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PROBATE COURT OF HAMILTON COUNTY, OHIO

TRUST U/W OF ETHAN STONE, DECEASED, FBO MISCELLANEOUS CHARITIES
CASE NO. 176- 1900 - 0176

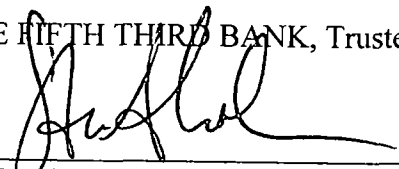
**APPLICATION OF TRUSTEE SEEKING AN ORDER
FIXING AND AUTHORIZING PAYMENT OF
EXTRAORDINARY COMPENSATION TO ATTORNEYS**

Now comes Fifth Third Bank, Trustee of the Trust U/W of Ethan Stone, deceased, and hereby makes application for an Order of the Court fixing and authorizing the payment of compensation to the attorneys for the Trustee for legal services rendered on its behalf through March 18, 2005 for the period of the Twenty-Eighth Current Account from January 1, 2003 through December 31, 2004. This application includes services in connection with real estate transfers, multiple appropriation actions by the City of Cincinnati related to road improvement efforts on River Road and consideration of the possibility of terminating the Trust. This Trust is believed to be the oldest active testamentary trust in Hamilton County and benefits from ground leases on a variety of small parcels of real estate in Hamilton County.

Said legal services were necessary and beneficial to the Trustee in the administration of its duties, which duties it has faithfully executed pursuant to law. Members of counsel's firm have expended in excess of 40 hours on these matters relative to the trust administration. Counsel's time records are attached hereto as Exhibit "A" and are incorporated hereto by reference. The legal services rendered are reasonably worth the total of \$7,000.00.

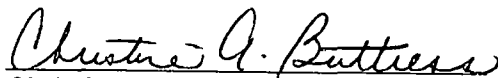
WHEREFORE, the Trustee prays that the Court authorize payment of extraordinary compensation to Graydon Head & Ritchey LLP in the sum of \$7,000.00, said sum to be paid from assets of the trust and to be shown as a disbursement in the Twenty-Ninth current account of the Trustee, subject to exceptions as provided by law.

THE FIFTH THIRD BANK, Trustee

By: 

Stephanie A. Gunter,
Assistant Vice President

APPROVED:



Christine A. Buttress (0009207)
Graydon Head & Ritchey LLP
511 Walnut Street, Suite 1900
Cincinnati, OH 45202
(513) 629-2779

FILED
COURT COMMON PLEAS PROBATE DI
JAMES CIESSELL, JUDGE

05 SEP 27 AM 9:44

**Graydon
Head &
Ritchey
LLP**

September 14, 2005

Please remit payments only to:

P.O. Box 633721
Cincinnati, Ohio 45263
513/621-6464
Employer's ID: 31-0565234

Ethan, Stone, Trust of Testamentary
Attn: Ms. Kristina Baldwin
The Fifth Third Bank
The Fifth Third Center
511 Walnut Street
Cincinnati OH 45202

For Professional Services Rendered
Through September 13, 2005
In Connection With The Following Matter -

Trust Administration

06/10/03	MJG	Organize file; memo to CAB re: invoice.
06/11/03	MJG	Conference with CAB regarding invoice; e-mail to billing department re: last invoice sent and current prebill.
06/12/03	MJG	Conference with CAB; conference with billing re: corrected invoice.
06/13/03	MJG	Get adjusted invoice per CAB; draft letter to Beth Bidleman; memo to JBJ re: invoice.
07/02/03	CAB	Telephone call from Joe Jaap re: inquiry from lessee; review file re: prior transfers and authority for same
07/02/03	BJJ	Telephone call from Steve Rolfes re: Hollister; confer with Christine A. Buttress re: trust issues
07/03/03	BJJ	Confer with Christine A. Buttress re: trust termination; telephone call to Steve Rolfes at Fifth Third to discuss; telephone call to Mary Watts
07/03/03	CAB	Telephone call to JBJ re issues relative to possible termination of trust, including unknown parcels affected and OAG involvement.
08/11/03	BJJ	Telephone call from attorney re: sale of trust parcels; review trust issues
08/12/03	CAB	Conference with Joe Jaap re: additional sales of subject parcels and possible basis for terminating Trust
08/12/03	BJJ	Telephone call from attorney re: sale of trust parcels; telephone call to Steve Rolfes at Fifth Third
08/13/03	BJJ	Confer with Christine A. Buttress; review trust issues; telephone call to Steve Rolfes at Fifth Third; telephone call from and to attorney for purchaser
08/14/03	BJJ	Telephone call to Steve Rolfes at Fifth Third to discuss trust parcels; review Trust documents
08/15/03	BJJ	Telephone call to Steve Rolfes at Fifth Third re: trust parcels; review trust issues

