

UNITED STATES BANKRUPTCY COURT  
 SOUTHERN DISTRICT OF FLORIDA  
 WEST PALM BEACH DIVISION  
[www.flsb.uscourts.gov](http://www.flsb.uscourts.gov)

In re:

Chapter 11

PALM BEACH FINANCE PARTNERS, L.P.,  
 PALM BEACH FINANCE II, L.P.<sup>1</sup>

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

Debtors.

**JOHN D. EATON AND RASCO KLOCK'S  
 FIFTH AND FINAL POST CONFIRMATION FEE APPLICATION**

1.	Name of Applicant:	<i>Rasco Klock Perez &amp; Nieto, P.L.<sup>2</sup></i>
2.	Role of Applicant:	<i>Liquidating Trustee's Special Conflicts</i>
3.	Name of Certifying Professional:	<i>John D. Eaton</i>
4.	Date cases filed:	<i>November 30, 2009</i>
5.	Date of application for employment:	<i>November 22, 2011 [ECF No. 890]</i>
6.	Date of order approving employment:	<i>December 15, 2011 [ECF No. 1014], nunc pro tunc to November 1, 2011</i>
7.	If debtor's counsel, date of Disclosure of Compensation form:	<i>N/A</i>
8.	Date of this application:	<i>August 30, 2013</i>
9.	Dates of services covered:	<i>March 1, 2013 thru June 30, 2013</i>
<b>Fees...</b>		
10.	Total fee requested for this period (from Exhibit 1):	\$ 402.00

<sup>1</sup>The 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.

<sup>2</sup>Applicant's name changed to Rasco Klock Perez & Nieto, P.L. effective February 1, 2013.

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.	<b>Net amount of fee requested for this period:</b>	\$	402.00
<b>Expenses...</b>			
14.	Total expense reimbursement requested for this period:	\$	553.13
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.	<b>Net amount of expense reimbursements requested for this period</b>	\$	553.13
18.	Gross award requested for this period	\$	955.13
19.	<b>Net award requested for this period (13 + 17)</b>	\$	955.13
20.	<b>If <u>Final</u> Fee Application, amounts of net awards requested in interim applications but not previously awarded (total from History of Fees and Expenses, following pages):</b>	\$	0.00
21.	<b>Final fee and expense award requested (19 + 20)</b>	\$	955.13

## 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...			
<b>First interim post confirmation application. [ECF No. 1212]</b>			
Dates covered by first application:		November 1, 2011 thru February 29, 2012	
Amount of fees requested:		\$	23,510.40
Amount of expenses requested:		\$	323.90
Amount of fees awarded:		\$	23,510.40

Amount of expenses awarded:	\$ 323.90
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: [ECF No. 1267]	June 4, 2012
Amount of fees actually paid:	\$ 23,510.40
Amount of expense reimbursement actually paid:	\$ 323.90
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
<b>Second interim post confirmation application. [ECF No. 1377]</b>	
Dates covered by first application:	March 1, 2012 thru June 30, 2012
Amount of fees requested:	\$ 15,141.00
Amount of expenses requested:	\$ 5.05
Amount of fees awarded:	\$ 15,141.00
Amount of expenses awarded:	\$ 5.05
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: [ECF No. 1439]	September 28, 2012
Amount of fees actually paid:	\$ 15,141.00
Amount of expense reimbursement actually paid:	\$ 5.05
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
<b>Third interim post confirmation application. [ECF No. 1576]</b>	
Dates covered by first application:	July 1, 2012 thru October 31, 2012
Amount of fees requested:	\$ 25,603.00
Amount of expenses requested:	\$ 98.00
Amount of fees awarded:	\$ 25,603.00
Amount of expenses awarded:	\$ 98.00
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: [ECF No. 1693]	January 31, 2013
Amount of fees actually paid:	\$ 25,603.00
Amount of expense reimbursement actually paid:	\$ 98.00
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
<b>Fourth interim post confirmation application. [ECF No. 1813]</b>	
Dates covered by fourth application:	November 1, 2012 thru February 28, 2013
Amount of fees requested:	\$ 22,767.00
Amount of expenses requested:	\$ 31.09
Amount of fees awarded:	\$ 22,767.00
Amount of expenses awarded:	\$ 31.09
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 fourth award: [ECF No. 1867]	January 31, 2013
Amount of fees actually paid:	\$ 22,767.00
Amount of expense reimbursement actually paid:	\$ 31.09
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

