

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE - NASHVILLE DIVISION

IN RE:

1POINT SOLUTIONS, LLC  
BARRY R. STOKES

DEBTORS.

CASE NO. 06-05400-KL3-11  
CASE NO. 06-05898-KL3-11  
CHAPTER 11  
JUDGE KEITH M. LUNDIN  
ADMIN. CONSOLIDATED  
UNDER CASE NO. 06-05400-KL3-11

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**THE DEADLINE FOR FILING A TIMELY RESPONSE IS: 4/3/08**  
**IF A RESPONSE IS TIMELY FILED, THE HEARING WILL BE: 4/15/08, 9:00 A.M.**  
**COURTROOM 2, U.S. BANKRUPTCY COURT, CUSTOMS HOUSE, 701 BROADWAY, NASHVILLE, TN**

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**NOTICE OF TRUSTEE'S MOTION TO EMPLOY ACCOUNTANT**

John C. McLemore, Trustee, has asked the Court for the following:

Permission of the Court to employ Kraft & Company, as accountant, in the above-referenced case.

**YOUR RIGHTS MAY BE AFFECTED.** If you do not want the Court to grant the attached motion, or if you want the Court to consider your views on the motion, then on or before 4/3/2008, you or your attorney must:

1. File with the Court your response or objection explaining your position. **PLEASE NOTE: THE BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF TENNESSEE REQUIRES ELECTRONIC FILING. ANY RESPONSE OR OBJECTION YOU WISH TO FILE MUST BE SUBMITTED ELECTRONICALLY. TO FILE ELECTRONICALLY, YOU OR YOUR ATTORNEY MUST GO TO THE COURT WEBSITE AND FOLLOW THE INSTRUCTIONS AT: <https://ecf.tnmb.uscourts.gov>.**

If you need assistance with Electronic Filing you may call the Bankruptcy Court at (615) 736-5584. You may also visit the Bankruptcy Court in person at: U.S. Bankruptcy Court, 701 Broadway, 1<sup>st</sup> Floor, Nashville, Tennessee (Monday – Friday, 8:00 a.m. – 4:00 p.m.).

2. **Your response must state that the deadline for filing responses is 4/3/2008, the date of the scheduled hearing is 4/15/2008 and the motion to which you are responding is *Trustee's Motion to Employ Accountant*.**
3. You must serve your response or objection by electronic service through the Electronic Filing system described above. You must also mail a copy of your response or objection to:

John C. McLemore, Trustee  
P. O. Box 158249  
Nashville, TN 37215-8249

United States Trustee  
701 Broadway, Customs House Suite 318  
Nashville, TN 37203

If a timely response is filed before the deadline stated above, the hearing will be held at the time and place indicated above. **THERE WILL BE NO FURTHER NOTICE OF THE HEARING DATE.** You may check whether a timely response has been filed by calling the Clerk's office at (615) 736-5584 or viewing the case on the Court's website at [www.tnmb.uscourts.gov](http://www.tnmb.uscourts.gov).

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

This 14<sup>th</sup> day of March, 2008.

Respectfully submitted,

/s/ John C. McLemore, Trustee  
John C. McLemore, Trustee  
Tn. Bar No. 3430  
P.O. Box 158249  
Nashville, TN 37215-8249  
(615) 383-9495 (phone)  
(615) 292-9848 (fax)  
[jmclmore@gmwpllc.com](mailto:jmclmore@gmwpllc.com)

**IN THE UNITED STATES BANKRUPTCY COURT  
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IN RE:  1POINT SOLUTIONS, LLC BARRY R. STOKES   DEBTORS.	CASE NO. 06-05400-KL3-11 CASE NO. 06-05898-KL3-11 CHAPTER 11 JUDGE KEITH M. LUNDIN ADMIN. CONSOLIDATED UNDER CASE NO. 06-05400-KL3-11
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**TRUSTEE'S MOTION TO EMPLOY ACCOUNTANT**

John C. McLemore, Trustee, respectfully represents the following to the Court:

1. That your applicant was duly appointed as Trustee for the above-styled estate, duly qualified, and is now serving in said capacity.
2. That your applicant hereby requests approval of this Court to employ **Kraft & Company, PLLC**, as accountants for this estate.
3. The Trustee anticipates that the services said accountant may render include but not be limited to prepare and file tax returns as may be necessary for the closing of this estate.
4. The Trustee has selected Kraft & Company, PLLC, because of the extensive experience and knowledge in performing the accounting services set forth above, and is well qualified to perform the necessary accounting services.
5. The hourly rates for the individuals who may perform services in this proceeding are as follows:

<u>Name</u>	<u>Rate</u>
Kenneth R. Kraft, Member	\$285
J. Michael Sullivan, Member	\$265
Ellen Hill, CPA	\$165
Rachel Johnson, CPA	\$165
Joy Bray, CPA	\$165
Elizabeth Kraft, MBA	\$125

No compensation will be paid to any of these professionals from funds of the estate except upon application to and approval by the Court.

