

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In Re:

BKY No.: 17-32654

Chapter 11

**CareFocus Corporation,
Debtor.**

**Notice of Hearing and Application for Allowance
of Interim Compensation and Reimbursement of Expenses
of Attorneys for Debtor-In-Possession**

PLEASE TAKE NOTICE that the Court will hold a hearing on the following Application on Tuesday, October 31, 2017 at 9:30 a.m., before the Honorable William J. Fisher, in Courtroom 2B, U.S. Courthouse, 316 North Robert Street, St. Paul, MN 55101, or as soon thereafter as counsel can be heard. Any response to this application shall be filed and delivered no later than Thursday, October 26, 2017, which is five days before the time set for the hearing on this application.

UNLESS A RESPONSE OPPOSING THE APPLICATION IS TIMELY FILED, THE COURT MAY GRANT THE APPLICATION WITHOUT A HEARING.

Steven B. Nosek and Yvonne R. Doose, the Applicants herein, hereby apply to the Court, pursuant to 11 U.S.C. §§328, 330 and 331, for an Order allowing interim compensation and reimbursement of expenses and state in support thereof as follows:

1. Applicants are the attorneys for the Debtor-in-Possession in the above-referenced case. Applicants' employment was approved by the Court on September 12, 2017, a copy of which is attached hereto as **Exhibit A**.

2. This Court has jurisdiction over this application under §§157 and 1334. This application is filed pursuant to Bankruptcy Rules 2016 and 9013 and Local Rule 2016-1.

3. The terms of the employment and compensation sought therefore are on an hourly basis at a rate of \$300.00 per hour for services performed by Steven B. Nosek, and \$200.00 per hour for Yvonne R. Doose, as more completely described in the attached **Exhibit B**.

4. The services rendered by Applicants during this period, as set forth in the attached **Exhibit B** include the following:

- a. Chapter 11 and general representation/administration of the Debtor including meetings, preparation of pleadings, preparation of schedules and other bankruptcy documents – 23.40 hours;
- b. Representing the Debtor in negotiations with the US Attorney for the use of cash collateral and for the preparation and filing of the Motion for use of cash collateral – 5.20 hours; and
- c. Representing the Debtor in the preparation of a draft Adversary Complaint – 4.00 hours.

5. In addition, your Applicants have incurred expenses in the total amount of \$2,402.22 described on **Exhibit B**.

6. As indicated in the attached exhibit, the total value for the attorneys' fees for representation of the Debtor herein is the sum of \$9,030.

7. Applicant has received a retainer from the Debtor in the amount of \$10,000.

8. The time period in which the services were rendered as are described in this Interim Fee Application is from August 17, 2017 through September 30, 2017. This is the first application for interim compensation that has been filed.

9. The undersigned hereby verifies that the foregoing is true and correct. There are no unpaid administrative expenses to the best of Applicants' knowledge.

WHEREFORE, Applicants request allowance of interim compensation and reimbursement of expenses as follows:

1. Allowance of interim compensation in the amount of \$9,030 and reimbursement of expenses in the amount of \$2,402.22.
2. Steven B. Nosek and Yvonne R. Doose are permitted to apply the retainer received in the amount of \$10,000 against the allowed fees and expenses in the total amount of \$11,432.22 and the balance due in the amount of \$1,432.22 is allowed as an administrative expense.

STEVEN B. NOSEK, P.A.

Dated: October 3, 2017.

By: /e/ Steven B. Nosek
Steven B. Nosek (No. 79960)
Yvonne R. Doose (No. 397066)
2855 Anthony Lane South
Suite 201
St. Anthony, MN 55418
Telephone: (612) 335-9171
snosek@noseklawfirm.com
ydoose@noseklawfirm.com
Attorneys for Debtor

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In Re:

BKY No.: 17-32654

Chapter 11 Case

**CareFocus Corporation,
Debtor.**

**ORDER APPROVING EMPLOYMENT
OF ATTORNEYS FOR DEBTOR**

This case is before the court on the application filed on August 18, 2017, by the debtor-in-possession to employ Steven B. Nosek, Attorney at Law, and Yvonne R. Doose, Attorney at Law, as chapter 11 counsel. It appears that the attorneys selected by the debtor-in-possession do not hold or represent an interest adverse to the estate and that they are disinterested within the meaning of 11 U.S.C. §327(a).

