

LOWENSTEIN SANDLER LLP

Kenneth A. Rosen, Esq.

Jeffrey D. Prol, Esq.

One Lowenstein Drive

Roseland, New Jersey 07068

(973) 597-2500 (Telephone)

(973) 597-2400 (Facsimile)

E-mail: krosen@lowenstein.com

E-mail: jprol@lowenstein.com

*Counsel to the Debtors and
Debtors-in-Possession*

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:

Duro Dyne National Corp., *et al.*,¹

Debtors.

Chapter 11

Case No. 18-27963 (MBK)

(Jointly Administered)

**TWENTY-FOURTH MONTHLY FEE STATEMENT OF LOWENSTEIN SANDLER
LLP FOR THE PERIOD OCTOBER 1, 2020 THROUGH OCTOBER 30, 2020**

Lowenstein Sandler LLP, counsel to the above-captioned debtors and debtors-in-possession (collectively, the “**Debtors**”), submits this Twenty-Fourth monthly fee statement² for the period October 1, 2020 through October 30, 2020 (the “**Twenty-Fourth Fee Statement**”) pursuant to the Court’s *Administrative Fee Order Establishing Certain Procedures for Allowance of Interim Compensation and Reimbursement of Expenses of Professionals Retained By Order of this Court*, dated December 18, 2018 [Docket No. 345] (the “**Administrative Order**”).

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 Lowenstein Sandler filed its *First Interim Application of Lowenstein Sandler LLP As Counsel To The Debtors For Compensation For Services Rendered And Reimbursement Of Expenses For The Period From September 7, 2018 Through November 30, 2018* [D.I. 353] in lieu of its first monthly fee statement.

Pursuant to the Administrative Order, responses to the Twenty-Fourth Fee Statement, if any, are due by January 29, 2021.

Dated: January 19, 2021

Respectfully submitted,

LOWENSTEIN SANDLER LLP

/s/ Jeffrey D. Prol

Kenneth A. Rosen, Esq.

Jeffrey D. Prol, Esq.

One Lowenstein Drive

Roseland, New Jersey 07068

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(973) 597-2400 (Facsimile)

E-mail: krosen@lowenstein.com

E-mail: jprol@lowenstein.com

Counsel to the Debtors and Debtors-in-Possession

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

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

IN RE: Duro Dyne National Corp., et al.,¹ APPLICANT: Lowenstein Sandler LLP
CASE NO.: 18-27963 (MBK) CLIENT: Chapter 11 Debtors
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(S) ATTACHED

**TWENTY-FOURTH MONTHLY FEE STATEMENT OF LOWENSTEIN SANDLER
LLP
FOR THE PERIOD OCTOBER 1, 2020 THROUGH OCTOBER 30, 2020**

**SECTION I
FEE SUMMARY**

	<u>FEES</u>	<u>EXPENSES</u>
TOTAL PREVIOUS FEES REQUESTED	<u>\$1,520,939.00</u>	<u>\$46,752.51</u>
TOTAL FEES ALLOWED TO DATE:	<u>\$1,443,771.00</u>	<u>\$46,406.31</u>
TOTAL RETAINER REMAINING	<u>\$0.00</u>	<u>\$0.00</u>
TOTAL PREVIOUS HOLDBACK (IF APPLICABLE) ²	<u>\$15,433.60</u>	<u>\$0.00</u>
TOTAL RECEIVED BY LOWENSTEIN SANDLER ³	<u>\$1,443,842.70</u>	<u>\$46,406.31</u>
FEE TOTALS	<u>\$19,293.50</u>	
DISBURSEMENTS TOTALS	<u>+\$68.20</u>	
TOTAL FEE APPLICATION	<u>\$19,361.70</u>	
MINUS 20% HOLDBACK	<u>-\$3,858.70</u>	
AMOUNT SOUGHT AT THIS TIME	<u>\$15,503.00</u>	

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 This amount reflects holdback amounts for the current interim period only, and does not include outstanding amounts owed for the prior interim periods.

³ Prior to the Petition Date, Lowenstein Sandler was retained to represent the Debtors in these Chapter 11 Cases. Lowenstein Sandler was paid for all amounts owed for legal services rendered prior to the Petition Date and was holding a retainer in the amount of \$117,300.04 (the "Retainer") for services and expenses incurred during these Chapter 11 Cases. The total amount received by Lowenstein Sandler reflects the application of the Retainer to amounts requested in Lowenstein Sandler's First Interim Fee Application [D.I. 353].

