

UNITED STATES BANKRUPTCY COURT

DISTRICT OF SOUTH DAKOTA

ROOM 211

FEDERAL BUILDING AND U.S. POST OFFICE

225 SOUTH PIERRE STREET

PIERRE, SOUTH DAKOTA 57501-2463

IRVIN N. HOYT
BANKRUPTCY JUDGE

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March 22, 1988

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Re: Vaughn and Genevieve Doerr
Chapter 12 86-00156

Dear Counsel:

As of this date all counsel have responded to the Court's letter of February 1, with its enclosure of Jarvis Brown's letter appraisal in the above captioned matter. Each attorney indicated they did not wish to participate further by examining Mr. Brown and the Court would accordingly adopt the values that are set out in Mr. Brown's letter appraisal. Counsel for the Debtor may prepare appropriate findings of fact and judgment accordingly establishing that value.

In reference to the matter of the costs of the appraiser, by this letter I am instructing Mr. Pokela to apportion the costs equally amongst the parties and make payment to Mr. Penfield and Mr. Brown. In reference to Mr. Penfield's charges, the Court has reviewed his statement and finds that the charge should be reduced by virtue of the fact that Mr. Penfield had advised Mr. Pokela that he had all of the information that was necessary and he could revise his appraisal to make the same available at a subsequent hearing. Accordingly, I would not allow the total charge of nine hours but would allow two hours at a cost of \$50.00 and I would disallow the five hours for additional research of records, as this was not indicated at the time inquiry was made of him.- The Trustee may make payment deducting the \$300.00 and adjusting the tax accordingly. The Trustee may present an order to the Court authorizing payment.

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If there are any questions, feel free to contact me.

Very truly yours,

Irvin N. Hoyt
Bankruptcy Judge

INH/sh