<b>Summary of All Prior Applications and Awards</b>	
Total fees requested:	\$ 87,021.40
Total fees awarded:	\$ 87,021.40
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:	\$ 458.04
Total expenses awarded:	\$ 458.04
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

<b>Monthly <i>POST CONFIRMATION</i> invoicing dated February 23, 2012</b>	
Dates covered by invoicing:	November 1, 2011 through January 31, 2012
Amount of fees and expenses requested:	\$ 18,217.65
Amount of fees and expenses paid absent objection:	\$ 18,217.65

<b>Monthly <i>POST CONFIRMATION</i> invoicing dated March 14, 2012</b>	
Dates covered by invoicing:	February 1, 2012 through February 29, 2012
Amount of fees and expenses requested:	\$ 5,615.65
Amount of fees and expenses paid absent objection:	\$ 5,615.65
<b>Monthly <i>POST CONFIRMATION</i> invoicing dated April 6, 2012</b>	
Dates covered by invoicing:	March 1, 2012 through March 31, 2012
Amount of fees and expenses requested:	\$ 3,085.75
Amount of fees and expenses paid absent objection:	\$ 3,085.75
<b>Monthly <i>POST CONFIRMATION</i> invoicing dated May 4, 2012</b>	
Dates covered by invoicing:	April 1, 2012 through April 30, 2012
Amount of fees and expenses requested:	\$ 3,897.00
Amount of fees and expenses paid absent objection:	\$ 3,897.00
<b>Monthly <i>POST CONFIRMATION</i> invoicing dated June 4, 2012</b>	
Dates covered by invoicing:	May 1, 2012 through May 31, 2012
Amount of fees and expenses requested:	\$ 4,488.00
Amount of fees and expenses paid absent objection:	\$ 4,488.00
<b>Monthly <i>POST CONFIRMATION</i> invoicing dated July 5, 2012</b>	
Dates covered by invoicing:	June 1, 2012 through June 30, 2012
Amount of fees and expenses requested:	\$ 3,675.30
Amount of fees and expenses paid absent objection:	\$ 3,675.30
<b>Monthly <i>POST CONFIRMATION</i> invoicing dated August 7, 2012</b>	
Dates covered by invoicing:	July 1, 2012 through July 31, 2012
Amount of fees and expenses requested:	\$ 2,142.00
Amount of fees and expenses paid absent objection:	\$ 2,142.00

<b>Monthly <i>POST CONFIRMATION</i> invoicing dated September 11, 2012</b>	
Dates covered by invoicing:	August 1, 2012 through August 31, 2012
Amount of fees and expenses requested:	\$ 6,011.00
Amount of fees and expenses paid absent objection:	\$ 6,011.00
<b>Monthly <i>POST CONFIRMATION</i> invoicing dated October 8, 2012</b>	
Dates covered by invoicing:	September 1, 2012 thru September 30, 2012
Amount of fees and expenses requested:	\$ 3,551.00
Amount of fees and expenses paid absent objection:	\$ 3,551.00
<b>Monthly <i>POST CONFIRMATION</i> invoicing dated November 9, 2012</b>	
Dates covered by invoicing:	October 1, 2012 through October 31, 2012
Amount of fees and expenses requested:	\$ 13,997.00
Amount of fees and expenses paid absent objection:	\$ 13,997.00
<b>Monthly <i>POST CONFIRMATION</i> invoicing dated December 7, 2012</b>	
Dates covered by invoicing:	November 1, 2012 through November 30, 2012
Amount of fees and expenses requested:	\$ 17,941.00
Amount of fees and expenses paid absent objection:	\$ 17,941.00
<b>Monthly <i>POST CONFIRMATION</i> invoicing dated January 8, 2013</b>	
Dates covered by invoicing:	December 1, 2012 through December 31, 2012
Amount of fees and expenses requested:	\$ 2,103.09
Amount of fees and expenses paid absent objection:	\$ 2,103.09
<b>Monthly <i>POST CONFIRMATION</i> invoicing dated February 7, 2013</b>	
Dates covered by invoicing:	January 1, 2013 through January 31, 2013
Amount of fees and expenses requested:	\$ 1,530.00

