

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION
www.flsb.uscourts.gov

In re:

Chapter 11

PALM BEACH FINANCE PARTNERS, L.P.,
PALM BEACH FINANCE II, L.P.¹

Case No. 09-36379-PGH
Case No. 09-36396-PGH
(Jointly Administered)

Debtors.

**ELLIOT B. KULA AND KULA & ASSOCIATES, P.A.'S
FOURTH INTERIM POST CONFIRMATION FEE APPLICATION**

1.	Name of Applicant:	<i>Kula & Associates, P.A.</i>
2.	Role of Applicant:	<i>Liquidating Trustee's Consultant</i>
3.	Name of Certifying Professional:	<i>Elliot B. Kula</i>
4.	Date cases filed:	<i>November 30, 2009</i>
5.	Date of application for employment:	<i>March 12, 2013[ECF No. 1751]</i>
6.	Date of order approving employment:	<i>July 2, 2014[ECF No. 2352]nunc pro tunc to June 30, 2014²</i>
7.	If debtor's counsel, date of Disclosure of Compensation form:	<i>N/A</i>
8.	Date of this application:	<i>December 19, 2014</i>
9.	Dates of services covered:	<i>July 1, 2014 thru October 31, 2014</i>
Fees...		
10.	Total fee requested for this period (from Exhibit 1):	\$ 28,650.00

¹The address and last four digits of the taxpayer identification number for each of the Debtors are as follows: (i) Palm Beach Finance Partners, L.P., 3601 PGA Blvd., Suite 301, Palm Beach Gardens, FL 33410, TIN 9943; and (ii) Palm Beach Finance II, L.P., 3601 PGA Blvd., Suite 301, Palm Beach Gardens, FL 33410, TIN 0680.

²The Order authorizing the employment of Kula & Samson, LLP ("K&S") and Elliot B. Kula was modified by Court Order [ECF No. 2352] to reflect the substitution of K&S with Kula & Associates, P.A., *nunc pro tunc* to June 30, 2014.

11.	Balance remaining in fee retainer account, not yet awarded:	\$ 0.00
12.	Fees paid or advanced for this period, by other sources:	\$ 0.00
13.	Net amount of fee requested for this period:	\$ 28,650.00
Expenses...		
14.	Total expense reimbursement requested for this period:	\$ 0.00
15.	Balance remaining in expense retainer account, not yet received:	\$ 0.00
16.	Expenses paid or advanced for this period, by other sources:	\$ 0.00
17.	Net amount of expense reimbursements requested for this period	\$ 0.00
18.	Gross award requested for this period (#10 + #14)	\$ 28,650.00
19.	Net award requested for this period (#13 + #17)	\$ 28,650.00

History of Fees and Expenses

1. Dates, sources, and amounts of retainers received:			
Dates	Sources	Amounts	For fees or costs?
N/A			
2. Dates, sources, and amounts of third party payments received:			
Dates	Sources	Amounts	For fees or costs?
N/A			
3. Prior fee and expense awards...			
First interim application [ECF No. 2069]			
Dates covered by first application:		July 1, 2013 through October 31, 2013	
Amount of fees requested:		\$	2,050.00
Amount of expenses requested:		\$	0.00
Amount of fees awarded:		\$	2,050.00
Amount of expenses awarded:		\$	0.00
Amount of fee retainer authorized to be used:		\$	0.00
Amount of expense retainer authorized to be used:		\$	0.00
Fee award, net of retainer:		\$	0.00

Expense award, net of retainer:	\$ 0.00
Date of first award:	January 29, 2014 [ECF No. 2138]
Amount of fees actually paid:	\$ 2,050.00
Amount of expense reimbursement actually paid:	\$ 0.00
Portion of fees requested but not awarded, which applicant wishes to defer to final fee application:	\$ 0.00
Portion of expenses requested but not awarded, which applicant wishes to defer to final fee application:	\$ 0.00
Second interim application [ECF No. 2245]	
Dates covered by second application:	November 1, 2013 thru February 28, 2014
Amount of fees requested:	\$ 350.00
Amount of expenses requested:	\$ 0.00
Amount of fees awarded:	\$ 350.00
Amount of expenses awarded:	\$ 0.00
Amount of fee retainer authorized to be used:	\$ 0.00
Amount of expense retainer authorized to be used:	\$ 0.00
Fee award, net of retainer:	\$ 0.00
Expense award, net of retainer:	\$ 0.00
Date of second award:	June 4, 2014 [ECF No. 2316]
Amount of fees actually paid:	\$ 350.00
Amount of expense reimbursement actually paid:	\$ 0.00
Portion of fees requested but not awarded, which applicant wishes to defer to final fee application:	\$ 0.00
Portion of expenses requested but not awarded, which applicant wishes to defer to final fee application:	\$ 0.00
Third interim application [ECF No. 2395]	
Dates covered by third application:	March 1, 2014 thru June 30, 2014
Amount of fees requested:	\$ 5,750.00

