

In re: SOUTHEAST BANKING CORP.,
Debtor.

CASE NO. 91-14561-BKC-PGH

The Court applied the *Justice Oak* factors and approved a settlement between the incumbent Trustee and the Former Trustee which resolved all of the Estates's disputes with the Former Trustee and awarded final compensation to the Former Trustee. The Court noted that its determination of whether the settlement dealing with the Former Trustee's award of fees fell within the range of reasonableness was analytically inseparable from the Court's independent duty to determine the amount of compensation that may be awarded to the Former Trustee pursuant to 11 U.S.C. §330. By applying the *Johnson* factors, the Court determined that a fee enhancement was appropriate based upon the extraordinary, unusual and rare results achieved by the Former Trustee. Objecting creditors had argued that the Former Trustee should be denied all compensation. The Court determined that these objections were unreasonable given that the objecting creditors had been paid 100% of their allowed claims plus postpetition interest and attorney's fees.