Amount of fees and expenses paid absent objection:	\$ 1,530.00
<b>Monthly <i>POST CONFIRMATION</i> invoicing dated March 8, 2013</b>	
Dates covered by invoicing:	February 1, 2013 through February 28, 2013
Amount of fees and expenses requested:	\$ 1,224.00
Amount of fees and expenses paid absent objection:	\$ 1,224.00
<b>Monthly <i>POST CONFIRMATION</i> invoicing dated April 1, 2013</b>	
Dates covered by invoicing:	March 1, 2013 through March 31, 2013
Amount of fees and expenses requested:	\$ 955.13
Amount of fees and expenses paid absent objection:	\$ 955.13



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Chapter 11

PALM BEACH FINANCE PARTNERS, L.P.,  
PALM BEACH FINANCE II, L.P.<sup>3</sup>

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

Debtors.

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**FIFTH AND FINAL POST CONFIRMATION FEE APPLICATION FOR ALLOWANCE  
AND PAYMENT OF COMPENSATION AND REIMBURSEMENT OF  
EXPENSES TO JOHN D. EATON AND RASCO KLOCK AS SPECIAL  
CONFLICTS LITIGATION COUNSEL TO CHAPTER 11 LIQUIDATING TRUSTEE**

Rasco Klock Perez & Nieto (“**RK**”), having been approved by this Court as special conflicts litigation counsel 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 RK between March 1, 2013 through June 30, 2013, 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].

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<sup>3</sup>The 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.

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].

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

4. On December 15, 2011, this Court entered an Order [ECF No. 1014] granting the Debtor's Application to Employ John D. Eaton and Rasco Klock as special conflicts litigation counsel for the Liquidating Trustee, *nunc pro tunc* to November 1, 2011.

5. 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.

6. 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.

7. This fifth and final application is submitted pursuant to 11 U.S.C. § 330 for the allowance and payment to RK in the amount of \$402 for fees and \$553.13 for costs incurred between March 1, 2013 and June 30, 2013, for a total request of \$955.13.

8. All of the services rendered by RK were performed for and on behalf of the Liquidating Trustee.

#### **I. SUMMARY OF SERVICES RENDERED**

9. RK rendered varied services as special conflicts litigation counsel on behalf of the Liquidating Trustee for the period of time from March 1, 2013 through June 30, 2013. RK is requesting \$402 in professional fees for services rendered. RK logged a total of 2.2 hours at hourly rates ranging from \$150 - \$510 during the time period for which fees were required in this fee application.

10. RK devoted 2.2 hours, for a total of \$402, in connection with settlement of the claims against J. Umbach and Zcall, LLC as well as the filing and service of the motion to approve same.

## **II. REQUEST FOR COMPENSATION**

11. 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**

12. The transcribed time records and details of services rendered by RK are attached hereto as Exhibit 3. RK has devoted 2.2 hours in time in providing services to the Liquidating Trustee between March 1, 2013 through June 30, 2013. 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.

13. All professionals of RK record the time expended in the rendition of professional services for the Liquidating Trustee by recording a detailed description of such professional services rendered.

14. 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**

15. RK was retained by the Liquidating Trustee to represent the Liquidating Trustee and the Trusts in connection with the investigation and prosecution of an appropriate action or actions against Joseph Umbach and/or certain of his leverage providers and in connection with claims against ZCALL, LLC, including but not limited to, action(s) to avoid and recover fraudulent transfers the Debtors made. The Liquidating Trustee required special litigation counsel as a result of the disclosed connection identified by his primary counsel, Meland Russin & Budwick, P.A. in ECF No. 199 at paragraph 11 (d). Certain of the issues and questions presented were either novel or difficult.