Amount of expenses requested:	\$ 0.00
Amount of fees awarded:	\$ 5,750.00
Amount of expenses awarded:	\$ 0.00
Amount of fee retainer authorized to be used:	\$ 0.00
Amount of expense retainer authorized to be used:	\$ 0.00
Fee award, net of retainer:	\$ 0.00
Expense award, net of retainer:	\$ 0.00
Date of third award:	September 24, 2014 [ECF No. 2446]
Amount of fees actually paid:	\$ 5,750.00
Amount of expense reimbursement actually paid:	\$ 0.00
Portion of fees requested but not awarded, which applicant wishes to defer to final fee application:	\$ 0.00
Portion of expenses requested but not awarded, which applicant wishes to defer to final fee application:	\$ 0.00

Summary of All Prior Post Confirmation Applications and Awards	
Total fees requested:	\$ 8,150.00
Total fees awarded:	\$ 8,150.00
Prior fees awarded but not yet paid, if any (do not include holdbacks in this number)	\$ 0.00
Total prior fees requested but not awarded, deferred to final fee application	\$ 0.00
Total expenses requested:	\$ 0.00
Total expenses awarded:	\$ 0.00
Prior expenses awarded but not yet paid, if any (do not include holdbacks in this number)	\$ 0.00
Total prior expenses requested but not awarded, deferred to final fee application	\$ 0.00

Monthly <i>POST CONFIRMATION</i> invoicing dated December 5, 2013	
Dates covered by invoicing:	July 1, 2013 through October 31, 2013
Amount of fees and expenses requested:	\$ 2,050.00
Amount of fees and expenses paid absent objection:	\$ 0.00

Monthly <i>POST CONFIRMATION</i> invoicing dated March 10, 2014	
Dates covered by invoicing:	November 1, 2013 through February 28, 2014
Amount of fees and expenses requested:	\$ 350.00
Amount of fees and expenses paid absent objection:	\$ 350.00

Monthly <i>POST CONFIRMATION</i> invoicing dated August 1, 2014	
Dates covered by invoicing:	March 1, 2014 through June 30, 2014
Amount of fees and expenses requested:	\$ 5,750.00
Amount of fees and expenses paid absent objection:	\$ 5,750.00

Monthly <i>POST CONFIRMATION</i> invoicing dated December 1, 2014	
Dates covered by invoicing:	July 1, 2014 through October 31, 2014
Amount of fees and expenses requested:	\$ 28,650.00
Amount of fees and expenses paid absent objection:	\$ 28,650.00

UNITED STATES BANKRUPTCY COURT
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In re:

Chapter 11

PALM BEACH FINANCE PARTNERS, L.P.,
PALM BEACH FINANCE II, L.P.³

Case No. 09-36379-PGH
Case No. 09-36396-PGH
(Jointly Administered)

Debtors.

**FOURTH INTERIM POST CONFIRMATION FEE APPLICATION FOR ALLOWANCE
AND PAYMENT OF COMPENSATION OF ELLIOT B. KULA AND KULA &
ASSOCIATES, P.A. AS CONSULTANTS TO CHAPTER 11 LIQUIDATING TRUSTEE**

Kula & Associates, P.A. (“**K&A**”), having been approved by this Court as expert consultants for Chapter 11 Liquidating Trustee, Barry E. Mukamal (“**Trustee**”), applies for allowance of compensation for professional services rendered and reimbursement of the necessary expenses paid or incurred by K&A between July 1, 2014 through October 31, 2014, and in support states:

1. On November 30, 2009, Palm Beach Finance Partners, L.P. (the “**Debtor**”) filed its Voluntary Petition for relief under chapter 11 of the United States Bankruptcy Code [ECF No. 1]. On December 1, 2009, this case was jointly administered with the estate of *In re Palm Beach Finance II, L.P.*, Case No. 09-36396-PGH [ECF No. 19].

