EXAMPLE

Hourly

STATE OF SOUTH CAROLINA

COUNTY OF LEXINGTON

IN THE COURT OF COMMON PLEAS

C/A No. 2009-CP-32-[redacted]

[redacted]

Plaintiff,

v.

[redacted]

Defendant(s).

(937.090322)

AFFIDAVIT OF ATTORNEYS FEES

This law firm was engaged by the Plaintiff to foreclose the Mortgages as expeditiously as possible, given the detriment to Plaintiff's equity position as a direct result of increasing losses from the running of interest. Upon receipt of the case file, the title was examined to identify all parties having or claiming any interest in the subject real estate. The following non-inclusive list of pleadings and other documents have been prepared or reviewed in this action:

a. Lis Pendens and any amendment thereto
b. Summons and Complaint and any amendment thereto
c. Affidavit of Default
d. Consent to Order of Reference, if necessary
e. Order of Reference
f. Notice of Hearing
g. Record of Hearing
h. Proposed Master's Report and Judgment of Foreclosure and Sale
i. Notice of Sale

Additionally, the pleadings were drafted and served upon each defendant personally or by statutory/substitute service; reinstatement and payoff figures and payment histories were provided as requested or required. We scheduled and attended the hearing in this matter.

Future duties include forwarding copies of the Judgment to appearing defendants, obtaining bidding instructions from Plaintiff or its designee, representing Plaintiff at the sale or arranging for such representation, preparing an Order of Sale or Report on Sale and Disbursements and Order Confirming Sale, if needed, and preparing the Foreclosure Deed and any other documents necessary in this particular action.

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The contract rate between Plaintiff's law firm and the Plaintiff and/or its servicer for a routine, uncontested, default foreclosure of a single family residential property is $1,050.00 This sum does not include any approved non-routine fees nor any bankruptcy work that may have been required of this firm.

This matter was a contested foreclosure as the Debtors were represented by [redacted], Esquire. Additional fees were approved not to exceed five hours (without additional pre-approval) at the rate of $175.00 per hour. This firm has expended in excess of this five hours maximum stated above ($175 x 5 = $875.00). Additional non-routine fee approval of $90.00 was approved. The total approved was $2,015.00.

In a normal, routine, uncontested residential foreclosure, without title issues, through the merit hearing, the time expended is between 12-15 hours.

This case also involved a bankruptcy filing by the Debtors, a Proof of Claim filing, Motion for Relief followed by a Settlement Order and an Order with Supporting Affidavit in order to obtain an order of the Bankruptcy Court to Lift Stay of Section 362 of the Bankruptcy Code.

All of the additional fees and costs pertaining to the bankruptcy activities mentioned above have been paid to Plaintiff's counsel and are specifically enumerated in the Record of Hearing and Decree of Foreclosure.

Also set out in the Record of Hearing and the Decree are foreclosure fees and costs previously paid to Plaintiff's counsel.

Considering all of the factors set out and the foreclosure fee previously paid, it is respectfully requested that an additional fee be approved of $2,500.00.

In addition to the time expended to date in prosecution of this action, we anticipate a minimum additional four hours after the hearing. Moreover, depending upon the interest shown by defendants, third parties, or counsel for either and the negotiations required thereby, other time may also be committed to the completion of the case. I reserve the right to re-visit the question of attorney fees should the action proceed in an unexpected way.

In regard to the professional standing of counsel, representation of the Plaintiff has been undertaken by the firm of [redacted], P.A. In regards to the professional standing of counsel, the Plaintiff's firm consists of two attorneys, including the attorney who is primarily responsible for this case, and each has extensive experience in foreclosure practice. [redacted] and [redacted] concentrate their practice in the areas of bankruptcy, creditors rights and foreclosure. Each member of the firm has participated numerous times as C. L. E. speakers on various topics that relate to these areas of practice. [redacted] is a Certified Specialist in Bankruptcy and Debtor & Creditor law and he has an "AV" rating by Martindale Hubbell. Each

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member of the firm has handled hundreds of foreclosure and bankruptcy cases in South Carolina and the federal Bankruptcy Court.

The amount of the attorney fee requested in this matter is $2,500.00. This fee is in line with the fee customarily charged by counsel with similar experience in this particular locality. Also the Plaintiff's attorney has achieved the beneficial result of a prompt foreclosure of the Mortgages.

[redacted]

Attorneys for [redacted]

SWORN to before me this
3 day of February, 2011

[redacted]

Notary Public for South Carolina
My Commission expires: 6-3-14

3/NJ