Name of Professional	Year Admitted	Title/Department	Hours Spent	Hourly Rate	Charge
Prol, Jeffrey D.	1989	Partner/Bankruptcy	6.40	\$895.00	\$5,728.00
Wovsaniker, Alan	1977	Partner/Corporate / Tax	1.60	\$905.00	\$1,448.00
Kramer, Jeffrey A.	1995	Counsel/Bankruptcy	10.90	\$470.00	\$5,123.00
Yusem, Stuart S.	1982	Counsel/Corporate / Tax	5.60	\$755.00	\$4,228.00
Perez, Patricia K.	2010	Associate/Corporate / Tax	2.70	\$585.00	\$1,579.50
Claussen, Diane	N/A	Paralegal/Bankruptcy	0.60	\$270.00	\$162.00
Lawler, Elizabeth B.	N/A	Paralegal/Bankruptcy	4.10	\$250.00	\$1,025.00
TOTAL FEES			31.90		\$19,293.50
Attorney Blended Rate					\$665.68

SECTION II SUMMARY OF SERVICES

Task	Task Description	Hours	Fees
B110	Case Administration	0.30	\$121.00
B160	Fee/Employment Applications	0.40	\$251.00
B165	Employment and Retention Applications - Others	0.20	\$54.00
B175	Fee Applications and Invoices - Others	2.50	\$691.00
B185	Assumption/Rejection of Leases and Contracts	2.50	\$1,175.00
B310	Claims Administration and Objections	0.40	\$188.00
B320	Plan and Disclosure Statement (including Business Plan)	23.60	\$15,873.50
B430	Adversary Proceedings and Bankruptcy Court Litigation	2.00	\$940.00
	Total	31.90	\$19,293.50

SECTION III SUMMARY OF DISBURSEMENTS

Computerized legal research	\$68.20
Total Disbursements	\$68.20

**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: October 19, 2018, effective as of September 7, 2018 [Docket No. 194]. See Order attached.
- (4) SUMMARIZE IN BRIEF THE BENEFITS TO THE ESTATE AND ATTACH SUPPLEMENTS AS NEEDED:
 - a) Lowenstein Sandler reviewed and analyzed the District Court decision confirming the plan;
 - b) Lowenstein Sandler attended to closing issues, including reviewing and commenting on Bank of America's closing checklist and reviewing closing documents;
 - c) Lowenstein Sandler reviewed the Debtors' monthly operating report;
 - d) Lowenstein Sandler attended to asbestos claims reconciliation and resolution;
 - e) Lowenstein Sandler conducted legal research regarding contract rejection damages and communicated with the Debtors regarding same;
 - f) Lowenstein Sandler assisted with the preparation and filing of monthly fee statements for the Debtors' other professionals, and reviewed fee statements filed by other professionals; and
 - g) Lowenstein Sandler performed all other legal services for the Debtors that were necessary and proper in these proceedings and in furtherance of the Debtors' needs.
- (5) ANTICIPATED DISTRIBUTION TO CREDITORS:

(A) ADMINISTRATION EXPENSES:	(100%)
(B) SECURED CREDITORS:	(100%)
(C) PRIORITY CREDITORS:	(100%)
(D) GENERAL UNSECURED CREDITORS:	(100%)
- (6) FINAL DISPOSITION OF CASE AND PERCENTAGE OF DIVIDEND PAID TO CREDITORS (IF APPLICABLE): The Bankruptcy Court's recommendation in favor of confirmation of the Debtor's Plan of Reorganization is pending before the District Court. I certify under penalty of perjury that the foregoing is true and correct.

Dated: January 19, 2021

/s/ Jeffrey D. Prol
Jeffrey D. Prol Esq.



Order Filed on October 19, 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

LOWENSTEIN SANDLER LLP

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*Proposed Counsel to the Debtors and
Debtors-in-Possession*

In re:

Duro Dyne National Corp., *et al.*¹

Debtors.