2. On January 28, 2010, the Court entered the Agreed Order Directing Appointment of Chapter 11 Trustee and denying the United States Trustee’s Motion to Convert Cases to Cases under Chapter 7 [ECF No. 100].

³The address and last four digits of the taxpayer identification number for each of the Debtors are as follows: (i) Palm Beach Finance Partners, L.P., 3601 PGA Blvd., Suite 301, Palm Beach Gardens, FL 33410, TIN 9943; and (ii) Palm Beach Finance II, L.P., 3601 PGA Blvd., Suite 301, Palm Beach Gardens, FL 33410, TIN 0680.

3. On January 29, 2010, the United States Trustee appointed the Liquidating Trustee as Trustee in both estates [ECF No. 107].

4. On April 2, 2013, this Court entered an Order (the “**Employment Order**”) [ECF No. 1778] granting the Liquidating Trustee’s Application to Employ Elliot B. Kula and Kula & Samson, LLP, (“**K&S**”) as expert consultants to the Liquidating Trustee.

5. On July 2, 2014, the Employment Order was modified to reflect the substitution of K&S with Kula & Associates, P.A., *nunc pro tunc* to June 30, 2014 [ECF No. 2352].

6. At the confirmation hearing held on October 19, 2010, the Court confirmed the *Second Amended Joint Plan of Liquidation of Barry Mukamal, as Chapter 11 Trustee of Palm Beach Finance Partners, L.P. and Palm Beach Finance II, L.P. and Geoffrey Varga, as Joint Official Liquidator of Palm Beach Offshore, Ltd. And Palm Beach Offshore II, Ltd.*, dated September 3, 2010 [ECF No. 245] (the “**Plan**”) in the above referenced jointly administered bankruptcy proceeding.

The Plan defines Confirmation Date as “the date on which the Bankruptcy Court enters the Confirmation Order on its docket”. The Order Confirming Second Amended Joint Liquidating Chapter 11 Plan [ECF No. 444] (the “**Confirmation Order**”) was entered on the Court’s docket on October 21, 2010.

7. Article 7 of the Plan provides:

7.1.4 *PBF Liquidating Trust Management.* Barry Mukamal shall be PBF Liquidating Trustee with the power and authority set forth in the PBF Liquidating Trust Agreement.

7.1.5 *PBF Liquidating Trust Structure.* As more fully set forth in the PBF Liquidating Trust Agreement, the PBF Liquidating Trustee shall oversee and direct the PBF Liquidating Trust’s operations and activities, including the retention of counsel.

7.1.7 *PBF II Liquidating Trust Monitor.* Geoffrey Varga, as Joint Official Liquidator for Offshore Funds shall be the PBF II Liquidating Trust Monitor

with the power and authority set forth in the PBF II Liquidating Trust Agreement.

7.1.11 *Compensation of Professionals Retained by the Liquidating Trustees and the PBF II Liquidating Trust Monitor.* Professionals retained by the PBF II Liquidating Trust Monitor and the Liquidating Trustee shall be entitled to monthly interim compensation for fees and expenses incurred in carrying out their duties consistent with the Plan and the Liquidating Trust Agreements; provided, however, that the PBF II Liquidating Trust Monitor or the Liquidating Trustee shall provide to the other, and the United States Trustee, notice of such requested fees and expenses on a monthly basis. Following such notice, if no objections to the fees and expenses set forth in the monthly statement are received in writing within 10 business days, 100% of such professional's fees and expenses shall be paid. Notice of objections to such fees and expenses shall be made via e-mail and/or facsimile. If objections to the fees and expenses are made and cannot be resolved, such objections will be heard and resolved by the Bankruptcy Court. Any such fees and expenses shall be payable from the Trust Asset of the Liquidating Trusts. The PBF II Liquidating Trust Monitor and the Liquidating Trustee shall, no less frequently than once every four (4) months, submit applications to the Bankruptcy Court for final approval of reimbursement of fees and expenses paid to their professionals.

8. This application is submitted pursuant to 11 U.S.C. § 331 for the allowance and payment to K&A in the amount of \$28,650 for fees incurred between July 1, 2014 and October 31, 2014, for a total request of \$28,650.

