

TMG

PROBATE COURT OF HAMILTON COUNTY, OHIO

TRUST U/W ETHAN STONE

CASE NO. 176

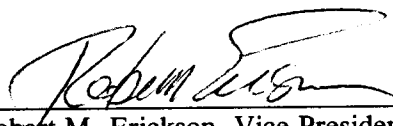
APPLICATION OF TRUSTEE SEEKING AN ORDER
FIXING AND ALLOWING COMPENSATION TO ATTORNEYS

Now comes Fifth Third Bank, by Robert M. Erickson, a Vice President and Trust Officer, Trustee of the Trust U/W Ethan Stone, and makes application allowing compensation for its attorneys for services rendered to the Trustee during the period covered by the 26th Current Account, from January 1, 1999 to December 31, 2000.

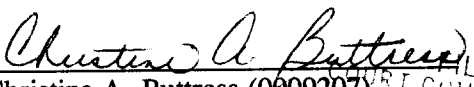
The Trustee represents that for the proper administration of said trust during the period covered by the 26th Current Account it was necessary to employ attorneys; that the property being administered by the Trustee was valued, as of January 1, 1999, at \$45,877, and, as of December 31, 2000, at \$46,754. This trust consists of several ground leases. In addition to customary trust administration services, Trustee's attorneys spent considerable time with respect to the sale of one such ground lease, including an extensive title search. In addition, Trustee and Trustee's attorneys have been exploring various methods of terminating this trust. Attorneys' fees for those services are not included in this Application. Legal services rendered during the period were beneficial to the trust and are worth \$1,000, and said sum should now be paid to the Trustee's attorneys.

WHEREFORE, said Trustee prays that the Court authorize payment of attorneys' fees in the amount of \$1,000, to be paid from trust assets, to be shown as a disbursement on the next current account, subject to exceptions as provided by law.

FIFTH THIRD BANK, Trustee

By 
Robert M. Erickson, Vice President
and Trust Officer

APPROVED:


Christine A. Buttress (0009207)
Graydon Head & Ritchey LLP
P.O. Box 6464
Cincinnati, OH 45201-6464
513/621-6464

FILED
CLERK OF COURT
PROBATE DIVISION
JUL 17 PM 2:11

210.00

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Client Code & Name: ST297 Stone, Ethan, Testamentary Trust of
Billing Timekeeper: 0074 Jaap, Joseph B.
Responsible Timekeeper: 0074 Jaap, Joseph B.
Bill Date: June 30, 2001
Billing Contact:
Billing Address: Ethan, Stone, Trust of Testamentary
Attn: Ms. Kristina Baldwin
The Fifth Third Bank
The Fifth Third Center
511 Walnut Street
Cincinnati, OH 45202
United States of America

FOR SERVICES RENDERED AND COSTS/CHARGES ADVANCED THROUGH JUNE 30, 2001:

Matter	Name	Hours	Services Rendered	Costs/ Charges	Totals	Last Invoice Date
100001	Trust Administration	28.30	\$ 3,129.50	\$ 111.75	\$ 3,241.25	06/13/01
	CLIENT TOTAL --	28.30	\$ 3,129.50	\$ 111.75	\$ 3,241.25	

CURRENT FUNDS AVAILABLE TO BE APPLIED:

Matter	Name	On-Account Fees	On-Account Disbs	Retainer	Unapplied	Trust	Total
	Matter Level Available --	0.00	0.00	0.00	0.00	0.00	0.00
	Client Level Available --	0.00	0.00	0.00	0.00	N/A	0.00
	CREDIT AVAILABLE BALANCE --	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

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TRUST ADMINISTRATION
 ST297-100001

