

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

D.N.J. LBR 2016-1, FEE APPLICATION COVER SHEET

Debtor: Duro Dyne National Corp., et al.¹ Applicant: Gilbert LLP
Case No.: 18-27963-MBK Clients: Official Committee of Asbestos Claimants
Chapter: 11 Case Filed: September 7, 2018

COMPLETION AND SIGNING OF THIS FORM CONSTITUTES A CERTIFICATION
UNDER PENALTY OF PERJURY, PURSUANT TO 28 U.S.C. SECTION 1746

RETENTION ORDER ATTACHED AS EXHIBIT C

**TWENTY-THIRD MONTHLY FEE STATEMENT² OF GILBERT LLP, INSURANCE
COUNSEL FOR THE OFFICIAL COMMITTEE OF ASBESTOS CLAIMANTS,
FOR THE PERIOD NOVEMBER 1, 2020 THROUGH NOVEMBER 30, 2020**

**SECTION 1
FEE SUMMARY**

	FEES	EXPENSES
TOTAL PREVIOUSLY REQUESTED	\$387,259.75	\$11,713.42
TOTAL ALLOWED TO DATE	\$367,885.25	\$11,644.62
TOTAL RETAINER APPLIED (IF APPLICABLE)	\$ (3,699.05) ³	\$ 0.00
TOTAL AMOUNT OWING @ 80% + EXPENSES	\$ 1,355.20	\$ 7.20
TOTAL AMOUNT OWING @ 20% (HOLDBACK)	<u>\$ 404.60</u>	<u>\$ 0.00</u>
TOTAL RECEIVED BY GILBERT LLP	\$381,800.90 ⁴	\$11,706.22
FEE TOTAL – PAGE 2	\$ 5,435.00	
DISBURSEMENT TOTAL – PAGE 2	<u>\$ 0.00</u>	
TOTAL FIFTEENTH MONTHLY FEE STATEMENT	\$ 5,435.00	
MINUS 20% HOLDBACK	<u>\$ (1,087.00)</u>	
AMOUNT SOUGHT AT THIS TIME	\$ 4,348.00	

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's tax identification number, are Duro Dyne National Corp. (4664), Duro Dyne Machinery Corp. (9699), Duro Dyne Corporation (3616), Duro Dyne West Corp. (5943), and Duro Dyne Midwest Corp. (4662).

² Gilbert LLP's first monthly fee statement was also filed as an interim fee application under the title *First Interim Fee Application of Gilbert LLP for Allowance of Fees and Reimbursement of Expenses* (the "First Application") on December 14, 2018 [Docket No 339].

³ Gilbert LLP held a retainer from pre-petition services in the amount of \$3,699.05 (the "Retainer"), which was applied to the First Application and reflected above.

⁴ The Total Received by Gilbert LLP is the amount that was owed after the Retainer was applied and was paid by the Debtors. It also includes all amounts paid to date, including fees and expenses requested in monthly fee statements (80%/100%), which have not been included in an interim application.

NAME OF PROFESSIONAL & TITLE	YEAR ADMITED	RATE⁵	HOURS	FEES
Kami E. Quinn – Partner	Virginia – 2000 District of Columbia – 2006	\$775.00	0.1	\$77.50
Emily Grim – Associate	Pennsylvania – 2010 Illinois – 2010 District of Columbia – 2012	\$590.00	1.5	\$885.00
Kyle Dechant – Associate	Maryland – 2018	\$355.00	11.1	\$3,940.50
Mary Carter Hudgins – Billing Specialist	N/A	\$190.00	2.8	\$532.00
	Total		15.5	\$5,435.00
	Attorney Blended Rate	\$386.06		

SECTION II
SUMMARY OF SERVICES

SERVICES RENDERED	HOURS	FEES
Retention / Fee Application	2.8	\$532.00
Disclosure Statement/Plan of Reorganization	12.7	\$4,903.00
Total	15.5	\$5,435.00

SECTION III
SUMMARY OF DISBURSEMENTS

EXPENSE	AMOUNT
N/A	\$0.00
Total	\$0.00

⁵ As of August 1, 2019, Gilbert increased its hourly rates. Notice of this increase was sent to the Co-Chairs of the Committee.

SECTION IV
CASE HISTORY

(NOTE: Items 3–6 are not applicable to applications under 11 U.S.C. § 506)

- (1) DATE CASE FILED: September 7, 2018
- (2) CHAPTER UNDER WHICH CASE WAS COMMENCED: 11
- (3) DATE OF RETENTION: November 20, 2018, effective as of September 26, 2018 [Docket No. 290]. See Order attached as Exhibit C
- (4) SUMMARIZE IN BRIEF THE BENEFITS TO THE ESTATE AND ATTACH SUPPLEMENTS AS NEEDED:
 - a. Gilbert LLP drafted the seventh interim statement and related documents; and
 - b. Gilbert LLP researched and communicated regarding finalization of the plan confirmation, and drafted notice letters for settling insurers.
- (5) ANTICIPATED DISTRIBUTION TO CREDITORS:
 - (A) ADMINISTRATION EXPENSES: Unknown at this time
 - (B) SECURED CREDITORS: Unknown at this time
 - (C) PRIORITY CREDITORS: Unknown at this time
 - (D) GENERAL UNSECURED CREDITORS: Unknown at this time
- (6) FINAL DISPOSITION OF CASE AND PERCENTAGE OF DIVIDEND PAID TO CREDITORS (IF APPLICABLE): Unknown at this time

I certify under penalty of perjury that the above is true.

