

SCAN

SHORT FORM ORDER

SUPREME COURT - STATE OF NEW YORK

Present:

HON. F. DANA WINSLOW,

Justice

TRIAL/IAS, PART 17

NASSAU COUNTY

CITIBANK, N.A.,

Plaintiff,

MOTION DATE: 5/28/03

- against -

MOTION SEQ. NO. 010

INDEX NO.: 016062/00

**JAMES F. KENNEY JR. a/k/a JAMES F.
KENNEY, NU WAVE MARINE, INC.
LONG ISLAND MARINA
LONG ISLAND LIGHTING CO.,
RENATE KENNEY, ADMINISTRATOR OF
THE SMALL BUSINESS ADMINISTRATION,
SEAFORD MARINA, ISLAND WATERCRAFT,**

Defendants.

The following papers read on this motion (numbered 1)

Notice of Motion 1

The firm of JASPAN SCHLESINGER HOFFMAN LLP (the "Firm") having duly moved for an Order pursuant to **CPLR §8004** authorizing: (i) interim compensation and reimbursement of the Firm's expenses as counsel for Leslie Feifer, Esq., the Receiver in this action (the "Receiver"), pertaining to the period from August 1, 2002 through March 31, 2003 (the "Application Period"), and (ii) commissions for the Receiver pertaining to the Application Period, and the matter having come on to be heard on May 28, 2003, and there being no opposition to this motion, it is now

ORDERED, that the Firm's motion pursuant to **CPLR §8004** is **granted**, to the following extent:

1. The Firm is awarded an interim allowance for compensation for services rendered to the Receiver in the amount of \$8,713.25, representing a total of 45.58 hours at a blended rate of approximately \$191.16 per hour, and for

disbursements and advances in the amount of \$785.30, for a total award of \$9,498.55.

2. The Receiver, having submitted uncontested proof of 58.24 hours of service performed, is awarded commissions in the amount of \$2166.00, representing 5% of the total funds collected and disbursed under the receivership during the Application Period, and for disbursements and advances in the amount of \$533.82, for a total award of \$2699.82.

The Receiver shall pay the above amounts out of the funds currently held in the receivership account after submission and approval of a Statement of Approval of Compensation (Form UCS 830) pursuant to Section 35-A of the Judiciary Law.

This constitutes the Order of the Court. Upon entry hereof, the Firm shall serve a copy of this Order with Notice of Entry upon all parties.

ENTER:

Dated:

June 12, 2003

[Signature]
J. S. C.

ENTERED

JUN 23 2003

**NAASAU COUNTY
COUNTY CLERK'S OFFICE**