

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

IN RE:)
)
WILLIE E. BOYD,) CHAPTER 13 BANKRUPTCY
) CASE NO. 94-40136
)
DEBTOR)

SHOW CAUSE ORDER

The Debtor has filed a Motion to Allow Settlement of Personal Injury Claim. The motion was brought before the Court for hearing on August 24, 1994. The motion proposes to disburse Four Thousand Two Hundred Dollars (\$4,200.00) in proceeds from a personal injury claim as follows:

Willie Boyd	\$ 729.00
Randall G. Levin, Attorney Fee	\$1,680.00
Expenses	\$ 50.00
Ferenc Chiropractic Clinic	\$1,741.00
Total:	<u>\$4,200.00</u>

The motion was filed by Debtor's counsel in the Chapter 13 case. Mr. Randall G. Levin, the attorney for the Debtor in the personal injury action, made an appearance in the courtroom prior to the call of the case but did not choose to remain until the matter could be considered. There were several questions about the case which could have only been answered by Mr. Levin.

The Debtor appeared at the hearing. The Debtor testified

at the hearing that he has an urgent need for the proceeds. It was not possible for the Court to conclude its consideration of the matter due to the unavailability of Mr. Levin.

It appears it will be necessary for the Debtor's attorney to familiarize herself more fully with the personal injury action in order to properly present the motion. Further, if the Debtor's attorney is to handle the matters which remain in concluding the representation of the Debtor in this personal injury action, it is appropriate for the settlement proceeds to be held by her.

Accordingly, it is hereby

ORDERED that Mr. Randall G. Levin, Attorney At Law, make copies of his entire file created in connection with the representation of the Debtor in a personal injury action and supply those copies to the Debtor's attorney in this Chapter 13 case or, in the alternative, make the file available to the Debtor's attorney to be copied at the Debtor's expense and convenience; and it is hereby further

ORDERED that the sum of Four Thousand Two Hundred Dollars (\$4,200.00) being held in the trust account of Mr. Randall G. Levin, Attorney At Law, be immediately remitted to the Debtor's attorney, Tammy L. Bowen, to be held by her in trust until further order of this Court; and it is hereby further

ORDERED that Mr. Randall G. Levin, show cause, if any he can, on **September 22, 1994** at **9:00 a.m.** in the United States

Bankruptcy Courtroom #228, 125 Bull Street, Savannah, Georgia,
why the attorney's fees incurred in connection with the
representation of the Debtor in this personal injury action
should not be reduced or eliminated due to the failure of Mr.
Levin to assist in the prosecution of the Debtor's motion to
allow settlement of this personal injury claim.

SO ORDERED this 26th day of August, 1994.

JAMES D. WALKER, JR., Judge
United States Bankruptcy Court

CERTIFICATE OF SERVICE

I, Cheryl L. Spilman, certify that a copy of the attached and foregoing was mailed to the following:

Tammy L. Bowen
Attorney At Law
12 W. State Street
Savannah, GA 31401

Randall G. Levine
Attorney At Law
108 W. Gordon Street
Savannah, GA 31401-4909

Chapter 13 Trustee
P. O. Box 10556
Savannah, GA 31412

This _____ day of August, 1994.

Cheryl L. Spilman
Deputy Clerk
United States Bankruptcy Court