**V. SKILL REQUISITE TO PERFORM THE LEGAL SERVICES PROPERLY**

16. RK 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. RK believes it has demonstrated the requisite, substantial expertise to skillfully provide its services.

**VI. PRECLUSION FROM OTHER EMPLOYMENT**

17. Though RK has devoted time as special conflicts litigation counsel for the Liquidating Trustee as more fully set forth in Exhibit 3, RK has not been forced to decline other matters as a result of its accepting this employment.

**VII. CUSTOMARY FEE**

18. The hourly rate charged is RK's customary fee for services of the type rendered herein.

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

19. RK has not been required to expend considerable time within short periods.

**IX. THE EXPERIENCE, REPUTATION AND ABILITY OF THE ATTORNEYS**

20. RK is well-respected law firm having substantial experience in fraudulent transfer actions. The quality of work performed by RK in this proceeding attests to the firm's experience, reputation and ability.

21. The Liquidating Trustee understands that the Court is familiar with Mr. Eaton and his credentials.

**X. THE UNDESIRABILITY OF THE CASE**

22. RK does not deem these cases to be undesirable and is honored to have been retained by the Liquidating Trustee.

**XI. THE NATURE AND LENGTH OF THE PROFESSIONAL  
RELATIONSHIP OF THE CLIENT**

23. Although RK has not represented the Liquidating Trustee prior to this case, Mr. Eaton and Mr. Shawde have represented the Liquidating Trustee while they were at Berger Singerman. Specifically, they represented Barry Mukamal in his capacity as the Chapter 11 Trustee of USA Labs, Inc. and Cosmyl, Inc. between 2006 and 2009. In addition, they have represented parties in interest in other bankruptcy matters in which Mr. Mukamal was the Trustee.

**XII. APPLICABLE LEGAL STANDARD**

24. The amount requested by RK is reasonable in terms of awards in cases of similar magnitude and complexity. The compensation which RK 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 RK in the amount of \$402 for 2.2 hours of services is entirely appropriate.

25. RK considers the reasonable value of services rendered to this estate to be not less than \$402 for services he has rendered for the Fee Period.

**WHEREFORE**, RK respectfully requests that it be allowed the full compensation and reimbursement of expenses sought under this application in the amount of \$955.13. RK requests this Court deem all prior interim post confirmation awards as final awards, and for such other and further relief this Court deems just and proper.

#### **CERTIFICATION**

1. I have been designated by Rasco Klock, (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.

Shawde & Eaton, P.L.  
1792 Bell Tower Lane  
Weston, FL 33326  
T (954) 376-3366 F (954) 376-3171

By: /s/ John D. Eaton (efiled with consent)  
John D. Eaton, Esquire  
Fla. Bar No. 0861367  
E-mail: jeaton@shawde-eaton.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/ Solomon B. Genet  
Solomon B. Genet, Esquire  
Fla. Bar No. 617911  
[sgenet@melandrussin.com](mailto:sgenet@melandrussin.com)  
MELAND RUSSIN & BUDWICK, P.A.  
3200 Southeast Financial Center  
200 South Biscayne Boulevard  
Miami, Florida 33131  
Telephone: (305) 358-6363  
Facsimile: (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.]

<b>Name</b>	<b>Title</b>	<b>Year Licensed</b>	<b>Total Hours</b>	<b>Hourly Rate</b>	<b>Total Fees</b>
John D. Eaton	Attorney	1990	0.20	\$510.00	\$ 102.00
Odalys Gonzalez	Paraprofessional		2.00	\$150.00	\$ 300.00
Blended Hourly Rate				\$182.73	
<b>Total Fees</b>			2.20		\$ 402.00

