

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.

**TENTH INTERIM POST CONFIRMATION  
 FEE APPLICATION OF NATIONAL ECONOMIC RESEARCH  
 ASSOCIATES, INC. AS EXPERTS TO THE LIQUIDATING TRUSTEE**

|  |   |
|--|---|
| 1. Name of Applicant:  | <i>National Economic Research Associates,</i>   |
| 2. Role of Applicant:  | <i>Liquidating Trustee's Expert</i>   |
| 3. Name of Certifying Professional:                              | <i>Sharon Brown-Hruska</i>  |
| 4. Date cases filed:   | <i>November 30, 2009</i>  |
| 5. Date of application for employment:                           | <i>October 2, 2012 [ECF No. 1451]</i>   |
| 6. Date of order approving employment:                           | <i>October 23, 2012 [ECF No. 1494], nunc pro tunc to September 13, 2012<sup>2</sup></i> |
| 7. If debtor's counsel, date of Disclosure of Compensation form: | <i>N/A</i>  |
| 8. Date of this application:                                     | <i>December 28, 2015</i>  |
| 9. Dates of services covered:                                    | <i>July 1, 2015 - October 31, 2015</i>  |

<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>The Order authorizing the employment of National Economic Research Associates, Inc., (“NERA”) and Christopher Laursen was amended by Court Order [ECF No. 2457] to reflect that Sharon Brown-Hruska, has replaced Mr. Laursen as the certifying professional *nunc pro tunc* to June 30, 2014, and that all terms of employment related to NERA remain the same.

| <b>Fees...</b>  |                     |
|---|---------------------|
| 10. Total fee requested for this period (from Exhibit 1):                 | \$ 23,630.00        |
| 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             |
| <b>13. Net amount of fee requested for this period:</b>                   | <b>\$ 23,630.00</b> |
| <b>Expenses...</b>  |                     |
| 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             |
| <b>17. Net amount of expense reimbursements requested for this period</b> | <b>\$ 0.00</b>      |
| 18. Gross award requested for this period (#10 + #14)                     | \$ 23,630.00        |
| <b>19. Net award requested for this period (#13 + #17)</b>                | <b>\$ 23,630.00</b> |

## 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. 1577]</b> |         |  |                    |
| Dates covered by first application:                               |         | September 13, 2012 - November 16, 2012 |                    |
| Amount of fees requested:   |         | \$ 43,260.00                           |                    |
| Amount of expenses requested:                                     |         | \$ 0.00                                |                    |
| Amount of fees awarded:   |         | \$ 43,260.00                           |                    |
| 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 31, 2013 [ECF No. 1698]       |
| Amount of fees actually paid:  | \$ 43,260.00                          |
| 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                               |
| <b>Second interim post confirmation application [ECF No. 1814]</b>                                       |                                       |
| Dates covered by second application:   | November 17, 2012 - February 28, 2013 |
| Amount of fees requested:  | \$ 8,187.50                           |
| Amount of expenses requested:  | \$ 0.00                               |
| Amount of fees awarded:  | \$ 8,187.50                           |
| 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 5, 2013 [ECF No. 1866]           |
| Amount of fees actually paid:  | \$ 8,187.50                           |
| 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                               |

| <b>Third interim post confirmation application [ECF No. 1937]</b>  |                                 |
|--|---------------------------------|
| Dates covered by third application:  | March 1, 2103- June 30, 2013    |
| Amount of fees requested:  | \$ 8,871.25                     |
| Amount of expenses requested:  | \$ 0.00                         |
| Amount of fees awarded:  | \$ 8,871.25                     |
| 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:   | October 7, 2013 [ECF No. 1985]  |
| Amount of fees actually paid:  | \$ 8,871.25                     |
| 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                         |
| <b>Fourth interim post confirmation application [ECF No. 2066]</b>                                       |                                 |
| Dates covered by fourth application:   | July 1, 2013 - October 31, 2013 |
| Amount of fees requested:  | \$ 8,032.00                     |
| Amount of expenses requested:  | \$ 0.00                         |
| Amount of fees awarded:  | \$ 8,032.00                     |
| 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 fourth award:  | January 29, 2014 [ECF No. 2142] |

