	Hourly Rate	Total Fees
Carol Fox, CPA, CIRA, CFE	Subchapter V Trustee	1989	35 Years	3.50	\$ 450.00	\$ 1,575.00
Ashley Peal	Analyst		11 Years	1.00	\$ 175.00	175.00
	<b>Total:</b>			<u><b>4.50</b></u>		<u><b>\$ 1,750.00</b></u>
	<b>Blended Hourly Rate:</b>				<u><b>\$ 388.89</b></u>	

Summary of Professional Time  
by Activity Code for this Time Period Only  
(EXHIBIT "2-B")

Activity Code	Professional	Hours	Rate	Total
<u>Case Administration</u>				
	Carol Fox, CPA, CIRA, CFE	2.40	\$ 450.00	\$ 1,080.00
	<b>Total:</b>	<u>2.40</u>		<u>1,080.00</u>
 <u>Financial Analysis</u>				
	Carol Fox, CPA, CIRA, CFE	0.70	\$ 450.00	\$ 315.00
	<b>Total:</b>	<u>0.70</u>		<u>315.00</u>
 <u>Fee Application</u>				
	Carol Fox, CPA, CIRA, CFE	0.40	\$ 450.00	180.00
	Ashley Peal	1.00	\$ 175.00	175.00
	<b>Total:</b>	<u>1.40</u>		<u>355.00</u>
	<b>Total all categories</b>	<u>4.50</u>		<u>\$ 1,750.00</u>
	 <b>Blended Hourly Rate:</b>		<u>\$ 388.89</u>	

Summary of Requested Reimbursement of Expenses  
for this Time Period Only  
(EXHIBIT "3")

Filing Fees	\$	-
Process Service Fees		-
Witness Fees		-
Court Reporter Fees and Transcripts		-
Lien and Title Searches		-
Photocopies		
(a) In-house copies (\$ at 15 cents/page)		-
(b) Outside copies (\$ )		-
Postage		-
Overnight Delivery Charges		-
Outside Courier/Messenger Services		-
Long Distance Telephone Charges		-
Long Distance Fax Transmissions		-
(copies at \$1/page)		
Computerized Research		-
Out-of-Southern-District-Of-Florida Travel		
(a) Transportation		-
(b) Lodging		-
(c) Meals		-
Estimate		-
Total Expense Reimbursement Requested	\$	-

Applicant's Complete Time Records, in Chronological Order,  
by Activity Code Category for this Time Period Only  
(EXHIBIT "4")

Professional	Activity	Date	Description	Hours	Rate	Total
Carol Fox, CPA, CIRA, CFE	Case Administration	08/16/22	Initial call with counsel for the Debtor to discuss case and goals to reach a consensual plan	0.20	\$ 450.00	\$ 90.00
Carol Fox, CPA, CIRA, CFE	Case Administration	08/24/22	Attend 341 meeting of creditors	0.40	\$ 450.00	180.00
Carol Fox, CPA, CIRA, CFE	Case Administration	08/24/22	Telephone conference with S. Lasky, counsel for Sunwood	0.40	\$ 450.00	180.00
Carol Fox, CPA, CIRA, CFE	Case Administration	08/25/22	Attend status conference	0.20	\$ 450.00	90.00
Carol Fox, CPA, CIRA, CFE	Case Administration	09/06/22	Telephone conference with creditor - Carl Kennedy re: case overview and objection to retention	0.90	\$ 450.00	405.00
Carol Fox, CPA, CIRA, CFE	Financial Analysis	10/12/22	Review and analyze July and August Monthly Operating Reports (0.4); follow-up the Debtor's counsel re: inquiries regarding the same (0.3)	0.70	\$ 450.00	315.00
Carol Fox, CPA, CIRA, CFE	Case Administration	10/13/22	Attend hearing re: post-petition retainers	0.30	\$ 450.00	135.00
Ashley Peal	Fee Application	11/30/22	Prepare first and final fee application	1.00	\$ 175.00	175.00
Carol Fox, CPA, CIRA, CFE	Fee Application	12/01/22	Review and final first and final fee application	0.40	\$ 450.00	180.00
<b>Grand Total</b>				<b>4.50</b>		<b>\$ 1,750.00</b>
<b>Blended Average Hourly Rate</b>					<b>\$ 388.89</b>	