Date: December 18, 2020

/s/ Kami E. Quinn
Kami E. Quinn

EXHIBIT A



700 Pennsylvania Avenue, SE
Suite 400
Washington, DC 20003
O 202.772.2200
F 202.772.3333
GilbertLegal.com

ACC for Duro Dyne Corporation
c/o Jeffrey A. Liesemer
Caplin & Drysdale, Chartered
One Thomas Circle NW, Suite 1100
Washington, DC 20005

December 18, 2020
Invoice Number: 11321648
Client Number: 1558

FOR PROFESSIONAL SERVICES RENDERED through November 30, 2020

Re: ACC for Duro Dyne Corporation

Matter Description	Fees	Costs	Total
Retention / Fee Application	532.00	.00	532.00
Disclosure Statement / Plan of	4,903.00	.00	4,903.00
Total	5,435.00	.00	5,435.00

TOTAL FEES	\$ 5,435.00
TOTAL EXPENSES	<u>\$.00</u>
TOTAL FEES AND EXPENSES	\$ 5,435.00



FOR PROFESSIONAL SERVICES RENDERED through November 30, 2020

Retention / Fee Application

Date	Name	Services	Hours	Amount
11/04/20	Hudgins, M.C.	Draft seventh interim fee application/cover sheet.	1.20	228.00
11/18/20	Hudgins, M.C.	Revise seventh interim fee application and cover sheet.	1.60	304.00
TOTAL CHARGEABLE HOURS			2.80	
TOTAL FEES				\$ 532.00

TIMEKEEPER SUMMARY

Timekeeper	Hours	Rate	Total
Hudgins, M.C.	2.80	190.00	532.00
TOTALS	2.80		\$ 532.00
TOTAL FEES AND EXPENSES FOR MATTER			\$ 532.00

Invoice Number: 11321648
 December 18, 2020

FOR PROFESSIONAL SERVICES RENDERED through November 30, 2020

Disclosure Statement / Plan of Reorganization

Date	Name	Services	Hours	Amount
11/18/20	Quinn, K.	Communicate with K. Dechant re effective date.	.10	77.50
11/18/20	Grim, E.	Confer with K. Dechant re notice letters to insurers re settlement payment obligations.	.20	118.00
11/18/20	Dechant, K.	Confer with E. Grim re letters to insurers on settlement agreement payments / plan effective date.	.20	71.00
11/18/20	Dechant, K.	Communicate with K. Quinn and E. Grim re letters to insurers on settlement agreement payments / plan effective date.	.20	71.00
11/18/20	Dechant, K.	Review settlement agreements with insurers in preparation for drafting letters to insurers on settlement agreement payments / plan effective date.	2.60	923.00
11/18/20	Dechant, K.	Draft letters to insurers on settlement agreement payments / plan effective date.	.60	213.00
11/18/20	Dechant, K.	Review plan and supplements to determine milestone dates for payment on settlement agreements.	1.00	355.00
11/19/20	Dechant, K.	Research proceure issues relating to confirmation order and insurer settlement obligations.	2.30	816.50
11/22/20	Grim, E.	Communicate with K. Dechant re insurer notice letter.	.20	118.00
11/23/20	Dechant, K.	Communicate with K. Quinn re letters to insurers on settlement agreement payments and other plan effective date obligations.	.10	35.50
11/24/20	Grim, E.	Review plan documents and settlement agreements for purposes of revising insurer notice letters.	.20	118.00
11/24/20	Grim, E.	Confer with K. Dechant re conditions precedent for insurer settlement payment.	.30	177.00
11/24/20	Dechant, K.	Revise and finalize letters to insurers on settlement agreement payments / plan effective date.	2.40	852.00
11/24/20	Dechant, K.	Communciate with K. Quinn and E. Grim re draft of letter to insurers re settlement agreement payments / plan effective date.	.20	71.00
11/25/20	Grim, E.	Continue to revise insurer notice letters.	.30	177.00
11/25/20	Dechant, K.	Communicate with E. Grim re dismissal of underlying coverage action obligations related to plan closing / effective date.	.80	284.00

Invoice Number: 11321648
December 18, 2020

Date	Name	Services	Hours	Amount
11/30/20	Grim, E.	Revise insurer notice letters, including review of relevant settlement provisions.	.30	177.00
11/30/20	Dechant, K.	Communicate with E. Grim re chart of settlement payment and coverage action dismissal dates.	.20	71.00
11/30/20	Dechant, K.	Review insurer settlement agreements for coverage action dismissal obligations; begin drafting chart of settlement payment and coverage action dismissal dates.	.50	177.50
TOTAL CHARGEABLE HOURS			12.70	
TOTAL FEES				\$ 4,903.00