For Services Rendered Through June 30, 2001

<u>PERS#</u>	<u>NAME</u>	<u>PERSONNEL TYPE</u>	<u>HOURS</u>	<u>RATE</u>	<u>TOTAL</u>	<u>EDIT</u>
0347	C. A. BURTON	PARALEGAL	0.50	\$ 85.00	\$ 42.50	
0117	C. A. BUTTRESS	PARTNER	0.30	225.00	67.50	
0016	D. A. DURHAM	PARALEGAL	8.30	80.96	672.00	
0105	R. L. FUSSNECKER	PARALEGAL	0.50	90.00	45.00	
0281	J. GITTINGER	PARALEGAL	7.40	81.15	600.50	
0074	J. B. JAAP	ASSOCIATE	9.90	155.40	1,538.50	
0082	S. A. KILFOIL	PARALEGAL	0.50	70.00	35.00	
0302	T. G. KOCH	PARALEGAL	0.30	85.00	25.50	
0056	R. Y. MOORE	PARTNER	0.60	171.67	103.00	
Total Services				\$	3,129.50	
<u>Code</u>	<u>COSTS/CHARGES</u>			<u>TOTAL</u>		
FILE	FILING FEE			\$ 62.00		
MISC	MISCELLANEOUS EXPENSE			1.00		
OFAX	FAX CHARGE-LOCAL OUTGOING			2.00		
PC	REPRODUCTION EXPENSE			7.50		
PCR	PHOTOCOPY REIMBURSEMENT			25.25		
REC	RECORDING COST			14.00		
ORD						
Total Costs/Charges					111.75	
TOTAL SERVICES, COSTS/CHARGES				\$	3,241.25	

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TRUST ADMINISTRATION
 ST297-100001

Detail Services:							
<u>Date</u>	<u>Attorney Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>	<u>Edit</u>	<u>Narrative</u>	
07/24/97	J. B. Jaap	2.60	135.00	351.00		303773 - Telephone call to and from Kristina Baldwin at Fifth Third; review Ethan Stone Trust documents; confer with RYM and CAB	
07/25/97	J. B. Jaap	0.40	135.00	54.00		303779 - Telephone call to Kristina Baldwin to discuss Stone trust and Quit claim deed	
07/28/97	J. B. Jaap	0.30	135.00	40.50		305514 - Review Stone Trust information; draft letter to beneficiary	
07/29/97	J. B. Jaap	0.30	135.00	40.50		305522 - Letter to Kristina Baldwin at Fifth Third and SOSSI (transfer to Stone Trust)	
08/11/97	J. B. Jaap	0.30	135.00	40.50		310164 - Telephone call from Fifth Third regarding trust; confer with CAB on probate court; confer with SAK	
08/12/97	S. A. Kilfoil	0.50	70.00	35.00		312368 - Travel to Probate Court to obtain a copy of most recent filing regarding perpetual leaseholds per JBJ.	
10/08/97	D. A. Durham	0.50	75.00	37.50		331757 - Telephone call from JBJ re: trust; Review account; Telephone call to JBJ re: same; Conference with RYM re: termination of trust	
10/21/97	D. A. Durham	0.30	75.00	22.50		335994 - E-mail to JBJ; Telephone call from JBJ; Telephone call to Kristina Baldwin at 5/3	
10/21/97	J. B. Jaap	0.20	150.00	30.00		335820 - Confer with DAD re: Trust termination	
10/22/97	D. A. Durham	0.50	75.00	37.50		336018 - Receive fax from Debbie Schwartz at 5/3 with inventory of trust holdings; Review list; Fax to Debbie Schwartz re: missing properties	
10/23/97	D. A. Durham	0.30	75.00	22.50		337376 - Draft letter to Deems Clifton	
10/29/97	R. Y. Moore	0.20	170.00	34.00		338842 - Revise letter to Deems Clifton.	
10/30/97	J. B. Jaap	0.20	150.00	30.00		339131 - Telephone call to Kristina Baldwin; telephone call to DAD to discuss real estate	
11/18/97	D. A. Durham	0.20	75.00	15.00		345967 - Telephone call from JBJ; Telephone call to Deems Clifton (left	