|  |                                      |
|--|--------------------------------------|
| Amount of fees actually paid:  | \$ 8,032.00                          |
| 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                              |
| <b>Fifth interim post confirmation application [ECF No. 2251]</b>  |                                      |
| Dates covered by fifth application:  | November 1, 2013 - February 28, 2014 |
| Amount of fees requested:  | \$ 119,230.50                        |
| Amount of expenses requested:  | \$ 0.00                              |
| Amount of fees awarded:  | \$ 119,230.50                        |
| 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 fifth award:   | June 4, 2014 [ECF No. 2314]          |
| Amount of fees actually paid:  | \$ 119,230.50                        |
| 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                              |
| <b>Sixth interim post confirmation application [ECF No. 2391]</b>  |                                      |
| Dates covered by sixth application:  | March 1, 2014 - June 30, 2014        |
| Amount of fees requested:  | \$ 41,365.50                         |
| Amount of expenses requested:  | \$ 641.26                            |
| Amount of fees awarded:  | \$ 41,365.50                         |

|  |                                   |
|--|-----------------------------------|
| Amount of expenses awarded:  | \$ 641.26                         |
| 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 sixth award:   | September 24, 2014 [ECF No. 2444] |
| Amount of fees actually paid:  | \$ 41,365.50                      |
| Amount of expense reimbursement actually paid:   | \$ 641.26                         |
| 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>Seventh interim post confirmation application [ECF No. 2502]</b>                                      |                                   |
| Dates covered by seventh application:  | July 1, 2014 - October 31, 2014   |
| Amount of fees requested:  | \$ 42,897.50                      |
| Amount of expenses requested:  | \$ 10.18                          |
| Amount of fees awarded:  | \$ 42,897.50                      |
| Amount of expenses awarded:  | \$ 10.18                          |
| 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 seventh award:   | January 16, 2015 [ECF No. 2537]   |
| Amount of fees actually paid:  | \$ 42,897.50                      |
| Amount of expense reimbursement actually paid:   | \$ 10.18                          |
| 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>Eighth interim post confirmation application [ECF No. 2577]</b>                                       |                                      |
| Dates covered by eighth application:   | November 1, 2014 - February 28, 2015 |
| Amount of fees requested:  | \$ 81,647.50                         |
| Amount of expenses requested:  | \$ 0.00                              |
| Amount of fees awarded:  | \$ 81,647.50                         |
| 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 eighth award:  | May 28, 2015 [ECF No. 2621]          |
| Amount of fees actually paid:  | \$ 81,647.50                         |
| 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                              |
| <b>Ninth interim post confirmation application [ECF No. 2708]</b>  |                                      |
| Dates covered by ninth application:  | March 1, 2015 - June 30, 2015        |
| Amount of fees requested:  | \$ 73,534.50                         |
| Amount of expenses requested:  | \$ 0.00                              |
| Amount of fees awarded:  | \$ 73,534.50                         |
| 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 ninth award:   | October 16, 2015 [ECF No. 2737] |
| Amount of fees actually paid:  | \$ 73,534.50                    |
| 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                         |

| <b>Summary of All Prior Applications and Awards</b>                                       |               |
|---|---------------|
| Total fees requested:   | \$ 427,026.25 |
| Total fees awarded:   | \$ 427,026.25 |
| 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:   | \$ 651.44     |
| Total expenses awarded:   | \$ 651.44     |
| 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 December 12, 2012</b> |                                      |
|---|--------------------------------------|
| Dates covered by invoicing:   | Sept. 13, 2012 through Nov. 16, 2012 |
| Amount of fees and expenses requested:                                    | \$ 43,260.00                         |
| Amount of fees and expenses paid absent objection:                        | \$ 43,260.00                         |