IT IS ORDERED:

1. The employment of Steven B. Nosek, Attorney at Law and Yvonne R. Doose, Attorney at Law, as Chapter 11 counsel, to represent the debtor-in-possession in carrying out its duties under Title 11 of the United States Bankruptcy Code is approved.
2. Fee applications by Steven B. Nosek, Attorney at Law, may be heard on 30-day intervals from commencement of the case.
3. Fee applications by Yvonne R. Doose, Attorney at Law, may be heard on 30-day intervals from commencement of the case.

Dated: *September 12, 2017*

/e/ William J. Fisher

William J. Fisher
United States Bankruptcy Judge

NOTICE OF ELECTRONIC ENTRY AND
FILING ORDER OR JUDGMENT
Filed and Docket Entry made on 09/12/2017
Lori Vosejpka, Clerk, by KN

2855 Anthony Lane South
Suite 201
St. Anthony, MN 55418
(612) 335-9171

Invoice submitted to:

CareFocus Corporation 3
CareFocus Corporation
Attn: Adewale Koleosho
2429 University Avenue West #200
St. Paul, MN 55114-1541

September 30, 2017

General Admn 8085.001

Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>
8/17/2017 SBN Prepare bankruptcy pleadings, petition and schedules, including applications to employ.	2.00 300.00/hr	600.00
SBN Conference with client	1.00 300.00/hr	300.00
SBN Telephone conference with AJ Siddiqui.	0.20 300.00/hr	60.00
YRD Meeting with client.	0.50 200.00/hr	NO CHARGE
8/18/2017 SBN File chapter 11 petition.	1.00 300.00/hr	300.00
8/21/2017 SBN Telephone conference with client.	0.20 300.00/hr	60.00
8/23/2017 SBN Telephone conference with AJ Siddiqui.	0.20 300.00/hr	60.00
8/24/2017 SBN Telephone conference with Pat Patton; Email to AJ Siddiqui.	0.40 300.00/hr	120.00
8/25/2017 SBN Emails to client.	0.50 300.00/hr	150.00
SBN File small business documents.	0.80 300.00/hr	240.00
SBN Prepare application and order re: schedules.	1.00 300.00/hr	300.00

CareFocus Corporation 3

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		<u>Hrs/Rate</u>	<u>Amount</u>
8/28/2017	SBN Emails to client.	0.60 300.00/hr	180.00
	YRD Draft application to extend time to file schedules.	0.50 200.00/hr	100.00
8/29/2017	SBN Review material received; Conference with client; telephone conference with US Trustee.	1.20 300.00/hr	360.00
8/31/2017	SBN Review material received.	0.20 300.00/hr	60.00
9/5/2017	SBN Prepare Ombudsman Motion.	1.20 300.00/hr	360.00
	SBN Review material received; emails to client re: tax claims and tax returns.	0.80 300.00/hr	240.00
	SBN Review material received; Submit report and documents to US Trustee.	1.00 300.00/hr	300.00
9/6/2017	SBN Emails to client.	0.40 300.00/hr	120.00
	SBN Conference call with client and AJ Siddiqui.	0.50 300.00/hr	150.00
9/7/2017	SBN Complete and file bankruptcy schedules.	1.00 300.00/hr	300.00
	SBN Email to US Trustee's Office.	0.20 300.00/hr	60.00
9/11/2017	SBN Telephone conference with AJ Siddiqui.	0.20 300.00/hr	60.00
9/12/2017	SBN Attend IDI at US Trustee's Office; Conference with client.	1.00 300.00/hr	300.00
9/13/2017	SBN Attend court hearing; conference with client.	1.50 300.00/hr	450.00
9/18/2017	SBN Email to client.	0.20 300.00/hr	60.00
9/20/2017	SBN Review material received; email to client.	0.20 300.00/hr	60.00
9/21/2017	SBN Attend Meeting of Creditors; conference with client.	2.50 300.00/hr	750.00

