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12 **UNITED STATES BANKRUPTCY COURT**

13 **DISTRICT OF ARIZONA**

14 In re:

Case No. 2:16-bk-04268-PS

15 YOMTOV SCOTT MENAGED,

CHAPTER 7

16 Debtor.

**FIFTH SUPPLEMENTAL DECLARATION  
OF ATTORNEY AND RULE 2016(b)  
STATEMENT**

17 I, CODY J. JESS, hereby declare:

18 1. On January 31, 2017, the Firm received a fee deposit of \$15,000 from American  
19 Furniture, LLC, an Arizona limited liability company owned by the Debtor and formed post-petition.

20 2. On February 8, 2017, the Firm received a fee deposit of \$5,000 from American Furniture,  
21 LLC, an Arizona limited liability company owned by the Debtor and formed post-petition.

22 3. On March 29, 2017, the Firm received a fee deposit of \$10,000 from American Furniture,  
23 LLC, an Arizona limited liability company owned by the Debtor and formed post-petition.

24 4. On April 13, 2017, the Firm received a fee deposit of \$5,000 from American Furniture,  
25 LLC, an Arizona limited liability company owned by the Debtor and formed post-petition.

5. Prior to filing his bankruptcy case, the Debtor owned a 1971 Chevrolet Chevelle "clone"  
(the "Vehicle").<sup>1</sup>

<sup>1</sup> The Vehicle is actually a Chevrolet Malibu, customized to appear as a Chevrolet Chevelle.

1           6.       The Debtor declared the Vehicle and/or its value as exempt property on his bankruptcy  
2 schedules. No objection was filed to the declaration of exemption within the applicable time period.

3           7.       The Vehicle was subsequently returned from the Debtor's bankruptcy estate to the Debtor  
4 with the consent of the Chapter 7 Trustee.

5           8.       After receiving the Vehicle from the bankruptcy estate, in May 2017, the Debtor  
6 transferred legal and beneficial ownership of the Vehicle to undersigned counsel on behalf of and for the  
7 benefit of Schian Walker, P.L.C. (the "**Firm**").

8           9.       On May 15, 2017, undersigned counsel, on behalf of the Firm and for its benefit,  
9 transferred the Vehicle to Mr. John Nobile for the sum of \$10,000. Payment in the amount of \$10,000  
10 was received by the Firm on June 6, 2017.

11          10.      John Nobile has no relationship to the Firm. Upon information and belief, John Nobile  
12 has no relationship to the Debtor, and is not a creditor or interested party in the Debtor's bankruptcy  
13 case.

14          11.      The fee deposits and payments described herein have been applied to the Debtor's  
15 obligations to the Firm for services rendered by the Firm after his bankruptcy case was filed.

16          12.      The attorneys and paralegals who are anticipated to be working on the case and their  
17 current billing rates effective January 1, 2017 are as follows:

Cody J. Jess	\$ 380 per hour
Tyler J. Grim	\$ 250 per hour
Debbi Stephens	\$ 215 per hour
Julie Larsen	\$ 215 per hour

18  
19  
20  
21          13.      I have agreed not to share compensation with any other person or entity, except as with  
22 members and regular associates of my law firm. The rates charged will be the normal hourly rates for  
23 services of this type.

24      ///

25      ///

1 I declare under penalty of perjury that the foregoing is true and correct.

2 DATED this 7th day of June, 2017.

3 SCHIAN WALKER, P.L.C.

4  
5 By /s/ CODY J. JESS, #025066

6 Cody J. Jess  
Attorneys for Debtor

7 COPY of the foregoing  
8 e-mailed this 7th day  
of June, 2017, to:

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10 Chapter 7 Trustee  
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/s/ DEBBI STEPHENS