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

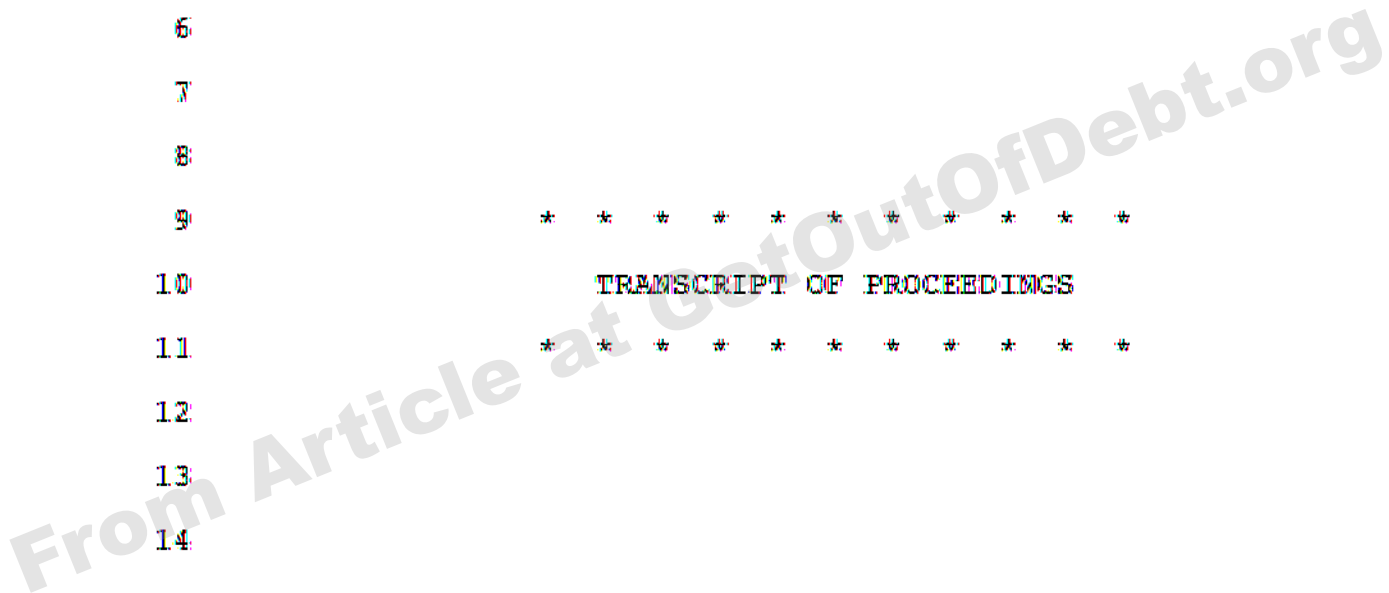
IN RE: )  
 )  
NETWORK CANCER CARE, L.P. ) BK. NO: 02-39409-BJH-11  
DEBTOR )

\* \* \* \* \*

TRANSCRIPT OF PROCEEDINGS

\* \* \* \* \*

BE IT REMEMBERED, that on the 6th day of May, 2004,  
before the HONORABLE BARBARA J. HOUSER, United States  
Bankruptcy Judge at Dallas, Texas, the above styled and  
numbered cause came on for hearing, and the following  
constitutes the transcript of such proceedings as hereinafter  
set forth:



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A P P E A R A N C E S

LLOYD WARD & ASSOCIATES  
4835 LBJ Freeway, Suite 220  
Dallas, Texas 75240  
BT: Mr. Lloyd Ward

APPEARING ON BEHALF OF LLOYD WARD

From Article at [GetOutOfDebt.org](http://GetOutOfDebt.org)

P R O C E E D I N G S

NATIONAL COURT REPORTERS (214) 651-8393

1 THE COURT: We have two matters on the docket.  
2 One I think will be brief, so let me take that up first.  
3 Network Cancer Care.

