

ORDERED.

**Dated: November 09, 2022**



Catherine Peek McEwen  
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

In Re:

PROCOM AMERICA, LLC d/b/a  
Beyond Band of Brothers d/b/a  
BBOB

Case No.: 8:20-03522-CPM

Chapter 7 Case

Debtors.

**ORDER GRANTING SECOND  
INTERIM APPLICATION OF SHUMAKER, LOOP &  
KENDRICK, LLP FOR COMPENSATION FOR SERVICES RENDERED AND  
REIMBURSEMENT OF EXPENSES AS SPECIAL COUNSEL TO THE TRUSTEE  
FOR THE PERIOD FROM OCTOBER 1, 2021, TO SEPTEMBER 30, 2022 (Doc. 444)**

THIS MATTER came on for consideration by this Court, without a hearing, on the Second Interim Application and Reimbursement of Expenses of Steven M. Berman and Shumaker, Loop & Kendrick, LLP as Special Counsel for the Trustee for the Period of October 1, 2021, to September 30, 2022, (Doc. 444) (the “Application”), filed by Steven M. Berman and the law firm of Shumaker, Loop & Kendrick, LLP (collectively, the “Shumaker”). This Court, having reviewed the Application, having noted that no objections were filed, this Court being otherwise familiar with the papers and pleadings in this case, finding that all creditors and parties in interest were duly-noticed pursuant to Local Rule 2002-4, this Court finds and concludes that the sums sought

in the Application are reasonable and Shumaker's Application should be approved as is set forth below. Accordingly, it is:

**ORDERED:**

1. Shumaker's Application is APPROVED in the total amount of **\$135,075.56**, representing **\$132,084.00** in fees and costs in the amount of **\$2,991.56** incurred during the Application period.

2. Upon the Trustee making either an interim or final distribution to creditors, the Trustee may disburse to the Firm amounts sufficient to pay these allowed amounts but, in no event, shall such disbursements to the Firm for fees ever exceed fifty percent (50%) of the amounts recovered by the Chapter 7 Estate, along with costs allowed.

3. Consistent with the provisions of 11 U.S.C. § 328, the Office of the United States Trustee reserves all rights to object to the allowance after taking into consideration recoveries for the benefit of creditors and anticipated distributions and whether or not the terms of compensation prove to have been appropriate or improvident looking at the efforts of such professionals and the benefit to creditors from the work performed.

4. Consistent with the foregoing, the Chapter 7 Trustee has the right to request disgorgement, and Shumaker will have to so comply with any Order of this Court, if prior allowed fees paid to Shumaker are subsequently disallowed after taking overall circumstances of the case into account consistent with applicable law.

5. This Court retains jurisdiction to enforce the provisions of this Order.

\*\*\*

Attorney Steven M. Berman is directed to serve a copy of this Order on all interested parties who do not receive service by CM/ECF and file a proof of service within three days of entry of this Order.