

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

IN RE:

**PICCADILLY RESTAURANTS, LLC,
ET AL.,**

DEBTORS.

* **CASE NO. 12-51127**
*
* **(JOINT ADMINISTRATION)¹**
*
* **CHAPTER 11**
*
* **JUDGE ROBERT SUMMERHAYS**

**FIRST AND FINAL APPLICATION
OF THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS
FOR REIMBURSEMENT OF EXPENSES INCURRED BY COMMITTEE MEMBERS**

Greenberg Traurig, LLP, counsel to the Official Committee of Unsecured Creditors (the “Committee”) submits this first and final application (the “Application”) for reimbursement of expenses incurred by certain Committee members (the “Committee Members”) from November 1, 2012 through April 17, 2014 (the “Application Period”), in connection with the Debtors’ chapter 11 cases, and respectfully represents as follows:

PROCEDURAL HISTORY AND PREDICATES FOR RELIEF

1. On September 11, 2012 (the “Petition Date”), the Debtors filed voluntary petitions for relief under Chapter 11 of Title 11 of the United States Code (the “Bankruptcy Code”).

2. On September 14, 2012, the Court entered an order jointly administering the Debtors’ bankruptcy cases [Dkt. No. 43]. The Debtors continued in possession of their property and operated their businesses as debtors-in-possession pursuant to 11 U.S.C. §§ 1107 and 1108 and no trustee or examiner was appointed in these cases. On October 23, 2012, the Committee was appointed by the United States Trustee.

¹ Jointly administered with *In re Piccadilly Food Service, LLC*, 12-51128 (Bankr. W.D. La. 2012), and *In re Piccadilly Investments, LLC*, 12-51129 (Bankr. W.D. La. 2012).

3. The predicates for the relief requested are (a) 11 U.S.C. §§ 330 and 331; (b) Federal Rule of Bankruptcy Procedure 2016(a); (c) LBR 2016-1; (d) the *Order Granting Motion for an Administrative Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals and Committee Members* (Dkt. No. 231, the “Administrative Compensation Order”); and (e) the applicable provisions of the Guidelines for Reviewing Applications for Compensation and Reimbursement of Expenses Filed under 11 U.S.C. § 330 adopted by the Office of the U.S. Trustee (the “U.S. Trustee”).

PREVIOUS APPLICATIONS FOR REIMBURSEMENT

4. This is the first and final Application for reimbursement of expenses filed on behalf of the Committee Members. The Committee requests reimbursement of Committee Members’ expenses in the aggregate amount of \$4,125.08 (the “Expenses”). Such expenses relate to: (i) certain Committee Members’ attendance at the formation meeting held in New Orleans, Louisiana, on November 1 and 2, 2012, and (ii) attendance at several meetings among the Debtors, the Committee and representatives of certain other parties in interest held in New Orleans, Louisiana, on January 21, 2013, April 17, 2013 and June 25, 2013, to address issues related to the Debtors’ on-going operations and reorganization strategy.

5. In conjunction with attendance at the formation meeting, Ray “Jim” Blanchard, representing Calcasieu Mechanical Contractors, incurred expenses in the total amount of \$88.36 and John New, Jr., representing New & Associates, incurred expenses in the total amount of \$30.00.

6. In conjunction with attendance at the plan meetings, John New, Jr. incurred expenses in the total amount of \$14.00, William Kaye, representing Coca-Cola, Co., incurred

expenses in the total amount of \$3,754.48 and Jay Geiger, representing Peter A. Mayer Advertising, Inc., incurred expenses in the total amount of \$138.32.

7. A summary chart of the expenses incurred by the Committee Members is annexed hereto as **Exhibit A**. While the Committee was very active in this case and generally met on a weekly basis, these meetings were held by teleconference, which greatly reduced the amount of expenses which would normally be requested in a case of this size and complexity.

8. The Expenses were incurred by the Committee Members in connection with their duties as members of the Committee and are not fees and/or expenses of the Committee Members' professionals.

9. The Expenses incurred by Committee Members were necessary to permit the effective performance of the Committee Members' duties under section 1103 of the Bankruptcy Code and are reimbursable from the Debtors' estates. 11 U.S.C. § 503(b)(3)(F); *see In re Haven Eldercare, LLC*, 382 B.R. 180, 183 (Bankr. D. Conn. 2008) ("The actual and necessary expenses of the lay members of the official unsecured creditors' committee . . . are entitled to treatment as administrative priority claims under Section 503(b)(3)(F)."); *see also In re First Merchants Acceptance Corp.*, 198 F.3d 394, 397 (3d Cir. 1999).

10. None of the Expenses are duplicative of any expenses requested or awarded in any prior application for reimbursement of expenses.

11. Accordingly, the Committee submits that the Committee Members' Expenses should be awarded as administrative expenses of the Debtors' estates and in accordance with the provisions of the Administrative Compensation Order.

CONCLUSION

WHEREFORE, the Committee requests the Court approve all Expenses incurred by the Committee Members on a final basis and order that such Expenses be allowed as an administrative claim of the Debtors' estates.

Dated: May 30, 2014

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