Chapter 11

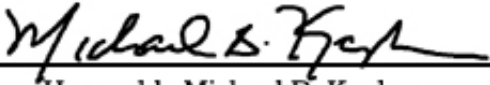
Case No. 18-27963 (MBK)

(Jointly Administered)

**ORDER AUTHORIZING THE EMPLOYMENT AND RETENTION OF
LOWENSTEIN SANDLER LLP AS COUNSEL TO THE DEBTORS
EFFECTIVE AS OF THE PETITION DATE**

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

DATED: October 19, 2018


Honorable Michael B. Kaplan
United States Bankruptcy Judge

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Debtors: Duro Dyne National Corp., *et al.*

Case No.: 18-27963 (MBK)

Caption: Order Authorizing the Employment and Retention of Lowenstein Sandler LLP as Counsel to the Debtors Effective as of the Petition Date

Upon consideration of the application (the “Application”)² of the above captioned debtors and debtors-in-possession (collectively, the “Debtors”) for entry of an order authorizing the employment and retention of Lowenstein Sandler LLP (“Lowenstein Sandler”) as counsel to the Debtors, effective as of the Petition Date (September 7, 2018), and upon consideration of the Prol Declaration submitted in support of the Application; and the Court being satisfied, based on representations made in the Application that (i) Lowenstein Sandler has no connection with the Debtors, their creditors, any other 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 Prol Declaration; (ii) Lowenstein Sandler is a “disinterested person” as that phrase is defined in section 101(14) of the Bankruptcy Code, (iii) neither Lowenstein Sandler, nor its professionals, have any connection with the Debtors, their creditors or any other party in interest; and (iv) Lowenstein Sandler’s employment is necessary and in the best interest of the Debtors; and the Court having jurisdiction over this matter 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 deliberation and sufficient cause appearing therefor;

IT IS HEREBY ORDERED THAT:

1. The Application is **GRANTED** as set forth herein.

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Application.

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Debtors: Duro Dyne National Corp., *et al.*

Case No.: 18-27963 (MBK)

Caption: Order Authorizing the Employment and Retention of Lowenstein Sandler LLP as Counsel to the Debtors Effective as of the Petition Date

2. The Debtors are authorized to employ and to retain Lowenstein Sandler, effective as of the Petition Date, to serve as the Debtors' counsel in these Chapter 11 Cases.

3. Lowenstein Sandler shall be compensated in accordance with sections 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 disbursements 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 Debtors are 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.

EXHIBIT A

EXHIBIT A

Professional Services rendered by Lowenstein Sandler LLP, through October 31, 2020

In re: Chapter 11

I. SUMMARY OF TIME CHARGES AND HOURLY RATES

Name of Professional	Year Admitted	Title/Department	Hours Spent	Hourly Rate	Charge
Prol, Jeffrey D.	1989	Partner/Bankruptcy	6.40	\$895.00	\$5,728.00
Wovsaniker, Alan	1977	Partner/Corporate / Tax	1.60	\$905.00	\$1,448.00
Kramer, Jeffrey A.	1995	Counsel/Bankruptcy	10.90	\$470.00	\$5,123.00
Yusem, Stuart S.	1982	Counsel/Corporate / Tax	5.60	\$755.00	\$4,228.00
Perez, Patricia K.	2010	Associate/Corporate / Tax	2.70	\$585.00	\$1,579.50
Claussen, Diane	N/A	Paralegal/Bankruptcy	0.60	\$270.00	\$162.00
Lawler, Elizabeth B.	N/A	Paralegal/Bankruptcy	4.10	\$250.00	\$1,025.00
TOTAL FEES			31.90		\$19,293.50
Attorney Blended Rate					\$665.68

TIME DETAIL:

Code	Date	Timekeeper	Time Narrative	Hours	Amount
<u>B100 - Administration</u>					
<u>B110 Case Administration</u>					
B110	10/26/20	DC	Tend to filing Monthly Operating Report for September 2020	0.10	\$27.00
B110	10/26/20	JAK	Review monthly operating report and confer with LS team	0.20	\$94.00
Total B110 - Case Administration				0.30	\$121.00
<u>B160 Fee/Employment Applications</u>					
B160	10/06/20	JAK	Confer with LS team re: hearings on interim fee applications	0.10	\$47.00
B160	10/15/20	EBL	Check docket for interim fee orders	0.10	\$25.00
B160	10/23/20	JDP	Follow-up re: status of fee application orders	0.20	\$179.00
Total B160 - Fee/Employment Applications				0.40	\$251.00
<u>B165 Employment and Retention Applications - Others</u>					
B165	10/27/20	DC	Follow up with C. Mallone of Anderson Kill re: confirmation of no objections to monthly fee statement and tend to filing and service of same	0.20	\$54.00
Total B165 - Employment and Retention Applications - Others				0.20	\$54.00
<u>B175 Fee Applications and Invoices - Others</u>					
B175	10/05/20	EBL	Check for objections to inteirm fee apps; email to M. Podgainy re: same	0.20	\$50.00
B175	10/15/20	EBL	Revise, finalize and e-file Anderson Kill's nineteenth monthly fee statement; coordinate service of same; update master fee chart re: same; draft related CNO; emails with D. Claussen re filing CNO on 10/27; email to client re: same	1.40	\$350.00