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					message)
11/20/97	R. Y. Moore	0.20	170.00	34.00	348427 - Review correspondence from Deems Clifton. Telephone call from JBJ re same.
01/05/98	D. A. Durham	0.20	75.00	15.00	364327 - Telephone call to Price Hill United Methodist Church re: notices previously sent to Church
01/08/98	D. A. Durham	0.20	75.00	15.00	364640 - Telephone call from JBJ re: status of trust termination; Memo to JBJ re: same
02/10/98	D. A. Durham	0.20	75.00	15.00	376168 - E-mail to JBJ re: status of trust termination
02/12/98	J. B. Jaap	0.30	150.00	45.00	378457 - Confer with HJF re: attorney files; letter to Deems Clifton
03/11/98	J. B. Jaap	0.20	150.00	30.00	387330 - Telephone call from Shari Waltz; review files
03/23/98	J. B. Jaap	0.20	150.00	30.00	391983 - Telephone call from Shari Waltz; send file material
02/10/99	D. A. Durham	0.30	80.00	24.00	507584 - Memo to JBJ regarding termination of trust; telephone call from JBJ regarding same.
02/24/99	D. A. Durham	0.20	80.00	16.00	513763 - Telephone call from JBJ regarding termination of trust; conference with RYM regarding same.
02/25/99	D. A. Durham	0.90	80.00	72.00	513785 - Review files from Fifth Third Bank to find information on ground leases; review Mr. Stone's Will.
03/03/99	R. Y. Moore	0.20	175.00	35.00	515363 - Conference with DAD re termination of trust. Review provisions of trust.
03/05/99	J. B. Jaap	0.70	160.00	112.00	515577 - Confer with RYM re: Trust and termination
08/13/99	D. A. Durham	0.50	80.00	40.00	574891 - Draft Application/Order; letter to Corine Pitts.
08/27/99	T. G. Koch	0.30	85.00	25.50	579170 - Conference with Magistrate; file application and order for attorney fees.
01/17/00	J. Gittinger	2.20	80.00	176.00	625834 - Review trust documents and real estate records from Fifth Third regarding Ethan Stone Trust; conference with Joseph Jaap.
01/18/00	J. Gittinger	0.20	80.00	16.00	626046 - Travel to Hamilton County Courthouse to research trust real estate issues.

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02/15/00	J. Gittinger	0.50	80.00	40.00	_____	636879 - Conference with Rhonda Moore, Joe Jaap regarding dissolution of trust; telephone call to recorder's office, regarding documentation of trust in county records.
02/17/00	J. Gittinger	0.30	80.00	24.00	_____	637218 - Conference with Joe Jaap regarding Ethan Stone Trust need for title research.
02/18/00	J. Gittinger	1.00	80.00	80.00	_____	638574 - Travel to courthouse for research regarding Ethan Stone Trust.
02/22/00	J. Gittinger	1.50	80.00	120.00	_____	638775 - Travel to courthouse for further title research regarding Ethan Stone Trust.
10/12/00	J. B. Jaap	0.50	175.00	87.50	_____	722737 - Telephone call from Liz Hoxby re: sale of Stone property; confer with JLG; telephone call to attorney for purchase
10/13/00	J. Gittinger	1.00	85.00	85.00	_____	723037 - Determine land rents due re: 508 Grand Avenue; research Grand Avenue land rents due; telephone call to Fifth Third Trust Dept.; conference with JBJ and JEK; telephone call to title agent
10/13/00	J. B. Jaap	1.70	175.00	297.50	_____	723512 - Confer with JLG re: trust and real estate issues; confer with RYM; review title issues
10/19/00	J. Gittinger	0.20	85.00	17.00	_____	725033 - Telephone call from David Gerner re: leasehold payment and payoff letter; telephone call to Liz Hoxby at Fifth Third; left voice mail message
10/20/00	J. Gittinger	0.30	85.00	25.50	_____	725629 - Telephone call to Liz Hoxley at Fifth Third Trust; draft payoff letter to David E. Gerner & Assoc.; fax to Fifth Third
10/25/00	J. Gittinger	0.20	85.00	17.00	_____	727483 - Telephone call to Liz Hoxby re; payoff to David Gerner; faxed copy received and forwarded on to David Gerner
10/25/00	J. B. Jaap	0.30	175.00	52.50	_____	727481 - Confer with RYM re: trust issues
11/17/00	J. B. Jaap	0.50	175.00	87.50	_____	736384 - Confer with JCG re: Ethan Stone Trust issues and files
03/07/01	D. A. Durham	2.20	85.00	187.00	_____	778868 - Telephone call to Fifth Third Bank regarding signature on account; prepare Substitution of Counsel; prepare Entry Setting Hearing and Entry Approving and Settling Account; conference with JBJ regarding termination of trust; letter to Debbie Schwartz; review file; conference with CAB.