| <b>Monthly <i>POST CONFIRMATION</i> invoicing dated January 23, 2013</b>  |  |
|---|--|
| Dates covered by invoicing:   | December 1, 2012 through December 31, 2012 |
| Amount of fees and expenses requested:                                    | \$ 8,187.50                                |
| Amount of fees and expenses paid absent objection:                        | \$ 8,187.50                                |
| <b>Monthly <i>POST CONFIRMATION</i> invoicing dated April 30, 2013</b>    |  |
| Dates covered by invoicing:   | March 1, 2013 through March 31, 2013       |
| Amount of fees and expenses requested:                                    | \$ 8,871.25                                |
| Amount of fees and expenses paid absent objection:                        | \$ 8,871.25                                |
| <b>Monthly <i>POST CONFIRMATION</i> invoicing dated August 30, 2013</b>   |  |
| Dates covered by invoicing:   | July 1, 2013 through July 31, 2013         |
| Amount of fees and expenses requested:                                    | \$ 1,529.50                                |
| Amount of fees and expenses paid absent objection:                        | \$ 1,529.50                                |
| <b>Monthly <i>POST CONFIRMATION</i> invoicing dated November 22, 2013</b> |  |
| Dates covered by invoicing:   | October 1, 2013 through October 31, 2013   |
| Amount of fees and expenses requested:                                    | \$ 8,032.00                                |
| Amount of fees and expenses paid absent objection:                        | \$ 8,032.00                                |
| <b>Monthly <i>POST CONFIRMATION</i> invoicing dated January 16, 2014</b>  |  |
| Dates covered by invoicing:   | December 1, 2013 through December 31, 2013 |
| Amount of fees and expenses requested:                                    | \$ 20,992.50                               |
| Amount of fees and expenses paid absent objection:                        | \$ 20,992.50                               |
| <b>Monthly <i>POST CONFIRMATION</i> invoicing dated February 18, 2014</b> |  |
| Dates covered by invoicing:   | January 1, 2014 through January 31, 2014   |
| Amount of fees and expenses requested:                                    | \$ 26,337.00                               |
| Amount of fees and expenses paid absent objection:                        | \$ 26,337.00                               |

| <b>Monthly <i>POST CONFIRMATION</i> invoicing dated March 10, 2014</b>  |  |
|---|--|
| Dates covered by invoicing:   | February 1, 2014 through February 28, 2014 |
| Amount of fees and expenses requested:                                  | \$ 71,901.00                               |
| Amount of fees and expenses paid absent objection:                      | \$ 71,901.00                               |
| <b>Monthly <i>POST CONFIRMATION</i> invoicing dated April 10, 2014</b>  |  |
| Dates covered by invoicing:   | March 1, 2014 through March 31, 2014       |
| Amount of fees and expenses requested:                                  | \$ 16,895.61                               |
| Amount of fees and expenses paid absent objection:                      | \$ 16,895.61                               |
| <b>Monthly <i>POST CONFIRMATION</i> invoicing dated May 9, 2014</b>     |  |
| Dates covered by invoicing:   | April 1, 2014 through April 30, 2014       |
| Amount of fees and expenses requested:                                  | \$ 20,577.50                               |
| Amount of fees and expenses paid absent objection:                      | \$ 20,577.50                               |
| <b>Monthly <i>POST CONFIRMATION</i> invoicing dated June 13, 2014</b>   |  |
| Dates covered by invoicing:   | May 1, 2014 through May 31, 2014           |
| Amount of fees and expenses requested:                                  | \$ 3,493.65                                |
| Amount of fees and expenses paid absent objection:                      | \$ 3,493.65                                |
| <b>Monthly <i>POST CONFIRMATION</i> invoicing dated July 29, 2014</b>   |  |
| Dates covered by invoicing:   | June 1, 2014 through June 30, 2014         |
| Amount of fees and expenses requested:                                  | \$ 1,040.00                                |
| Amount of fees and expenses paid absent objection:                      | \$ 1,040.00                                |
| <b>Monthly <i>POST CONFIRMATION</i> invoicing dated August 18, 2014</b> |  |
| Dates covered by invoicing:   | July 1, 2014 through July 31, 2014         |
| Amount of fees and expenses requested:                                  | \$ 13,931.40                               |
| Amount of fees and expenses paid absent objection:                      | \$ 13,931.40                               |
| <b>Monthly <i>POST CONFIRMATION</i> invoicing dated October 6, 2014</b> |  |
| Dates covered by invoicing:   | August 1, 2014 through August 31, 2014     |

