



ORDERED in the Southern District of Florida on October 10, 2017.

A handwritten signature in black ink, appearing to read "Erik P. Kimball".

Erik P. Kimball, Judge
United States Bankruptcy Court

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-EPK
Case No.: 09-36396-EPK
(Jointly Administered)

Debtors.

**ORDER AWARDING FOURTH INTERIM POST CONFIRMATION FEE
APPLICATION FOR ALLOWANCE AND PAYMENT OF COMPENSATION OF
LYNN E. TURNER AND HEMMING MORSE, LLP, AS EXPERTS
TO CHAPTER 11 LIQUIDATING TRUSTEE**

THIS CAUSE came before the Court on October 4, 2017 at 1:30 p.m., upon the Fourth Interim Post Confirmation Fee Application for Allowance and Payment of Compensation of Lynn E. Turner and Hemming Morse, LLP, as Experts to Chapter 11 Liquidating Trustee [ECF No. 3316] (the "*Application*").

¹ The address and last four digits of the taxpayer identification number for each of the Debtors follows in parenthesis: (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).

The Court, having reviewed the Application, having heard from all parties in interest who had an opportunity to be heard, having taken into consideration 11 U.S.C. § 331 and each of the factors that govern the reasonableness of fees as set forth in *In re First Colonial Corp. of America*, 544 F.2d 1291 (5th Cir. 1977) and *Johnson v. Georgia Highway Express*, 488 F.2d 714 (5th Cir. 1974), having heard the argument of counsel, and based on the record, it is

ORDERED that:

1. The Application is **APPROVED**.

2. Hemming Morse, LLP, (“*Hemming*”) expert consultants to the Liquidating Trustee², is awarded compensation in the amount of **\$64,740.00** (representing 100% of the fees requested) and expenses in the amount of **\$2,598.51** (representing 100% of the costs requested) (“*Fee and Cost Award*”).

3. Pursuant to Section 1.76 of the Plan, and as set forth in the Application, the fees and expenses awarded herein are subject to the *pro rata* allocation formula. The Fee and Cost Award shall be paid by the particular estate as follows:

Estate / Percentage	Fees	Costs
Palm Beach Finance Partners, L.P. (18%)	\$11,653.20	\$467.73
Palm Beach Finance II, L.P. (82%)	\$53,086.80	\$2,130.78
TOTAL FEES:	\$64,740.00	\$2,598.51

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² All capitalized terms not defined herein shall have the meaning ascribed to such term as set forth in the Application.

4. Pursuant to Section 7.1.11 of the Plan, the Court ratifies payments previously made by the Liquidating Trustee to Hemming with respect to the Fee Award.

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Submitted By:

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Copies Furnished To:

Solomon B. Genet, Esquire, is directed to serve copies of this Order on all parties in interest and to file a Certificate of Service.