**CUMULATIVE**

<b>Name</b>	<b>Title</b>	<b>Year Licensed</b>	<b>Total Hours</b>	<b>Hourly Rate</b>	<b>Total Fees</b>
John C. Shawde	Attorney	1984	17.50	\$550.00	\$ 9,625.00
John D. Eaton	Attorney	1990	149.30	\$510.00	\$ 76,143.00
Daniel T. Pascale	Attorney	2004	4.80	\$325.00	\$ 1,560.00
Odalys Gonzalez	Paraprofessional		3.90	\$150.00	\$ 585.00
Blended Hourly Rate				\$500.93	
<b>Total Fees</b>			175.50		\$ 87,913.00

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

<b>Professional Services</b>				
	<b>Name</b>	<b>Rate</b>	<b>Hours</b>	<b>Amount</b>
Attorney	John D. Eaton	\$510.00	0.20	\$ 102.00
Paraprofessional	Odalys Gonzalez	\$150.00	2.00	\$ 300.00
<b>CATEGORY TOTALS:</b>			<b>2.20</b>	<b>\$ 402.00</b>

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)	\$ 449.00
8.	Postage	\$ 104.13
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	\$ 0.00
	A. Transportation	
	B. Lodging	
	C. Meals	
15.	Other (Not specifically disallowed; must specify and justify)	\$ 0.00
<b>TOTAL "GROSS" AMOUNT OF REQUESTED DISBURSEMENTS</b>		<b>\$ 553.13</b>

**CUMULATIVE**

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) (1835 copies @ 15¢)	\$ 275.25
7.	Photocopies (outside copies)	\$ 567.75
8.	Postage	\$ 104.13
9.	Overnight Delivery Charges	\$ 12.09
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	\$ 51.95
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
<b>TOTAL "GROSS" AMOUNT OF REQUESTED DISBURSEMENTS</b>		<b>\$ 1,011.17</b>

**RASCO KLOCK  
PEREZ NIETO**

BARRY E. MUKAMAL, PLAN TRUSTEE

Statement Date: April 1, 2013  
 Account No. 6153.0001  
 Statement No. 65025

Page: 1

RE: AS LIQ TRUSTEE FOR PBF LIQUIDATING TRUST (I)

barry.mukamal@marcumrachlin.com

			HOURS	
03/01/2013	JDE	Proofread, revise and finalize Motion to approve Umbach settlement and email to B. Mukamal re: same.	0.20	102.00
	OG	Finalize and efile PBF I Liquidating Trustee's Motion for Approval of Settlement with Joseph A Umbach and ZCall.	0.80	120.00
03/05/2013	OG	Work on Response to Motion for Summary Judgment and exhibits thereto.	1.20	180.00
<b>TOTAL FEES FOR THIS MATTER</b>			<u>2.20</u>	<u>402.00</u>

RECAPITULATION			
TIMEKEEPER	HOURS	HOURLY RATE	TOTAL
ODALYS GONZALEZ	2.00	\$150.00	\$300.00
JOHN D. EATON	0.20	510.00	102.00

POSTAGE CHARGES	104.13
PHOTOCOPY CHARGES	<u>449.00</u>
Total costs for this matter THRU 03/31/2013	553.13
<b>TOTAL THIS INVOICE</b>	955.13
<b>PREVIOUS BALANCE</b> (please disregard if paid)	\$1,224.00
Total Payments for 03/28/2013	-1,224.00
<b>TOTAL NOW DUE AND PAYABLE</b>	<u><u>\$955.13</u></u>

RASCO KLOCK PEREZ NIETO  
 283 CATALONIA AVENUE, CORAL GABLES, FLORIDA 33134  
 PHONE: 305.476.7100 \* FAX 305.476.7102

EXHIBIT 3

BARRY E. MUKAMAL, PLAN TRUSTEE  
Account No. 6153.0001  
RE: AS LIQ TRUSTEE FOR PBF LIQUI

Statement Date: 04/01/2013  
Statement No. 65025  
Page No. 2

Please Remit

\$955.13

**WE ACCEPT AMERICAN EXPRESS, VISA & MASTER CARD**

RASCO KLOCK PEREZ NIETO  
283 CATALONIA AVENUE, CORAL GABLES, FLORIDA 33134  
PHONE: 305.476.7100 \* FAX 305.476.7102