|   |  |
|---|--|
| Amount of fees and expenses requested:                                    | \$ 4,817.50                                  |
| Amount of fees and expenses paid absent objection:                        | \$ 4,817.50                                  |
| <b>Monthly <i>POST CONFIRMATION</i> invoicing dated November 3, 2014</b>  |  |
| Dates covered by invoicing:   | September 1, 2014 through September 30, 2014 |
| Amount of fees and expenses requested:                                    | \$ 3,250.00                                  |
| Amount of fees and expenses paid absent objection:                        | \$ 3,250.00                                  |
| <b>Monthly <i>POST CONFIRMATION</i> invoicing dated November 25, 2014</b> |  |
| Dates covered by invoicing:   | October 1, 2014 through October 31, 2014     |
| Amount of fees and expenses requested:                                    | \$ 20,908.78                                 |
| Amount of fees and expenses paid absent objection:                        | \$ 20,908.78                                 |
| <b>Monthly <i>POST CONFIRMATION</i> invoicing dated December 22, 2014</b> |  |
| Dates covered by invoicing:   | November 1, 2014 through November 30, 2014   |
| Amount of fees and expenses requested:                                    | \$ 4,247.50                                  |
| Amount of fees and expenses paid absent objection:                        | \$ 4,247.50                                  |
| <b>Monthly <i>POST CONFIRMATION</i> invoicing dated February 20, 2015</b> |  |
| Dates covered by invoicing:   | January 1, 2015 through January 31, 2015     |
| Amount of fees and expenses requested:                                    | \$ 18,415.00                                 |
| Amount of fees and expenses paid absent objection:                        | \$ 18,415.00                                 |
| <b>Monthly <i>POST CONFIRMATION</i> invoicing dated March 23, 2015</b>    |  |
| Dates covered by invoicing:   | February 1, 2015 through February 28, 2015   |
| Amount of fees and expenses requested:                                    | \$ 58,985.00                                 |
| Amount of fees and expenses paid absent objection:                        | \$ 58,985.00                                 |
| <b>Monthly <i>POST CONFIRMATION</i> invoicing dated April 15, 2015</b>    |  |
| Dates covered by invoicing:   | March 1, 2015 through March 31, 2015         |
| Amount of fees and expenses requested:                                    | \$ 30,795.00                                 |
| Amount of fees and expenses paid absent objection:                        | \$ 30,795.00                                 |

| <b>Monthly <i>POST CONFIRMATION</i> invoicing dated May 19, 2015</b>      |                                      |
|---|--------------------------------------|
| Dates covered by invoicing:   | April 1, 2015 through April 30, 2015 |
| Amount of fees and expenses requested:                                    | \$ 28,732.50                         |
| Amount of fees and expenses paid absent objection:                        | \$ 28,732.50                         |
| <b>Monthly <i>POST CONFIRMATION</i> invoicing dated June 22, 2015</b>     |                                      |
| Dates covered by invoicing:   | May 1, 2015 through May 31, 2015     |
| Amount of fees and expenses requested:                                    | \$ 12,477.50                         |
| Amount of fees and expenses paid absent objection:                        | \$ 12,477.50                         |
| <b>Monthly <i>POST CONFIRMATION</i> invoicing dated August 26, 2015</b>   |                                      |
| Dates covered by invoicing:   | July 1, 2015 through July 31, 2015   |
| Amount of fees and expenses requested:                                    | \$ 10,657.50                         |
| Amount of fees and expenses paid absent objection:                        | \$ 10,657.50                         |
| <b>Monthly <i>POST CONFIRMATION</i> invoicing dated November 25, 2015</b> |                                      |
| Dates covered by invoicing:   | Oct. 1, 2015 through Oct. 31, 2015   |
| Amount of fees and expenses requested:                                    | \$ 12,972.50                         |
| Amount of fees and expenses paid absent objection:                        | \$ 12,972.50                         |

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>3</sup>

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

Debtors.

---

**TENTH INTERIM POST CONFIRMATION FEE APPLICATION FOR  
ALLOWANCE AND PAYMENT OF COMPENSATION TO NATIONAL ECONOMIC  
RESEARCH ASSOCIATES, INC., AS CONSULTANT AND EXPERT  
TO CHAPTER 11 LIQUIDATING TRUSTEE**

National Economic Research Associates, Inc., (“*NERA*”), having been approved by this Court as expert consultants for the Chapter 11 Liquidating Trustee, Barry E. Mukamal (“*Trustee*”), applies for allowance of compensation for professional services rendered by NERA between July 1, 2015 through October 31, 2015, 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].