08/29/03	JBJ	Review information from attorney re: transfer of lots; review trust issues; telephone call to attorney to discuss
09/04/03	JBJ	Review transfer issue re: parcels
09/05/03	JBJ	Review information from attorney re: parcel release
10/02/03	JBJ	Telephone call to Fifth Third re: trust and quit claim; review trust documents
10/06/03	JBJ	Telephone call from Liz Hoxby re: trust issues; review trust
10/07/03	JBJ	Review letter from attorney re: quit claim and trust issues
10/08/03	JBJ	Review trust issues; telephone call from Liz Hoxby to discuss
10/09/03	JBJ	Review trust issues re: Quitclaim
10/20/03	JBJ	Review trust issues re: Quit Claim
10/22/03	JBJ	Telephone call to Steve Rolfes to discuss Stone Trust and Quit Claim Deeds
10/31/03	JBJ	Telephone call from attorney for Lessee; telephone call to Steve Rolfes and Liz Hoxby
11/04/03	JBJ	Telephone call to Liz Hoxby; telephone call to Steve Rolfes re: quit claim issues
11/25/03	JBJ	Review proeprty release issues for Galvin Avenue property
11/26/03	JBJ	Review property records for Glavin and River Road property
12/01/03	RLF	Deed copy for Joe Jaap
12/01/03	JBJ	Review title issues re: trust property
12/11/03	JBJ	Review documents from State Auditor's Office re: conveyance of ministerial lands
12/12/03	JBJ	Review documents from State Auditor re: Ministerial Lands
01/30/04	JBJ	Review Ethan Stone Trust issues re: Quitclaim
02/13/04	CAB	Conference with Joseph B. Jaap re: status of documentation and possibility of termination.
06/30/04	CAB	Review Probate Court e-mail re: current account
06/30/04	MJG	Telephone call to Beth Bidleman at Fifth Third re: status of current account due 7/25/04.
07/16/04	MJG	Telephone call to Beth Bidleman at Fifth third; telephone call to and from Robin Richter re: account.
07/19/04	MJG	E-mail from and telephone call to Beth Bidleman re: current account; telephone call to and from Probate Court re: PNC account due; memo to CAB.
09/14/04	CAB	Telephone call from Betty Newby re: sale of property subject to ground lease; conference with Hans Tinkler re: same
09/16/04	HMT	Review file to verify last land sale action; conference with Chris Buttress; attempt to determine location of lots in question
09/17/04	CAB	Conference with Hans Tinkler re: pending sale and additional information required; review file re: prior transactions
09/17/04	HMT	Conference with Chris Buttress regarding findings; review Hamilton County Probate Court website regarding prior actions; telephone call to Fifth Third Bank

