

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION

CENTENNIAL BANK,
Guardian of the Estate of
Mary Moore Stiny

PLAINTIFF

v.

No. 3:17-cv-226-DPM

RENA WOOD

DEFENDANT

ORDER

1. The Bank's unopposed motion for clarification, *No* 296, is granted. The Court plugged the wrong number into the Order. Meanwhile, as requested the Bank has supplemented the record on Fusner's fees. His \$350 hourly rate is a bit high. But the Circuit Court did not specify a rate, and Fusner's fees and expenses are reasonable overall. The Court appreciates the clarification about paralegal time. The Court therefore approves full payment to Fusner.

The Court will try again on the math. The Bank's amended total request for all counsel's fees and expenses, including Fusner's, was \$69,805.27. The Court directed payment to Lyons & Cone of \$27,604.44. *No* 294 at 8. The Clerk has made that payment. The balance owed to Lyons & Cone is \$42,200.83. The Court directs the Clerk to pay Lyons & Cone this amount from the registry. Lyons & Cone is responsible for paying any balance owed to Fusner when it receives this payment.

2. The Bank's unopposed motion for approval of its 2018 accounting as guardian of Mrs. Stiny's estate, *No 292*, is granted. The report is in good order. And the Court appreciates the Bank's careful handling of Mrs. Stiny's expenses and all the Court-ordered payments.

3. Beverly Moore, one of the caregivers, has filed a paper asking to be paid \$6,150 for 410 hours of work at \$15/hour. The Court is perplexed by this request. In November 2018, the Court heard much testimony from Moore and other caregivers, made a comprehensive bench ruling, and filed an Order directing payment of specific amounts to specific people. *No 209*. This issue had simmered for some time. And the Court intended to make a final and comprehensive ruling on all remaining caregiver claims. The Court directed the Bank to pay Beverly Moore \$40,752.43. The Bank's accounting reflects full payment to her in early December 2018. *No 292 at 10*. If Moore has anything further to say on why she is entitled to what appears to be a request for an additional payment, she must file her explanation by 29 March 2019. If the Bank or Wood has any information or position on a further payment to Moore, please file a response to Moore's notice, *No 299*, by the same date.

4. After the payment to Lyons & Cone directed in this Order, \$262,409.86 will remain in the Court's registry.

So Ordered.

DP Marshall Jr.

D.P. Marshall Jr.
United States District Judge

18 March 2019