CareFocus Corporation 3

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	<u>Hrs/Rate</u>	<u>Amount</u>
9/22/2017 SBN Review material received; emails to client.	0.40 300.00/hr	120.00
9/26/2017 SBN Review material received.	0.60 300.00/hr	180.00
9/27/2017 SBN Telephone conference with AJ Siddiqui.	0.20 300.00/hr	60.00
9/29/2017 SBN Telephone conference with client.	0.20 300.00/hr	60.00
SBN Review material received.	1.00 300.00/hr	300.00
For professional services rendered	23.40	\$6,820.00
Balance due		<u><u>\$6,820.00</u></u>

2855 Anthony Lane South
Suite 201
St. Anthony, MN 55418
(612) 335-9171

Invoice submitted to:

CareFocus Corporation 3
CareFocus Corporation
Attn: Adewale Koleosho
2429 Univeristy Avenue West #200
St. Paul, MN 55114-1541

September 30, 2017

Cash Collateral 8085.002

Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>
8/17/2017 SBN Prepare motion to pay pre petition wages and motion to use cash collateral.	2.00 300.00/hr	600.00
8/18/2017 YRD Draft cash collateral motion and wage motion.	1.00 200.00/hr	200.00
8/21/2017 SBN Telephone conference with client.	0.20 300.00/hr	60.00
8/22/2017 SBN Telephone conference with US Trustee.	0.20 300.00/hr	60.00
SBN Prepare for and attend telephonic bankruptcy court hearings.	0.80 300.00/hr	240.00
9/1/2017 SBN Telephone conference with US Attorney.	0.20 300.00/hr	60.00
9/5/2017 SBN Telephone conference with US Attorney.	0.20 300.00/hr	60.00
SBN Telephone conference with AJ Siddiqui.	0.20 300.00/hr	60.00
SBN Telephone conference with AJ Siddiqui.	0.20 300.00/hr	60.00
9/12/2017 SBN Email to IRS.	0.20 300.00/hr	60.00
For professional services rendered	5.20	\$1,460.00

CareFocus Corporation 3

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	<u>Amount</u>
Balance due	<u>\$1,460.00</u>

Steven B. Nosek, P.A.

2855 Anthony Lane South

Suite 201

St. Anthony, MN 55418

(612) 335-9171

Invoice submitted to:

CareFocus Corporation 3
CareFocus Corporation
Attn: Adewale Koleosho
2429 University Avenue West #200
St. Paul, MN 55114-1541

September 30, 2017

USTreasuryClaim

8085.003

Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>
9/4/2017 YRD Draft Complaint against the US Department of Treasury.	3.00 150.00/hr	450.00
9/28/2017 SBN Email to client; revise Complaint.	1.00 300.00/hr	300.00
For professional services rendered	4.00	\$750.00
Balance due		<u><u>\$750.00</u></u>

2855 Anthony Lane South
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(612) 335-9171

Invoice submitted to:

CareFocus Corporation 3
CareFocus Corporation
Attn: Adewale Koleosho
2429 University Ave W #200
St. Paul, MN 55114-1541

September 30, 2017

Expenses 8085.007

Additional Charges :

	<u>Amount</u>
8/17/2017 UCC and state and federal tax lien search.	96.25
Postage	0.92
8/18/2017 Bankruptcy Court Filing Fee	1,717.00
Postage	8.40
8/29/2017 Postage	2.30
9/6/2017 Postage	3.35
9/21/2017 Depo International - Original and one electronic certified transcript of the Meeting of Creditors.	574.00
Total additional charges	<u>\$2,402.22</u>
Balance due	<u><u>\$2,402.22</u></u>

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In Re:

BKY No.: 17-32654

Chapter 11

CareFocus Corporation,
Debtor.