9. All of the services rendered by K&A were performed for and on behalf of the Liquidating Trustee.

I. SUMMARY OF SERVICES RENDERED

10. K&A rendered varied services as experts on behalf of the Liquidating Trustee for the period of time from July 1, 2014 through October 31, 2014. K&A is requesting \$28,650 in professional fees for services rendered. K&A logged a total of 57.3 hours at the hourly rate of \$500 during the time period for which fees were required in this fee application.

11. K&A devoted 57.3 hours, for a total of \$28,650, towards the analysis of appellate issues, research, review of documents and other case materials in order to perform certain analyses

and prepare appellee's brief as it relates to the bankruptcy appellate proceeding styled *The Ashton Revocable Trust et. al. v. Barry E. Mukamal*, Case No. 14-80708 & 14-80709 (Consolidated) currently pending in the U.S. District Court for the Southern District of Florida. K&A has also consulted on other appellate issues that arise from time to time in this case.

II. REQUEST FOR COMPENSATION

12. Pursuant to the decisions of the United States Court of Appeals for the Fifth Circuit in In re First Colonial Corp. of America, 544 F.2d 1291 (5th Cir. 1977); and In re Johnson v. Georgia Highway Express, Inc., 488 F.2d 714 (5th Cir. 1974), the applicant requests that this Court consider the following factors in determining the amount of compensation that is reasonable for the applicant's services in this case.

III. TIME AND LABOR REQUIRED

13. The transcribed time records and details of services rendered by K&A are attached hereto as Exhibit 3. K&A has devoted 57.3 hours in time in providing services to the Liquidating Trustee between July 1, 2014 through October 31, 2014. Attached as Exhibit 1-A is a Summary of Professional and Paraprofessional Time Total Per Individual for this Period Only and attached as Exhibit 1-B is a Summary of Professional and Paraprofessional Time by Activity Code Category for this Time Period Only. Also attached as Exhibit 2 is a Summary of Requested Reimbursement of Expenses for this Time Period Only.

14. All professionals of K&A record the time expended in the rendition of professional services for the Liquidating Trustee by recording a detailed description of such professional services rendered.

15. All professionals involved in the rendering of services in this proceeding avoided any unnecessary duplication of work and time expended.

IV. NOVELTY AND DIFFICULTY OF THE ISSUES AND QUESTIONS PRESENTED

16. K&A was retained by the Liquidating Trustee as advisors providing consulting services on a wide range of appellate matters that the Liquidating Trustee deems necessary.

V. SKILL REQUISITE TO PERFORM THE LEGAL SERVICES PROPERLY

17. K&A submits that the professionals assigned to these cases have the requisite experience, seniority and skills necessary to effectively and efficiently meet the requirements of the tasks required. K&A believes it has demonstrated the requisite, substantial expertise to skillfully provide its services.

VI. PRECLUSION FROM OTHER EMPLOYMENT

18. Though K&A has devoted time as consultants for the Liquidating Trustee as more fully set forth in Exhibit 3, K&A has not been forced to decline other matters as a result of its accepting this employment.

VII. CUSTOMARY FEE

19. The hourly rate charged is K&A's customary fee for services of the type rendered herein.

**VIII. TIME LIMITATIONS IMPOSED BY THE CLIENT
OR THE CIRCUMSTANCES**

20. K&A has not been required to expend considerable time within short periods.

IX. THE EXPERIENCE, REPUTATION AND ABILITY OF THE PROFESSIONALS

21. K&A is a well-respected law firm having substantial experience in the type of services required under this engagement. The quality of work performed by K&A in this proceeding attests to the firm's experience, reputation and ability.

22. Elliot Kula received his Juris Doctor from Hamline University School of Law in 1993. Mr. Kula practices exclusively as an appellate attorney. A copy of Mr. Kula's resume is

attached to the Liquidating Trustee's Application to Employ Elliot B. Kula and Kula & Samson, LLP, [ECF No. 1751], and is incorporated herein by reference.

X. THE UNDESIRABILITY OF THE CASE

23. K&A does not deem these cases to be undesirable and is honored to have been retained by the Liquidating Trustee.

XI. APPLICABLE LEGAL STANDARD

24. The amount requested by K&A is reasonable in terms of awards in cases of similar magnitude and complexity. The compensation which K&A is requesting comports with the mandate of the Bankruptcy Code, which directs that services be evaluated in light of comparable services performed in non-bankruptcy cases in the community. The fee requested by K&A in the amount of \$28,650 for 57.3 hours of services is entirely appropriate.