4 MS. DURHAM: Good morning Your Honor. Mary  
5 Frances Durham for the U.S. Trustee.

6 MR. WARD: Lloyd Ward on behalf of Lloyd Ward.

7 THE COURT: Mr. Carvell, good morning.

8 MR. CARVELL: Good morning, Your Honor. Wade  
9 Carvell for Diane Reed, the Trustee.

10 MS. DURHAM: Back in January the U.S. Trustee  
11 filed a motion to disqualify and disgorge. That was set for  
12 hearing at the same time as some show cause matters. And we  
13 set that off with a promise to receive some documents. It's  
14 my understanding Mr. Ward has been working on getting these  
15 documents together and delivering them to me and the Chapter  
16 11 Trustee. Therefore, to dispose of my motion and get these  
17 documents on file, we prepared and agreed order resolving my  
18 motion that requires Mr. Ward to file a nunc pro tunc  
19 application to be employed, to file a fee application for the  
20 fees and expenses he seeks to either keep or be paid, and a  
21 statement complying with 2016 disclosing the payments to him,  
22 the source of the payments by date and amount and paid for.

23 Mr. Ward signed off on that. I think the Court only has  
24 a faxed signature. I typed a fresh -- printed a fresh order  
25 if you want original signatures on an order for the Court.

1 THE COURT: I think that would be appropriate.

2 And the reason I asked you all to come in today,  
3 notwithstanding having seen this order, it didn't seem to me  
4 that we sought anything other than getting documents on file,  
5 which obviously is of some significance but I wanted to see  
6 if I was missing something. Because it seems to me that in  
7 the context of the retention application or the fee  
8 application, we're going to end up discussing the issues we  
9 otherwise were going to litigate this morning.

10 Am I missing something?

11 MS. DURHAM: Absolutely, Judge. And when I  
12 re-read my motion that I filed in January, I realized the  
13 relief I prayed for wasn't broad enough given the new  
14 information that has come in since January. So we will have  
15 the hearing that was contemplated for today at some other  
16 time.

17 THE COURT: All right.

18 Mr. Ward, is that your understanding, as well?

19 MR. WARD: That is, Your Honor.

20 THE COURT: Very well. Mr. Carvell.

21 MR. CARVELL: Your Honor, briefly.

22 We think it's a good procedure that the U.S. Trustee  
23 proposes here and it takes care of the issues that you  
24 mentioned. Really the thing that we're looking for is an  
25 accounting of money that Mr. Ward has received, and in

1 particular money that went into trust account, and to the  
2 extent that he's holding any money now for the debtor in  
3 escrow. We just need disclosure of that. And I believe that  
4 the disclosures under 2014 and 2016 will take care of it.

5 MS. DURHAM: May I approach?

6 THE COURT: You may.

7 For the record I've reviewed and I'm signing that agreed  
8 order between the U.S. Trustee and Mr. Ward that the Trustee  
9 has also consented to. So we will then -- is it contemplated  
10 that the application to be retained should be just set for  
11 hearing?

12 MS. DURHAM: That's a good idea, Your Honor.

13 THE COURT: I mean, it seems to me that -- so  
14 Mr. Ward, once that application is on file, why don't you get  
15 with Ms. Salcedo and go ahead and get that set. Why don't  
16 the three of you confer. Because, again, I'm assuming that's  
17 going to be then a contested hearing. And so whatever amount  
18 of time parties think we'll need for that should probably be  
19 reserved with Ms. Salcedo as part of that setting process.  
20 So if you all will discuss that.

21 And, Mr. Ward, is there a time frame under which you  
22 will get those documents? The order does not state a time. W  
23 Well, I guess it does, I'm sorry, May 24th, my apologies.

24 MR. WARD: Yes, Your Honor.

25 THE COURT: Good. Thank you very much.

1 Ms. Durham, anything further?

2 MS. DURHAM: Nothing further. Thank you,  
3 Judge.

4 THE COURT: Thank you. Thank you, Mr. Carwell.

5 MR. CARWELL: Thank you, Your Honor.

6 (End of Proceedings.)

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From Article at [GetOutOfDebt.org](http://GetOutOfDebt.org)

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C E R T I F I C A T E

I, CINDY SUMNER, do hereby certify that the foregoing constitutes a full, true and complete transcription of the proceedings as heretofore set forth in the above-captioned and numbered cause in typewriting by me.

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CINDY SUMNER, CSR #5832  
Certified Transcriber  
Expires 12-31-05  
NATIONAL COURT REPORTERS  
500 S. Erway, Suite 120-A  
Dallas, Texas 75201  
214-651-8393

From Article at GetOutOfDebt.org