

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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May 11, 1990

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Re: Trask Charolais
Chapter 11; 586-00015
Interim Attorney Fee Application

Dear Counsel:

I have reviewed the fee application in reference to the above captioned case and it is my understanding that the only remaining objection is the trustee's objection #6, which urges that no further compensation be awarded until the pending plan of reorganization is confirmed or the trustee's motion to dismiss is resolved.

On May 26, 1989, this Court entered an ordered approving interim compensation with the understanding that the fees would not be paid until such time as the debtor had generated sufficient income that was not previously encumbered. The question that has been raised by the United States Trustee is similar to the objection in *In re Quick Release, Inc.*, 6 B.R. 713 (D. S.D. Bankr. 1980). In that case, Judge Ecker allowed interim fees provided the method of payment of fees and costs would not be detrimental to the debtor's chance of successful reorganization. Considering the circumstances surrounding this case, the Court sees no reason not to apply the same reasoning. I have accordingly, this day, signed the order proposed by Mr. Fritz.

Very truly yours,

Irvin N. Hoyt
Chief Bankruptcy Judge

INH/sh

CC: Bankruptcy Clerk