25. K&A considers the reasonable value of services rendered to this estate to be not less than \$28,650 for services rendered for the Fee Period.

XII. ALLOCATION BETWEEN DEBTORS' ESTATES

26. The Liquidating Trustee requests that 18% of the fee awarded be allocated to Palm Beach Finance Partners, L.P. ("**PBF**") and 82% of the fee awarded be allocated to Palm Beach Finance II, L.P. ("**PBF II**"). Section 1.76, entitled "Pro Rata Allocation Formula," of the Second Amended Joint Plan of Liquidation dated September 3, 2010 [ECF No. 245] provides for a *pro rata* allocation formula derived from the Compiled Financial Statements, dated April 30, 2008, for each of the Debtors by Kaufman Rossin & Co. The data contained therein supports an 18%/82% allocation between PBF and PBF II, respectively, based upon the total assets of each entity as of the date of such compilations. Based on the circumstances and since the services provided by K&A were performed on behalf of and benefitted both estates, the Liquidating Trustee believes that this

formula is the proper methodology to allocate certain fees and expenses between the two estates and respectfully requests the Court approve the allocation of fees requested in this Application as follows:

Estate / Percentage	Fees
Palm Beach Finance Partners, L.P. (18%)	\$5,157.00
Palm Beach Finance II. L.P. (82%)	\$23,493.00
TOTAL FEES AND COSTS:	\$28,650.00

WHEREFORE, K&A respectfully requests that it be allowed the full compensation and reimbursement of expenses sought under this application. K&A requests this Court to award a total of \$28,650 for fees incurred between July 1, 2014 and October 31, 2014, approve the allocation of fees and expenses between the estates and for such other and further relief this Court deems just and proper.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

CERTIFICATION

1. I have been designated by Kula & Associates, P.A. (the "Applicant") as the professional with responsibility in these cases for compliance with the current Mandatory Guidelines on Fees and Disbursements For Professionals In The Southern District of Florida Bankruptcy Cases (the "Guidelines").

2. I have read the Applicant's application for compensation and reimbursement of costs (the "Application").

3. To the best of my knowledge, information, and belief formed after reasonable inquiry, the Application complies with the Guidelines.

4. To the best of my knowledge, information, and belief formed after reasonable inquiry, the fees and disbursements sought fall within the Guidelines, except as specifically noted in this Certificate and described in the Application.

5. Except to the extent that fees or disbursements are prohibited or restricted by the Guidelines, the fees and disbursements sought are billed at rates and in accordance with practices customarily employed by the Applicant and generally accepted by the Applicant's clients.

6. In providing a reimbursable service or disbursement (other than time charged for paraprofessionals and professionals), the Applicant does not make a profit on that service or disbursement (except to the extent that any such profit is included within the permitted allowable amounts set forth in the Guidelines for photocopies and facsimile transmission).

7. In charging for a particular service or disbursement, the Applicant does not include in the amount for which reimbursement is sought the amortization of the cost of any investment, equipment or capital outlay (except to the extent that any such amortization is included within the

permitted allowable amounts set forth herein for photocopies and facsimile transmission).

8. In seeking reimbursement for a service which the Applicant justifiably purchased or contracted for from a third party, the Applicant is requesting reimbursement only for the amount billed to the Applicant by the third-party vendor and paid by the Applicant to such vendor.

9. The trustee, the examiner (if any), the chairperson of each official committee (if any), the debtor, the U.S. Trustee, and their respective counsels, will be mailed, simultaneously with the filing of the Application with the Court, a complete copy of the Application (including all relevant exhibits).

10. The following are the variances with the provisions of the Guidelines, the date of the specific Court approval of such departure, and the justification for the departure: None.

I HEREBY CERTIFY that the foregoing is true and correct.

