



ORDERED in the Southern District of Florida on September 23, 2014.


Paul G. Hyman, Jr.
Chief United States Bankruptcy Judge

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.,
PAL BEACH FINANCE II, L.P.¹,

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

Debtors.

**ORDER AWARDING THIRD INTERIM
POST CONFIRMATION FEE APPLICATION OF ELLIOT B. KULA
AND KULA & SAMSON, LLP AS CONSULTANTS TO THE LIQUIDATING TRUSTEE**

THIS CAUSE came before the Court on September 23, 2014, at 9:30 a.m., upon the Third Interim Post Confirmation Fee Application of Elliot B. Kula and Kula & Samson, LLP as Consultants to the Liquidating Trustee [ECF No. 2395] (the "*Application*").

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

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).

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. Kula & Samson, LLP, as Expert Consultants for the Liquidating Trustee², is awarded compensation in the amount of **\$5,750** (representing 100% of the fees requested) (“*Fee Award*”).
3. Pursuant to Section 1.76 of the Plan, and as set forth in the Application, the fees awarded herein are subject to the *pro rata* allocation formula. The Fee Award shall be paid by the particular estate as follows: (a) **\$1,035** in fees from Palm Beach Finance Partners, L.P.; and (b) **\$4,715** in fees from Palm Beach Finance II, L.P.
4. Pursuant to Section 7.1.11 of the Plan, the Court ratifies payments previously made by the Liquidating Trustee to Kula & Samson, LLP, with respect to the Fee Award.

###

Submitted By:

Solomon B. Genet, Esquire
Florida Bar No. 617911
sgenet@melandrussin.com
MELAND RUSSIN & BUDWICK, P.A.
Counsel for Liquidating Trustee
200 S. Biscayne Blvd., Suite 3200
Miami, Florida 33131
T: (305) 358-6363 F: (305) 358-1221

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.

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