Code	Date	Timekeeper	Time Narrative	Hours	Amount
B175	10/15/20	JAK	Review monthly fee statements for ordinary course professionals and confer with LS team	0.10	\$47.00
B175	10/23/20	EBL	Email to chambers re: outstanding interim fee orders; download and send orders to client; emails with J. Prol re: same	0.60	\$150.00
B175	10/27/20	JAK	Correspond with LS team re: certificates of no objection for ordinary course professionals	0.20	\$94.00
Total B175 - Fee Applications and Invoices - Others				2.50	\$691.00

B185 Assumption/Rejection of Leases and Contracts

B185	10/01/20	JAK	Correspond with C. O-Callghan re: contract rejection damages	0.20	\$94.00
B185	10/06/20	JAK	Conduct legal research re: contract rejection damages and correspond with client	1.50	\$705.00
B185	10/06/20	JAK	Correspond with C. O'Callaghan re: potential rejection damage claims and conduct legal research re: same	0.80	\$376.00
Total B185 - Assumption/Rejection of Leases and Contracts				2.50	\$1,175.00

B300 - Claims and Plan

B310 Claims Administration and Objections

B310	10/12/20	JAK	Confer with LS team re: claims reconciliation and resolution	0.20	\$94.00
B310	10/15/20	JAK	Correspond with client and LS team re: asbestos claims	0.20	\$94.00
Total B310 - Claims Administration and Objections				0.40	\$188.00

B320 Plan and Disclosure Statement (including Business Plan)

B320	10/02/20	EBL	Prepare chambers copies of plan filings at docket nos. 1294 and 1295 and submit to chambers	1.80	\$450.00
B320	10/06/20	SSY	Confer with C. O'Callaghan re ancillary documents; review completion of ancillary documents	1.50	\$1,132.50

Code	Date	Timekeeper	Time Narrative	Hours	Amount
B320	10/09/20	JDP	Follow-up with court and client re: status of confirmation order	0.20	\$179.00
B320	10/14/20	JDP	Review C. O'Callaghan request for merger docs; locate docs and forward	0.20	\$179.00
B320	10/14/20	JDP	Follow-up re: entry of confirmation order and closing issues	0.20	\$179.00
B320	10/16/20	JDP	Review entered Findings of Fact and Conclusions of law; e-mail to client re: same; e-mail to counsel to legal rep and committee re: same; e-mail exchange with chambers re: duplicate exhibits	2.50	\$2,237.50
B320	10/18/20	DC	Download Findings of Fact and Conclusions of Law for Transmittal of Record to District Court	0.20	\$54.00
B320	10/20/20	PKP	Confer with S. Yusem re: matter assignment, transaction history and next steps; analyze and consider checklist and confer with S. Yusem re: same	1.30	\$760.50
B320	10/20/20	SSY	Confer with P. Perez re: warehouse waivers and landlord waivers and checklist items; confer with R. Stehl re: checklist items;	0.80	\$604.00
B320	10/21/20	AW	E-mails re: transaction status and next steps	0.10	\$90.50
B320	10/21/20	JDP	Attention to closing issues	0.40	\$358.00
B320	10/22/20	AW	Office conferences with S. Yusem and J. Prol re: next steps to close	0.20	\$181.00
B320	10/22/20	JDP	Review and comment on BoA closing checklist	0.20	\$179.00
B320	10/22/20	PKP	Attention to Colorado lease agreement; attention to warehouse notifications; confer with S. Yusem re: checklist and follow-up items noted in same	0.70	\$409.50
B320	10/22/20	SSY	Confer with R. Stehl re: checklist for exit financing closing and ancillary documents; review checklist and documents; confer with client re: schedules	2.50	\$1,887.50
B320	10/25/20	AW	Begin review of filings re: closing prep	0.70	\$633.50
B320	10/26/20	AW	Continue document review and office conference with E. Perlmutter re: closing items under Plan	0.60	\$543.00
B320	10/27/20	JDP	Review and analyze District Court decision confirming Plan; prepare for closing	1.50	\$1,342.50
B320	10/28/20	DC	Review and circulate District Court order Approving and Adopting Plan	0.10	\$27.00
B320	10/28/20	JAK	Correspond with J. Prol re: closing of Plan	0.20	\$94.00