Kula & Associates, P.A.
11900 Biscayne Blvd.
Suite 310
Miami, FL 33181
Telephone (305) 354-3858
Facsimile (305) 354-3822

By: 
Fla. Bar No. 3794
E-mail: elliott@kulalegal.com

I HEREBY CERTIFY that, pursuant to that certain Order Authorizing Professionals Employed by the Liquidating Trustee and Monitor to Provide Notice of their Post Confirmation Fee Applications for Compensation in Summary Form [ECF No. 648], a Notice of Filing, which will include a Certificate of Service for the foregoing, will be filed at a later date.

s/ Michael S. Budwick
Michael S. Budwick, Esquire
Fla. Bar No. 938777
mbudwick@melandrussin.com
MELAND RUSSIN & BUDWICK, P.A.
3200 Southeast Financial Center
200 South Biscayne Boulevard
Miami, Florida 33131
Telephone: (305) 358-6363
Telecopy: (305) 358-1221

Attorneys for the Liquidating Trustee

EXHIBIT "1-A"**Summary of Professional and Paraprofessional Time
Total per Individual for this Period Only**

[If this is a final application, and does not cumulate fee details from prior interim applications, then a separate Exhibit 1-A showing cumulative time summary from all applications is attached as well.]

Name	Title	<u>Year Licensed</u>	<u>Total Hours</u>	<u>Hourly Rate</u>	<u>Total Fees</u>
Elliot B. Kula	Attorney	1994	57.30	\$500.00	\$ 28,650.00
Blended Hourly Rate				\$500.00	
Total Fees			57.30		\$ 28,650.00

EXHIBIT "1-B"**Summary of Professional and Paraprofessional Time
by Activity Code Category for this Time Period Only**

Professional Services				
	Name	Rate	Hours	Amount
Attorney	Elliot B. Kula	\$500.00	57.30	\$ 28,650.00
CATEGORY TOTALS:			57.30	\$ 28,650.00

EXHIBIT "2"
Summary of Requested Reimbursement Of Expenses
for this Time Period Only

[If this is a final application which does not cumulate prior interim applications, a separate summary showing cumulative expenses for all applications is attached as well]

1.	Filing Fees	\$ 0.00
2.	Process Service Fees	\$ 0.00
3.	Witness Fees	\$ 0.00
4.	Court Reporter & Transcripts	\$ 0.00
5.	Lien and Title Searches	\$ 0.00
6.	Photocopies (in-house copies) (copies @ 15¢)	\$ 0.00
7.	Photocopies (outside copies)	\$ 0.00
8.	Postage	\$ 0.00
9.	Overnight Delivery Charges	\$ 0.00
10.	Outside Courier/Messenger Services	\$ 0.00
11a.	Long Distance (a) Telephone Charges	\$ 0.00
11b.	Long Distance (b) Conference Calls	\$ 0.00
12.	Long Distance Fax Transmission @ \$1.00/pg.	\$ 0.00
13.	Computerized Research	\$ 0.00
14.	Out of Southern District of Florida Travel A. Transportation B. Lodging C. Meals	\$ 0.00
15.	Other (Not specifically disallowed; must specify and justify)	\$ 0.00
TOTAL "GROSS" AMOUNT OF REQUESTED DISBURSEMENTS		\$ 0.00



Kula & Associates, P.A.

Appeals and Litigation Support

11900 Biscayne Blvd., Suite 310
Miami, Florida 33181
305-354-3858
www.kulalegal.com

Kula & Associates, P.A.

11900 Biscayne Blvd., Suite 310

North Miami, FL 33181

Phone: 305-354-3858

EIN: 27-4482368

****For legal services rendered July–October, 2014**

Date: 12/01/2014

Invoice #: 693

Matter:

In re: *Palm Beach Finance Partners, L.P. and Palm Beach Finance II, L.P.*

Case Nos.: 09-36379-PGH & 09-36396-PGH (Jointly Administered)

The Ashton Revocable Living Trust et al v. Mukamal

Southern District of Florida (Bankr. Appeal) No. 14-80708 & 14-80709 (Consolidated)

Bill To:

Barry Mukamal, as Liquidating Trustee
c/o Meland Russin Budwick
3200 Southeast Financial Center
200 South Biscayne Blvd.
Miami, FL 33131

Due Date: 12/31/2014

Payment received after 12/1/2014 are not reflected in this statement.

