



ORDERED in the Southern District of Florida on January 28, 2014.

A handwritten signature in black ink that reads "Paul 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 FIRST 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 January 28, 2014, at 9:30 a.m., upon the First Interim Post Confirmation Fee Application of Elliot B. Kula and Kula & Samson, LLP as Consultants to the Liquidating Trustee [ECF No. 2069] (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 **\$2,050** (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) **\$369** in fees from Palm Beach Finance Partners, L.P.; and (b) **\$1,681** 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.

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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.

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