10/01/04	HMT	Draft letter to Betty Newby at City of Cincinnati and review and finalize Quitclaim Deed; obtain signatures from Fifth Third; complete Quitclaim Deed; review and revise letter to Betty Newby at City of Cincinnati; mail all documents to City of Cincinnati
11/19/04	HMT	File various documents received from the City of Cincinnati
12/29/04	CAB	Telephone call from Dottie Carmen (City Solicitor's Office) regarding Trustee; Telephone call to Dottie Carmen (N/A - left detailed message).
01/04/05	HMT	Telephone call from and to City Solicitor's Office regarding purchase of ground lease; conference with Dottie Carman at City Solicitor's office regarding ground lease; receive and review fax regarding same; conference with Chris Buttress
01/05/05	CAB	Conference with Hans Tinkler re: copy of Appropriation Complaint for City Solicitor and follow up on same with Fifth Third
01/05/05	HMT	Conference with Chris Buttress regarding appropriation action and impact on transfers
01/07/05	HMT	Telephone call to Fifth Third Bank regarding city appropriation action; fax same to Shari Waltz at Fifth Third Bank
02/01/05	HMT	Receive various documents related to partial account and review.
02/08/05	HMT	Prepare waiver and application for account; conference with Chris Buttress regarding same; review documents received from Fifth Third Bank regarding notice to trust beneficiary
02/11/05	HMT	Receive and file additional waiver from Fifth Third Bank
02/12/05	HMT	Review Probate Court website; prepare e-mail to Chris Buttress regarding open issues and requesting clarification on same
02/21/05	HMT	Conference with Chris Buttress regarding 28th Account; read file for beneficiaries; telephone call to Fifth Third Bank regarding status of waiver from final trust beneficiary; prepare appropriate documents for filing
02/21/05	CAB	Conference with Hans Tinkler re: Probate Court reminder and status of current account, waivers of notice, etc. (multiple)
02/22/05	HMT	Telephone call from Nita at Fifth Third Bank; return telephone call to Nita at Fifth Third Bank
02/22/05	HMT	Conference with Chris Buttress and prepare additional court documents including request for extraordinary fees
02/23/05	HMT	Review and revise probate documents; verify magistrate's schedule for filing purposes
02/28/05	HMT	Telephone call to Nita at Fifth Third regarding waiver from Lifesphere
03/03/05	HMT	Follow-up with Fifth Third regarding city appropriation action against lots covered by trust; telephone call from Fifth Third regarding Lifesphere waiver; telephone call to Lifesphere regarding waiver
03/07/05	HMT	Conference with Rob Kreidler regarding obtaining waiver from Lifesphere
03/10/05	HMT	Telephone call from Fifth Third Bank regarding appropriations action; discuss same with Shari Waltz at Fifth Third
03/16/05	HMT	Finalize fees, organize for 28th Current Account to file with Hamilton County Probate Court; organize file for filing of 28th Account; ensure necessary documents completed
08/09/05	HMT	Complete fee request to Probate Court; follow up regarding status with Probate Court
08/10/05	HMT	Review and revise Fee Application for review by CAB

08/15/05	HMT	Conference with CAB regarding Application for Fees; revise Application and Order; review prebill based on conference with CAB; review various documents related to Fee Application and revise same.
08/17/05	HMT	Review and obtain new invoice.
08/18/05	HMT	Revise Application; review invoice; e-mail same to CAB.
08/19/05	HMT	Receive e-mail from CAB regarding updating invoice.

Professional Services	\$ 7,763.50
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Discount	<u>-763.50</u>
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Total Professional Services	7,000.00
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Costs Advanced

Court Costs	\$ 67.00
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Total Costs Advanced	67.00
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Invoice Total	\$ 7,067.00
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10/01/2002 - 09/30/2003

<u>INITIALS</u>	<u>NAME</u>	<u>RANK</u>	<u>RATE</u>	<u>HOURS</u>
CAB	Buttress, Christine A.	Partner	\$ 250.00	2.10
JBj	Jaap, Joseph B.	Associate	200.00	10.40
MJG	Galligan, M. Judith	Paralegal	100.00	1.50

10/01/2003 - 09/30/2004

<u>INITIALS</u>	<u>NAME</u>	<u>RANK</u>	<u>RATE</u>	<u>HOURS</u>
CAB	Buttress, Christine A.	Partner	\$ 270.00	0.90
JBj	Jaap, Joseph B.	Associate	200.00	11.30
HMT	Tinkler, Hans M.	Associate	135.00	3.50
RLF	Fussnecker, Roger L.	Paralegal	110.00	0.20
MJG	Galligan, M. Judith	Paralegal	110.00	1.10

10/01/2004 - 09/30/2005

<u>INITIALS</u>	<u>NAME</u>	<u>RANK</u>	<u>RATE</u>	<u>HOURS</u>
CAB	Buttress, Christine A.	Partner	\$ 280.00	0.60
HMT	Tinkler, Hans M.	Associate	140.00	10.00

**Expenses may have been incurred on your behalf for which the firm has not yet been billed.
Any such expenses will be billed to you on the next invoice.**

**If you have any questions regarding this Invoice No. 277456,
please contact Tami Brooks-Lee at (513) 629-2735 or tbrooks@graydon.com.**