



ORDERED in the Southern District of Florida on January 30, 2013.

A handwritten signature in cursive script that reads "Paul G. Hyman".

**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

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 JOHN D. EATON AND RASCO KLOCK REININGER PEREZ
ESQUENAZI VIGIL & NIETO AS SPECIAL CONFLICTS LITIGATION COUNSEL**

THIS CAUSE came before the Court on January 29, 2013 at 9:30 a.m., upon the Third Interim Post Confirmation Fee Application of John D. Eaton and Rasco Klock Reininger Perez Esquenazi Vigil & Nieto, as Special Conflicts Litigation Counsel for the Chapter 11 Liquidating Trustee [ECF No. 1576] (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. John D. Eaton and Rasco Klock Reininger Perez Esquenazi Vigil & Nieto, as Special Conflicts Litigation Counsel for the Chapter 11 Liquidating Trustee, is awarded and allowed one hundred percent (100%) of Twenty Five Thousand Six Hundred Three Dollars and No Cents (\$25,603.00) for attorneys' fees, plus one hundred percent (100%) of Ninety Eight Dollars and No Cents (\$98.00) for costs, for a total award of Twenty Five Thousand Seven Hundred One Dollars and No Cents (\$25,701.00) ("*Fee and Cost Award*").
3. Pursuant to Section 1.76 of the Plan², and as set forth in the Application, the costs and fees that are subject to the *pro rata* allocation formula are approved.

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

4. Pursuant to Section 7.1.11 of the Plan, the Court ratifies payments previously made by the Liquidating Trustee to Rasco Klock Reininger Perez Esquenazi Vigil & Nieto with respect to the Fee and Cost Award.

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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.