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**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

*IN RE: § CASE NO. 02-39409-BJH-11
§
NETWORK CANCER CARE, L.P. §
§
Debtor §*

**SUPPLEMENTAL MOTION TO STAY PENDING APPEAL
Of that Memorandum, Decision, and Order on Notice of Post Confirmation
Employment and Alternatively Motion to Employ Nunc Pro Tunc and Notice of
Post Confirmation Fees Paid and Alternatively Final Application by Attorney's
for Reorganized Debtor for Allowance of compensation of Fees and
Reimbursement of Expenses filed by Lloyd Ward & Associates P.C.**

To the Honorable Judge of Said Court,

Comes now Lloyd Ward & Associates P.C., hereinafter referred to as "Movant," and files this, its Supplemental Motion to Stay Pending Appeal from the judgment and order entitled Memorandum, Decision, and Order on the Notice of Post Confirmation Employment and Alternatively Motion to Employ Nunc Pro Tunc and Notice of Post Confirmation Fees Paid and Alternatively Final Application by Attorney's for Reorganized Debtor for Allowance of compensation of Fees and Reimbursement of Expenses filed by Lloyd Ward & Associates P.C., of

Debtors Supplemental Motion to Stay
Pending an Appeal of the
Memorandum Decision and Order
on Lloyd Ward & Associates P.C.

the bankruptcy judgment entered in this action on the 17th day of September 2004, to the U.S. District Court for the Northern District of Texas, Dallas Division. On or about September 24, 2004, Movant perfected its appeal of the above described judgment or order set forth above.

The likelihood of success is substantial as (1) the issue of a bankruptcy Courts jurisdiction after plan of confirmation is confirmed, and prior to revocation of the plan has not been addressed by the Fifth Circuit, however, the Fifth Circuit has found no bankruptcy court jurisdiction exist after the confirmation of a plan of reorganization until the time of conversion of the plan to a chapter 11 or 7, and the legal premises is similar in both instances, (2) there exist a question as to whether a disgorgement of fees during the above reverenced time period is required as an adversarial procedure, not an administrative procedure, and whether the refusal of an adversary is a violation of due process, and (3) issues exit regarding the appropriateness of the order revoking confirmation of the plan of reorganization is sufficient and appropriate as (i) it failed to meet statutory requirements for post plan debts incurred, and (ii) was in actuality a liquidation of an estate, but did not convert to a chapter 7 plan specifically in order to attempt to maintain jurisdiction.

As to irreparable injury, as was set forth in the motions for employment and application for fees, the monies which were paid by Debtor Network Cancer Care L.P., were incurred in the ordinary course of business, and expended in the ordinary course of business. Movant currently lacks the funds to pay those amounts ordered disgorged, and any collection actions taken by this Court, the U.S. Trustee's Office, or the Chapter 11 Trustee, would result in the temporary or permanent cessation of business, and termination of employees for lack of sufficient funds.

Wherefore, premises considered, Lloyd Ward and Associates P.C., would respectfully request that this Court abate and/or stay the pending order and judgment against it in these proceedings until final determination of the pending appeal is prosecuted on this matter.

There will be no substantive harm to the U.S. Trustee or Chapter 11 Trustee, as the estate has been liquidated, and these monies were not part of the estate at the time of the Order Revoking Order Confirming Plan or Reorganization. There are no substantive debts, other than unsecured creditors, whose debt is in excess of one million dollars (\$1,000,000.00), for which any deferral of payment will not be of substantial harm.

As a matter of community interest, the issues on this appeal should be resolved prior to causing the long term harm to the law firm by compelling compliance with the existing order.

Respectfully Submitted



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Certificate of Service

This is to certify that a true and correct copy of the foregoing motion was mailed via Certified Mail to the attached mailing matrix on this 4th day of October 2004



Lloyd Ward