



**ORDERED in the Southern District of Florida on October 23, 2013.**

**Paul G. Hyman, Chief Judge  
United States Bankruptcy Court**

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., PAL BEACH FINANCE II, L.P.,  Debtors.	Case No.: 09-36379-PGH Case No.: 09-36396-PGH (Jointly Administered)

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**ORDER GRANTING MOTION FOR COURT  
ORDER CLARIFYING THREE PAST FEE ORDERS WITH  
RESPECT TO THE *PRO RATA* ALLOCATION FORMULA**

THIS CAUSE came before the Court, on October 22, 2013 at 9:30 a.m., upon the Liquidating Trustee’s *Ex Parte* Motion for Court Order Clarifying Three Past Fee Orders With Respect to the *Pro Rata* Allocation Formula (the “*Motion*”) [ECF No. 1981]. The Court having considered the Motion, and finding good cause to grant the Motion,

**ORDERS** as follows:

1. The Motion is **GRANTED**.

2. The Order Awarding Seventh Interim Post Confirmation Fees and Expenses to Meland Russin & Budwick, P.A., Counsel for the Liquidating Trustee [ECF No. 1865] is clarified to reflect that, pursuant to Section 1.76 of the Plan, certain fees and costs are subject to the *pro rata* allocation formula. The Fee and Cost Award shall be paid by the particular estate as follows: (a) Palm Beach Finance Partners, L.P. –\$123,073.72 in fees plus \$10,222.85 in costs and (b) Palm Beach Finance II, L.P. –\$495,150.02 in fees and \$46,568.03 in costs.

3. The Order Awarding Fourth Interim Post Confirmation Fee Application of John D. Eaton and Rasco Klock Reininger Perez Esquenazi Vigil & Nieto, as Special Conflicts Litigation Counsel [ECF No. 1867] is clarified to reflect that the Fee and Cost Award shall be paid by the particular estate as follows: (a) Palm Beach Finance Partners, L.P. –\$19,809 in fees plus \$31.09 in costs and (b) Palm Beach Finance II, L.P. \$2,958 in fees and no costs.

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4. The Order Awarding Seventh Interim Post Confirmation Fees and Expenses to Marcum LLP as Accountants for the Liquidating Trustee [ECF No. 1876] is clarified to reflect that, pursuant to Section 1.76 of the Plan, certain fees and costs are subject to the *pro rata* allocation formula. The Fee and Cost Award shall be paid by the particular estate as follows: (a) Palm Beach Finance Partners, L.P. –\$20,956.33 in fees plus \$247.57 in costs and (b) Palm Beach Finance II, L.P. \$84,940.17 in fees and \$1,127.83 in costs.

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**Submitted By:**

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**Copies Furnished To:**

Michael S. Budwick, Esquire, is directed to serve copies of this Order on all parties in interest and to file a Certificate of Service.