Professional Services

Date	Details	Hours	Rate	Amount
07/02/2014	EBK L520 Appellate Briefs review appellant's initial brief on bankruptcy appeal, filed with multi-volume appendix and motion for leave to file brief in excess of page limits; review bankruptcy court's order and underlying pleadings/transcript toward verifying factual contentions in brief; legal research regarding standard of review	2.60	500.00	1300.00

07/14/2014	EBK	L500 Appeal analysis of Judge Bloom's recusal order; strategy consideration and analysis of implications for proceedings going forward on appeal	0.30	500.00	150.00
07/18/2014	EBK	L510 Appellate Motions and Submissions draft and file motion for enlargement of briefing schedule; review record and draft appellee's brief statement of case and facts	2.30	500.00	1150.00
07/20/2014	EBK	L520 Appellate Briefs review record and draft statement of case and facts for appellee's brief	2.80	500.00	1400.00
07/21/2014	EBK	L520 Appellate Briefs review record pleadings and transcripts; draft and edit recitation of facts for appellee's brief; review initial brief for specific points of error or contention in factual recitation and requiring refutation; preliminary work on arguments for appellee's brief; preliminary legal research on issues	4.90	500.00	2450.00
07/23/2014	EBK	L520 Appellate Briefs legal research responsive to initial brief arguments; draft arguments for appellee's brief	4.10	500.00	2050.00
07/25/2014	EBK	L520 Appellate Briefs review briefing schedule order	0.20	500.00	100.00
08/07/2014	EBK	L520 Appellate Briefs revise and edit legal arguments for appellee's brief; continued and further legal research on issues; verify factual basis for supplements to argument and to make certain factual recitation is complete for purposes of arguments advanced	4.40	500.00	2200.00
08/08/2014	EBK	L520 Appellate Briefs follow up with Liquidating Trustee's bankruptcy counsel regarding appellate issues and revisions to draft brief of appellee; further and follow up review of bankruptcy court record toward verifying recitation of facts; revise and edit legal arguments, and update legal research to support additional arguments proposed for briefing	3.90	500.00	1950.00
08/13/2014	EBK	L520 Appellate Briefs continued working on brief of appellee, specifically on recitation of facts and argument for limited standard of review; strategy conference with bankruptcy counsel to go over appellate issues, and specifically to consider jurisdictional issue raised for the first time on appeal and in verification of draft statement of case and facts	2.50	500.00	1250.00

08/18/2014	EBK	L520 Appellate Briefs analyze bankruptcy court pleadings and transcripts; legal research regarding various issues raised on appeal; legal research regarding jurisdictional issue raised for first time on appeal; draft legal arguments; revise and edit recitation of facts	5.70	500.00	2850.00
08/19/2014	EBK	L520 Appellate Briefs continued legal research following up on authorities cited by bankruptcy court in its Findings of Fact and Conclusions of Law; review bankruptcy court record in support of recitation of facts for brief of appellee; revise and edit recitation of facts for brief of appellee; draft and edit arguments for brief of appellee	4.90	500.00	2450.00
08/20/2014	EBK	L520 Appellate Briefs work on brief of appellee, including legal research and drafting of legal argument; further research and editing of arguments supporting jurisdiction	5.40	500.00	2700.00
08/21/2014	EBK	L520 Appellate Briefs revise and edit recitation of facts and jurisdictional arguments for brief of appellee; draft motion for leave to file enlarged brief	2.20	500.00	1100.00
08/22/2014	EBK	L520 Appellate Briefs follow up strategy conference with bankruptcy counsel; revise and edit legal arguments and revise and edit recitation of facts, further toward completing brief of appellee; review record on appeal responsive to bankruptcy counsel's suggested edits to facts	2.40	500.00	1200.00
08/24/2014	EBK	L520 Appellate Briefs revise and edit brief of appellee; finalize appendix to brief of appellee; update legal research to confirm authorities and to conform citations	2.30	500.00	1150.00
08/25/2014	EBK	L520 Appellate Briefs legal research; review record; draft and edit brief of appellee; consultation with bankruptcy counsel regarding issues on appeal and briefing; compilation and preparation of appendix to brief of appellee as efficient method for record citations	4.40	500.00	2200.00
08/26/2014	EBK	L510 Appellate Motions and Submissions review and analyze Ashton's filing of 90-day notice; strategy consideration regarding possible responsive pleadings	0.30	500.00	150.00

09/16/2014	EBK	L520 Appellate Briefs review and analyze reply brief filed by Ashton Trust; review record and update legal research following up on reply brief merits arguments; review procedural non-compliance; strategy consideration regarding possible motion to strike brief	1.70	500.00	850.00
For professional services rendered			57.30		\$28,650.00
				Invoice Amount	\$28,650.00
				Payment Received	\$0.00
				Invoice Balance	\$28,650.00