---

<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.

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

4. 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.

5. 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.

6. On October 23, 2012, this Court entered an Order [ECF No. 1494] granting the Liquidating Trustee's Application to Employ Christopher Laursen, as a consultant and expert for the Liquidating Trustee, *nunc pro tunc* to September 13, 2012.

7. This application is submitted pursuant to 11 U.S.C. § 331 for the allowance and payment to NERA in the amount of \$23,630.00 for fees incurred between July 1, 2015 and October 31, 2015.

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

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

9. NERA rendered varied services on behalf of the Liquidating Trustee for the period of time from July 1, 2015 through October 31, 2015. NERA is requesting \$23,630.00 in professional fees for services rendered. NERA logged a total of 53.2 hours at a blended hourly rate of \$444.17.

10. NERA devoted 53.2 hours, for a total of \$23,630.00, for professional services in connection with the Trustee's actions against M&I Bank (Adv. Case No. 11-3015-PGH) and GECC (Adv. Case No. 12-1979-PGH).

## **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 NERA are attached hereto as Exhibit 3. NERA has devoted 53.2 hours in time in providing services to the Liquidating Trustee between July 1, 2015 and October 31, 2015. 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. NERA recorded the time expended in the rendition of professional services for the Liquidating Trustee by recording a detailed description of such professional services rendered.

## **IV. NOVELTY AND DIFFICULTY OF THE ISSUES AND QUESTIONS PRESENTED**

14. NERA was retained by the Liquidating Trustee to advise the Liquidating Trustee with respect to an objective and independent evaluation of certain lending, financing and regulatory-related items, as well as any other related or similar analyses and tasks that the Liquidating Trustee has requested.



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

15. NERA submits that they have the requisite experience, seniority and skills necessary to effectively and efficiently meet the requirements of the task of these proceedings. NERA believes they have demonstrated the requisite, substantial expertise to skillfully provide his services.

**VI. PRECLUSION FROM OTHER EMPLOYMENT**

16. NERA devoted time as a consultant and expert for the Liquidating Trustee as more fully set forth in Exhibit 3, and has not been forced to decline other matters as a result of accepting this employment.

**VII. CUSTOMARY FEE**

17. NERA's rates for providing services to the Liquidating Trustee are well within the reasonable range for hourly rates charged by professionals of comparable skills.

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

18. NERA has not been required to expend considerable time within short periods.

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

19. NERA has substantial experience in the field of economic consulting. The quality of work performed by NERA in this proceeding attests to their experience, reputation and ability.

20. Sharon Brown-Hruska received a Ph.D. in Economics from Virginia Polytechnic Institute and State University. Ms. Brown is a Vice President in NERA's Global Securities and Finance Practice. A copy of Ms. Brown-Hruska's resume is attached to the Liquidating Trustee's Motion to Amend Order Authorizing the Employment and Retention of Christopher Laursen and National Economic Research Associates, Inc., *Nunc Pro Tunc* to September 13, 2012, as Experts [ECF No. 2421], and is incorporated herein by reference.

**X. THE UNDESIRABILITY OF THE CASE**

21. NERA 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**

22. NERA has not represented the Liquidating Trustee previously in other matters prior to this case.

**XII. APPLICABLE LEGAL STANDARD**

23. NERA represents that the fees applied for are in conformity with the fees allowed in similar proceedings for similar services rendered and results obtained. NERA respectfully requests that the Court take notice of the awards which have been made in similar proceedings.

**XIII. ALLOCATION BETWEEN DEBTORS' ESTATES**

24. 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 NERA 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:

| <b>ESTATE / PERCENTAGE</b>              | <b>FEES</b>        |
|---|--------------------|
| Palm Beach Finance Partners, L.P. (18%) | \$12,960.90        |
| Palm Beach Finance II. L.P. (82%)       | \$4,253.40         |
| <b>TOTAL FEES:</b>                      | <b>\$23,630.00</b> |

**WHEREFORE**, NERA requests that it be allowed the full compensation sought under this application. NERA requests this Court to award a total of \$23,630.00 for fees incurred between July 1, 2015 and October 31, 2015, 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 National Economic Research Associates, Inc., (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.