CERTIFICATE OF SERVICE

I hereby certify that on October 3, 2017, I caused a copy of **Notice of Hearing and Application for Allowance of Interim Compensation and Reimbursement of Expenses of Attorneys for Debtor-In-Possession; Exhibits; and Proposed Order** to be filed electronically with the Clerk of Court through ECF, and that ECF will send an e-notice of the electronic filing to the following:

US Trustee: ustregion12.mn.ecf@usdoj.gov, ecfbkup@comcast.net

Michael R. Fadlovich: Michael.fadlovich@usdoj.gov

Roylene A. Champeaux: Roylene.Champeaux@usdoj.gov,

karen.malikowski@usdoj.gov;

usamn.ecfbankruptcy@usdoj.gov; muriel.holland@usdoj.gov

I further certify that I caused a copy of the to **Notice of Hearing and Application for Allowance of Interim Compensation and Reimbursement of Expenses of Attorneys for Debtor-In-Possession; Exhibits; and Proposed Order** be faxed and/or emailed and/or mailed by US Mail to the following:

CareFocus Corporation 2429 University Avenue West Suite 200 St. Paul MN 55114-1541 akoleosho@carefocuscorp.net	IRS District Director Room 320 Stop 5700 30 7 th Street E #1222 St. Paul MN 55401 No Fax or Email	MN Dept of Revenue 551 Bankruptcy Sections PO Box 64447 St. Paul MN 55164 Mdor.bkysec@state.mn.us
Internal Revenue Services Centralized Insolvency Office PO Box 7346 Philadelphia PA 19101-7346 No Fax or Email	US Dept. of The Treasury Bureau of the Fiscal Services PO Box 1686 Birmingham AL 35201-1686	Internal Revenue Service Pat Patton 30 E 7th Street, #1222 Saint Paul MN 55101 Fax: 1-855-802-9440
Minnesota Revenue 600 North Robert Street Saint Paul MN 55146-6553	Minnesota Unemployment Ins PO Box 64621 Saint Paul MN 55164-0621 Fax: 651-297-5283	New Wine Church 810 - 31st Street W Minneapolis MN 55408 info@nwcmpls.com
US Dept. of The Treasury Bureau of the Fiscal Services PO Box 830794 Birmingham AL 35283-0794 Fax: 1-855-292-9700	US Dept. of The Treasury Debt Management Services PO Box 979101 St. Louis MO 63197-9000	A.J. Siddiqui, CPA 2429 University Avenue W Suite 100 St. Paul, MN 55114 aj@ajcpa.com

Dated this 3rd day of October, 2017.

STEVEN B. NOSEK, P.A.

/e/ Steven B. Nosek

Steven B. Nosek, #79960

Yvonne R. Doose, #397066

2855 Anthony Lane South, Suite 201

St. Anthony, MN 55418

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snosek@noseklawfirm.com

ydoose@noseklawfirm.com

ATTORNEYS FOR DEBTOR

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In re:

Case No. 17-32654
Chapter 11

CareFocus Corporation,
Debtor.

ORDER

The Application for Allowance of Interim Compensation and Reimbursement of Expenses of Attorneys for Debtor-In-Possession came on before the court.

The court having reviewed the Application,

IT IS ORDERED:

1. Steven B. Nosek and Yvonne R. Doose are allowed interim compensation in the amount of \$9,030 and reimbursement of expenses in the amount of \$2,402.22;

2. Steven B. Nosek and Yvonne R. Doose are permitted to apply the retainer received in the amount of \$10,000 against the allowed fees and expenses in the total amount of \$11,432.22 and the balance due in the amount of \$1,432.22 is allowed as an administrative expense herein.

Dated:

William J. Fisher
United States Bankruptcy Judge