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03/14/01	C. A. Burton	0.20	85.00	17.00	779844 - File substitution of counsel and 26th Trustee's Account with Probate Court
03/14/01	R. L. Fussnecker	0.50	90.00	45.00	779882 - Recording of deed between Edward and Kimberly Stewart
03/21/01	D. A. Durham	0.70	85.00	59.50	783517 - Prepare Notices of Hearing on Account; letters to Price Hill United Methodist Church and Ohio Attorney General; draft Affidavits; letter to Debbie Schwartz.
03/22/01	C. A. Buttress	0.30	225.00	67.50	782478 - Conference with DAD re: plan for proceeding with termination of trust and related issues
03/22/01	D. A. Durham	0.40	85.00	34.00	783535 - Telephone call from Dave Pfeiffer regarding termination of trust; conference with CAB regarding same; e-mail to JBU regarding Quit Claim Deed.
03/22/01	J. B. Jaap	1.20	175.00	210.00	782373 - Review trust issues; confer with MDK re: trust
03/29/01	C. A. Burton	0.30	85.00	25.50	785564 - File two affidavits of notice of hearing for Price Hill United Methodist Church and office of the Attorney General
04/23/01	D. A. Durham	0.20	85.00	17.00	795975 - Conference with CAB regarding status of trust termination.
06/12/01	D. A. Durham	0.30	85.00	25.50	816726 - Prepare application/order; conference with CAB.
06/14/01	D. A. Durham	0.20	85.00	17.00	816745 - Revise Application/Order.
Total Matter 100001 Fees				\$ 3,129.50	

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TRUST ADMINISTRATION
 ST297-100001

Detail Costs/Charges:					
<u>Date</u>	<u>Payer</u>	<u>Description</u>	<u>Amount</u>	<u>Edit</u>	<u>Narrative</u>
08/27/99	Hamilton County Probate	Filing Fee	5.00	<u>8/27/99</u>	512169 - VENDOR: Hamilton County Probate Court; INVOICE#: 1007; DATE:
Filing Fee					
02/22/00	Gittinger, Janet	Miscellaneous Expense	1.00	_____	561472 - VENDOR: Gittinger, Janet; INVOICE#: 022200; DATE: 2/22/00
Plat copy					
02/22/00	Gittinger, Janet	Photocopy Reimbursement	5.25	_____	561473 - VENDOR: Gittinger, Janet; INVOICE#: 022200; DATE: 2/22/00
Copies					
02/22/00	Hamilton County Recorder	Photocopy Reimbursement	20.00	<u>2/22/00</u>	563015 - VENDOR: Hamilton County Recorder's Office; INVOICE#: 1114; DATE:
Copies					
10/27/00		Fax Charge-Local Outgoing	0.75	_____	629094 - JLG
10/27/00		Fax Charge-Local Outgoing	1.25	_____	629116 - JLG
03/07/01		Reproduction Expense	2.40	_____	662760 - A115030143
03/07/01		Reproduction Expense	5.10	_____	662782 - A117100143
03/14/01	Hamilton County Recorder	Recording Cost	14.00	<u>3/14/2001</u>	662176 - VENDOR: Hamilton County Recorder's Office; INVOICE#: 1694; DATE:
Recording Fees for Stewart Deed					
03/14/01	Hamilton County Probate	Filing Fee	57.00	<u>3/14/2001</u>	663864 - VENDOR: Hamilton County Probate Court; INVOICE#: 1741; DATE:
Filing Fee					
Total Matter 100001 Cost/Charges			\$ 111.75		