National Economic Research Associates, Inc.  
1255 23<sup>rd</sup> Street NW  
Washington, DC 20037  
T: 202-466-3510  
Email: [Sharon.brown.hruska@nera.com](mailto:Sharon.brown.hruska@nera.com)



By: \_\_\_\_\_  
Sharon Brown-Hruska

**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](mailto: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.]

| <b>Name</b>         | <b>Title</b> | <b><u>Year Licensed</u></b> | <b><u>Total Hours</u></b> | <b><u>Hourly Rate</u></b> | <b><u>Total Fees</u></b> |
|---------------------|--------------|-----------------------------|---------------------------|---------------------------|--------------------------|
| Sharon Brown-Hruska | Officer      | N/A                         | 17.20                     | \$725.00                  | \$ 12,470.00             |
| Trevor Wagener      | Analyst      | N/A                         | 36.00                     | \$310.00                  | \$ 11,160.00             |
| Blended Hourly Rate |              |                             |                           | \$444.17                  |                          |
| <b>Total Fees</b>   |              |                             | 53.20                     |                           | \$ 23,630.00             |

**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>       |
| Officer                      | Sharon Brown-Hruska | \$ 725.00   | 17.20        | \$ 12,470.00        |
| Analyst                      | Trevor Wagener      | \$ 310.00   | 36.00        | \$ 11,160.00        |
| <b>CATEGORY TOTALS:</b>      |                     |             | <b>53.20</b> | <b>\$ 23,630.00</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) (0 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     | \$ 0.00        |
|  | A. Transportation                              |                |
|  | B. Lodging                                     |                |
|  | C. Meals                                       |                |
| 15.  | Other - Text and Data                          | \$ 0.00        |
| <b>TOTAL "GROSS" AMOUNT OF REQUESTED DISBURSEMENTS</b> |  | <b>\$ 0.00</b> |

**NERA**  
ECONOMIC CONSULTING

National Economic Research Associates, Inc.  
Tel: 202-466-3510 Fax: 202-466-3605  
www.nera.com

**Invoice**

Solomon B. Genet, Esq.  
Meland, Russin & Budwick, P.A.  
3200 Southeast Financial Center  
200 South Biscayne Boulevard  
Miami, Florida 33131  
USA

Date: Aug 26, 2015  
Invoice No: US22006  
Project No: 102596  
Director: Sharon Brown-Hruska

Reference:



|          | <u>Hours</u> | <u>Currency</u> | <u>Amount</u>    |
|----------|--------------|-----------------|------------------|
| OFFICERS | 14.70        |                 | 10,657.50        |
|          | <u>14.70</u> | USD             | <u>10,657.50</u> |
|          | <b>Total</b> | <b>USD</b>      | <b>10,657.50</b> |

**Invoice is due upon receipt.**

**Please remit payment to:**

**If by check:**

**If by electronic means:**

National Economic Research Associates, Inc.  
PO Box 7247-6754  
Philadelphia, Pennsylvania 19170-6754  
USA

Bank: Citibank NA, New York, NY  
ABA/Routing: 021000089  
Account Number: 30758277  
Account Title: National Economic Research Associates, Inc.  
Swift Code: CITIUS33-Citibank NA  
Chips Code: 0008

**Tax ID: 95-2879539**

**EXHIBIT 3**

**SUMMARY OF HOURS AND EXPENSES**  
**Mukamal v GECC**

July 1, 2015 - July 31, 2015

---

**Hours:**

**Officers:**

S. Brown-Hruska 14.70 hrs. @ \$ 725 \_\_\_\_\_ \$ 10,657.50

**Total Professional Fees** \$ 10,657.50

**TOTAL** \$ 10,657.50

**Mukamal v GECC**  
**Description of Work Performed**  
**July 1, 2015 - July 31, 2015**

Sharon Brown-Hruska (Officer)  
USD 725.00

|           |              |                    |
|-----------|--------------|--------------------|
| 7/1/2015  | 1.50         | 1087.50            |
| 7/2/2015  | 3.20         | 2320.00            |
| 7/9/2015  | 2.00         | 1450.00            |
| 7/10/2015 | 1.50         | 1087.50            |
| 7/13/2015 | 1.50         | 1087.50            |
| 7/15/2015 | 1.00         | 725.00             |
| 7/17/2015 | 0.50         | 362.50             |
| 7/22/2015 | 2.00         | 1450.00            |
| 7/24/2015 | 1.50         | 1087.50            |
|           | <u>14.70</u> | <u>\$10,657.50</u> |