5. Neither the members of the firm, the firm of Kraft & Company, PLLC, nor its employees represents any interest adverse to the Trustee or the estate in the matters upon which it is to be engaged and such employment is in the best interest of the estate. Further the members, the firm of Kraft & Company, PLLC, and its employees are disinterested persons within the meaning of 11 U.S.C. Section 101(13).

**WHEREFORE**, your applicant respectfully requests that he be authorized to employ Kraft & Company, PLLC, as accountants for the estate, and for other relief as is necessary and appropriate.

**DATED** this 14<sup>th</sup> day of March, 2008.

Respectfully submitted,

/s/ John C. McLemore, Trustee

John C. McLemore, Trustee

Tn. Bar No. 3430

P.O. Box 158249

Nashville, TN 37215-8249

(615) 383-9495 (phone)

(615) 292-9848 (fax)

[jmclmore@gmwpllc.com](mailto:jmclmore@gmwpllc.com)

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**DECLARATION OF KENNETH R. KRAFT**

I, **Kenneth R. Kraft**, hereby verify under penalty of perjury, that the statements contained in the foregoing application are true and correct to the best of my knowledge, information and belief, and that neither I, nor the firm of Kraft & Company, PLLC, have any connection with the debtor, the creditors, or any other party in interest, their respective attorneys or accountants, the United States Trustee or any person employed in the office of the United States Trustee.

Dated this 12<sup>th</sup> day of March, 2008.

**KRAFT & COMPANY, PLLC**

By:

  
Kenneth R. Kraft, CPA  
114 29<sup>th</sup> Avenue, South  
Nashville, TN 37212  
(615) 244-3991 (phone)  
(615) 244-0278 (fax)  
[kkraft@kraftcpa.com](mailto:kkraft@kraftcpa.com)

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**ORDER TO EMPLOY ACCOUNTANT**

Upon the motion of John C. McLemore, Trustee, for approval of his employment of Kraft & Company, PLLC, as accountants, and it appearing that said accountants represent no interest adverse to the Debtors' estate,

**IT IS HEREBY ORDERED** that John C. McLemore, Trustee, is authorized to employ Kraft & Company, PLLC, as accountants in this matter.

**IT IS FURTHER ORDERED** that Kraft & Company, PLLC, shall make application to the Court for approval of all fees.

**THIS ORDER WAS SIGNED AND ENTERED ELECTRONICALLY  
AS INDICATED AT THE TOP OF THE FIRST PAGE.**

**APPROVED FOR ENTRY:**

/s/ John C. McLemore, Trustee  
John C. McLemore, Trustee  
Tn. Bar No. 3430  
P.O. Box 158249  
Nashville, TN 37215-8249  
(615) 383-9495 (phone)  
(615) 292-9848 (fax)  
[jmclmore@gmwpllc.com](mailto:jmclmore@gmwpllc.com)

*Proposed*

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**CERTIFICATE OF SERVICE**

I hereby certify that on the date noted below, a true and correct copy of the foregoing listed below was either mailed electronically or by U.S. mail, postage prepaid to the U.S. Trustee, 701 Broadway, Customs House Suite 318, Nashville, Tennessee 37203; Debtor, Barry R. Stokes, Correctional Development Center, OCA 18193075, 5113 Harding Place, Nashville, TN 37211; Debtor's attorney, Elliott Warner Jones, 1720 West End Avenue, Suite 300, Nashville, TN 37203 and R. David Baker, Assistant Federal Public Defender, 810 Broadway, Suite 200, Nashville, TN 37203.

This 14<sup>th</sup> day of March, 2008.

Respectfully submitted,

/s/ John C. McLemore, Trustee

John C. McLemore, Trustee

Tn. Bar No. 3430

P.O. Box 158249

Nashville, TN 37215-8249

(615) 383-9495 (phone)

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**Attachments:**

1. Notice of Trustee's Motion to Employ Accountant
2. Trustee's Motion to Employ Accountant
3. Declaration
4. (Proposed) Order to Employ an Accountant