TIMEKEEPER SUMMARY

Timekeeper	Hours	Rate	Total
Quinn, K.	.10	775.00	77.50
Grim, E.	1.50	590.00	885.00
Dechant, K.	11.10	355.00	3,940.50
TOTALS	12.70		\$ 4,903.00
TOTAL FEES AND EXPENSES FOR MATTER			\$ 4,903.00
TOTAL FEES AND EXPENSES			\$ 5,435.00

EXHIBIT B

EXPENSES
November 1, 2020 - November 30, 2020

Date	Description	Amount
N/A		\$0.00
		\$0.00

EXHIBIT C



Order Filed on November 20, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY Caption in Compliance with D.N.J. LBR 9004-1	
THE LAW OFFICE OF JOHN A. FIALCOWITZ John A. Fialcowitz, Esq. 89 Headquarters Plaza North, Suite 1216 Morristown, NJ 07960 (973) 532-7208 (Telephone) (973) 993-1857 (Fax)	
<i>Proposed Local Counsel for the Official Committee of Asbestos Claimants</i>	
In re: Duro Dyne National Corp., <i>et al.</i> ¹ <p style="text-align: center;">Debtors.</p>	Chapter 11 Case No. 18-27963 (MBK) (Jointly Administered)

ORDER AUTHORIZING THE EMPLOYMENT AND RETENTION OF GILBERT LLP AS SPECIAL INSURANCE COUNSEL TO THE OFFICIAL COMMITTEE OF ASBESTOS CLAIMANTS, NUNC PRO TUNC AS OF SEPTEMBER 26, 2018

The relief set forth on the following pages, numbers two (2) through (3), is hereby ORDERED.

DATED: November 20, 2018

Honorable Michael B. Kaplan
United States Bankruptcy Judge

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtors' tax identification number, are: Duro Dyne National Corp. (4664); Duro Dyne Machinery Corp. (9699); Duro Dyne Corporation (3616); Duro Dyne West Corp. (5943); and Duro Dyne Midwest Corp. (4662).

Page: 2

Debtors: Duro Dyne National Corp., et al.

Case No: 18-27963 (MBK)

Caption: Order Authorizing the Employment and Retention of Gilbert LLP as Special Insurance Counsel to the Official Committee of Asbestos Claimants, *Nunc Pro Tunc* as of September 26, 2018

Upon consideration of the application (the “Application”) of the Official Committee of Asbestos Claimants (the “Committee”) for entry of an order authorizing the employment and retention of Gilbert LLP (“Gilbert”) as Special Insurance Counsel to the Committee, *nunc pro tunc* as of September 26, 2018, and upon consideration of the Quinn Declaration in support of the Application; and the Court being satisfied, based on representations made in the Application that (i) Gilbert has no connection with the Debtors, their creditors, any party in interest, their current respective attorneys or professionals, the United States Trustee or any person employed in the office of the United States Trustee, and does not represent any entity having an adverse interest to the Debtors in connection with the Debtors’ chapter 11 cases, except as set forth in the Quinn Declaration; (ii) Gilbert is a “disinterested person” as that phrase is defined in § 101(14) of the Bankruptcy Code; (iii) neither Gilbert, nor its professionals, have any connection with the Debtors, their creditors or any other party in interest; (iv) Gilbert’s employment is necessary and in the best of the Committee; and (v) the Court having jurisdiction over this matters pursuant to 28 U.S.C. §§ 157 and 1334 and the *Standing Order of Reference to the Bankruptcy Court Under Title 11* of the United States District Court for the District of New Jersey dated September 18, 2012 (Simandle, C.J.); and venue being proper in this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and this matter being a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and notice of the Application being sufficient under the circumstances; and it appearing that no other or further notice need be provided; and after due deliberations and sufficient cause appearing therefore:

Page: 3

Debtors: Duro Dyne National Corp., et al.

Case No: 18-27963 (MBK)

Caption: Order Authorizing the Employment and Retention of Gilbert LLP as Special Insurance Counsel to the Official Committee of Asbestos Claimants, *Nunc Pro Tunc* as of September 26, 2018

IT IS HEREBY ORDER THAT:

1. The Application is **GRANTED** as set forth herein.
2. The Committee is authorized to employ and to retain Gilbert LLP to serve as insurance counsel to the Committee in these chapter 11 cases, *nunc pro tunc* as of September 26, 2018.
3. Gilbert LLP shall be compensated in accordance with §§ 330 and 331 of the Bankruptcy Code, the applicable provisions of the Bankruptcy Rules, the Local Rules, and any orders entered in this case governing professional compensation and reimbursement for services rendered and charges and disbursement incurred.
4. The requirement set forth in Local Rule 9013-1(a)(3) that any motion or other request for relief be accompanied by a memorandum of law is hereby deemed satisfied by the contents of the Application or otherwise waived.
5. The Committee is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order.
6. This Court shall retain exclusive jurisdiction to hear and decide any and all disputes related to or arising from the implementation, interpretation and enforcement of this Order.