**Total: \$10,657.50**

# NERA

ECONOMIC CONSULTING

National Economic Research Associates, Inc.  
 Tel: 202-466-3510 Fax: 202-466-3605  
 www.nera.com

## Invoice

Solomon B. Genet, Esq.  
 Meland, Russin & Budwick, P.A.  
 3200 Southeast Financial Center  
 200 South Biscayne Boulevard  
 Miami, Florida 33131  
 USA

Date: Nov 25, 2015  
 Invoice No: US23345  
 Project No: 102596  
 Director: Sharon Brown-Hruska

Reference: For professional services for the period 10/01/15 - 10/31/15 in connection with Palm Beach bankruptcy case. [REDACTED]

|                   | <u>Hours</u> | <u>Currency</u> | <u>Amount</u>    |
|-------------------|--------------|-----------------|------------------|
| OFFICERS          | 2.50         |                 | 1,812.50         |
| ECONOMIC ANALYSTS | 36.00        |                 | 11,160.00        |
|                   | <u>38.50</u> | USD             | <u>12,972.50</u> |
|                   | <b>Total</b> | <b>USD</b>      | <b>12,972.50</b> |

**Invoice is due upon receipt.**

**Please remit payment to:**

**If by check:**

National Economic Research Associates, Inc.  
 PO Box 7247-6754  
 Philadelphia, Pennsylvania 19170-6754  
 USA

**If by electronic means:**

Bank: Citibank NA, New York, NY  
 ABA/Routing: 021000089  
 Account Number: 30758277  
 Account Title: National Economic Research Associates, Inc.  
 Swift Code: CITIUS33-Citibank NA  
 Chips Code: 0008

**Tax ID: 95-2879539**

**SUMMARY OF HOURS AND EXPENSES**  
**Mukamal v GECC**

October 1, 2015 - October 31, 2015

---

**Hours:**

**Officers:**

|                 |             |        |       |    |          |
|-----------------|-------------|--------|-------|----|----------|
| S. Brown-Hruska | 2.50 hrs. @ | \$ 725 | _____ | \$ | 1,812.50 |
|-----------------|-------------|--------|-------|----|----------|

**Economic Analysts:**

|            |              |        |       |    |           |
|------------|--------------|--------|-------|----|-----------|
| T. Wagener | 36.00 hrs. @ | \$ 310 | _____ | \$ | 11,160.00 |
|------------|--------------|--------|-------|----|-----------|

|                                |  |  |  |           |                  |
|--------------------------------|--|--|--|-----------|------------------|
| <b>Total Professional Fees</b> |  |  |  | <b>\$</b> | <b>12,972.50</b> |
|--------------------------------|--|--|--|-----------|------------------|

|              |  |  |  |           |                  |
|--------------|--|--|--|-----------|------------------|
| <b>TOTAL</b> |  |  |  | <b>\$</b> | <b>12,972.50</b> |
|--------------|--|--|--|-----------|------------------|

**Mukamal v GECC**  
**Description of Work Performed**  
**October 1, 2015 - October 31, 2015**

Sharon Brown-Hruska (Officer)

USD 725.00

|            |      |            |
|------------|------|------------|
| 10/15/2015 | 1.00 | 725.00     |
| 10/23/2015 | 1.50 | 1087.50    |
|            | 2.50 | \$1,812.50 |



Wagener, Trevor (Senior Analyst)

USD 310.00

|            |       |             |
|------------|-------|-------------|
| 10/8/2015  | 7.50  | 2325.00     |
| 10/9/2015  | 8.50  | 2635.00     |
| 10/15/2015 | 3.50  | 1085.00     |
| 10/16/2015 | 4.50  | 1395.00     |
| 10/19/2015 | 5.00  | 1550.00     |
| 10/20/2015 | 5.50  | 1705.00     |
| 10/21/2015 | 1.50  | 465.00      |
|            | 36.00 | \$11,160.00 |



**Total: \$12,972.50**