Code	Date	Timekeeper	Time Narrative	Hours	Amount
B320	10/28/20	JDP	Review District Court Order confirming plan; forward to client and all interested parties	1.00	\$895.00
B320	10/28/20	PKP	Attention to District Court Order Confirming Plan; email exchange with lender's counsel re: closing checklist and upcoming call to discuss same	0.70	\$409.50
B320	10/30/20	SSY	Review closing checklist for BofA exit loan and review status of checklist items; confer with BofA's counsel re: checklist items	0.80	\$604.00
B320	10/31/20	JAK	Review confirmation order, plan and related documents re: closing of case and effective date	5.20	\$2,444.00
Total B320 - Plan and Disclosure Statement (including Business Plan)				23.60	\$15,873.50

B400 - Bankruptcy-Related Advice

B430 Adversary Proceedings and Bankruptcy Court Litigation

B430	10/12/20	JAK	Further review issues re: asbestos complaints and stay violations	1.50	\$705.00
B430	10/12/20	JAK	Review complaints filed re: asbestos plaintiffs and correspond with LS team and client re: asbestos complaints and stay violations	0.50	\$235.00
Total B430 - Adversary Proceedings and Bankruptcy Court Litigation				2.00	\$940.00

Timekeeper Summary (by Task):

Task	Task Description	Hours	Fees
B110	Case Administration	0.30	\$121.00
B160	Fee/Employment Applications	0.40	\$251.00
B165	Employment and Retention Applications - Others	0.20	\$54.00
B175	Fee Applications and Invoices - Others	2.50	\$691.00
B185	Assumption/Rejection of Leases and Contracts	2.50	\$1,175.00
B310	Claims Administration and Objections	0.40	\$188.00
B320	Plan and Disclosure Statement (including Business Plan)	23.60	\$15,873.50
B430	Adversary Proceedings and Bankruptcy Court Litigation	2.00	\$940.00
	Total	31.90	\$19,293.50

EXHIBIT B

EXHIBIT B

Actual and necessary disbursements incurred by Lowenstein Sandler LLP

II. Summary of Disbursement Charges

Computerized legal research	<u>\$68.20</u>
Total Disbursements	<u><u>\$68.20</u></u>

The above charges are based upon time and expense records available on or about the date of the attached letter. Such records are believed in good faith to be accurate and substantially up to date, but there may be fees and expenses that have not been processed as of such date which Lowenstein Sandler LLP may submit in the future. Lowenstein Sandler LLP reserves the right to amend this monthly statement at a later date.

DISBURSEMENT DETAIL:

<u>Date</u>	<u>Description</u>	<u>Amount</u>
07/27/20	Computerized legal research: Pacer: VENDOR: Pacer Service Center INVOICE#: 4586608-Q32020 DATE: 11/4/2020 Date: 07/27/2020 Court: NJBK Pages: 60	\$6.00
09/08/20	Computerized legal research: Pacer: VENDOR: Pacer Service Center INVOICE#: 4586608-Q32020 DATE: 11/4/2020 Date: 09/08/2020 Court: NJBK Pages: 30	\$3.00
09/28/20	Computerized legal research: Pacer: VENDOR: Pacer Service Center INVOICE#: 4586608-Q32020 DATE: 11/4/2020 Date: 09/28/2020 Court: NJBK Pages: 30	\$3.00
09/30/20	Computerized legal research: Pacer: VENDOR: Pacer Service Center INVOICE#: 4586608-Q32020 DATE: 11/4/2020 Date: 09/30/2020 Court: NJBK Pages: 562	\$56.20
	Total Disbursements	<hr/> \$68.20 <hr/> <hr/>