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CAPLIN & DRYSDALE, CHARTERED
James P. Wehner (admitted *pro hac vice*)
Jeffrey A. Liesemer (admitted *pro hac vice*)
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Co-Counsel for the Official Committee of Asbestos Claimants

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

In re:	:	Chapter 11
	:	
DURO DYNE NATIONAL CORP., <i>et al.</i> , ¹	:	Case No. 18-27963-MBK
	:	
Debtors.	:	(Jointly Administered)
	:	

**TWENTY-SIXTH MONTHLY FEE STATEMENT OF
CAPLIN & DRYSDALE, CHARTERED FOR THE PERIOD
FROM DECEMBER 1, 2020, THROUGH DECEMBER 31, 2020**

Caplin & Drysdale, Chartered (“**Caplin & Drysdale**” or the “**Applicant**”), counsel for the Official Committee of Asbestos Claimants (the “**Committee**”), hereby submits this twenty-sixth monthly fee statement² for the period commencing December 1, 2020, through December 31, 2020 (the “**Twenty-Sixth Fee Statement**”) pursuant to the *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 “**Interim Compensation 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 Caplin & Drysdale’s first monthly fee statement was also filed as an interim fee application under the title *First Interim Fee Application of Caplin & Drysdale, Chartered for Allowance of Fees and Reimbursement of Expenses* on December 14, 2018 (Docket No. 337).

Pursuant to the Interim Compensation Order, responses to the Twenty-Sixth Fee Statement, if any, are due by February 1, 2021.

Dated: January 20, 2021

By: /s/ James P. Wehner

James P. Wehner, Esq. (admitted *pro hac vice*)

Jeffrey A. Liesemer, Esq. (admitted *pro hac vice*)

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*Counsel to the Official Committee
of Asbestos Claimants*

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: Caplin & Drysdale, Chartered
Case No.: 18-27963 (MBK) Client: 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(S) ATTACHED AS EXHIBIT B

**TWENTY-SIXTH MONTHLY FEE STATEMENT² OF
CAPLIN & DRYSDALE, CHARTERED FOR THE PERIOD
FROM DECEMBER 1, 2020, THROUGH DECEMBER 31, 2020**

**SECTION 1
FEE SUMMARY**

	<u>FEES</u>	<u>EXPENSES</u>
TOTAL PREVIOUSLY REQUESTED	<u>\$1,903,904.25</u>	<u>\$33,857.10</u>
TOTAL ALLOWED TO DATE	<u>\$1,829,685.75</u>	<u>\$33,284.64</u>
TOTAL RETAINER (IF APPLICABLE)	<u>\$0.00</u>	<u>\$0.00</u>
TOTAL HOLDBACK (IF APPLICABLE)	<u>\$14,843.70</u>	<u>\$0.00</u>
TOTAL RECEIVED BY APPLICANT	<u>\$1,855,912.15</u>	<u>\$33,284.64</u>
 FEE TOTALS –PAGE 2	 <u>\$35,251.00</u>	
DISBURSEMENTS TOTALS – PAGE 3	<u>\$0.00</u>	
TOTAL FEE APPLICATION	<u>\$35,251.00</u>	
MINUS 20% HOLDBACK	<u>\$7,050.20</u>	
AMOUNT SOUGHT AT THIS TIME	<u>\$28,200.80</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 Caplin & Drysdale’s first monthly fee statement was also filed as an interim fee application under the title *First Interim Fee Application of Caplin & Drysdale, Chartered for Allowance of Fees and Reimbursement of Expenses* on December 14, 2018 (Docket No. 337).

NAME OF PROFESSIONAL & TITLE	YEAR ADMITTED	HOURS	RATE	FEES
Ann C. McMillan, Member	1984	5.8	\$880	\$5,104.00
Kevin C. Maclay, Member	1994	0.2	\$845	\$169.00
James P. Wehner, Member	1995	6.1	\$795	\$4,849.50
Jeffrey A. Liesemer, Member	1993	29.0	\$795	\$23,055.00
Kevin M. Davis, Of Counsel	2010	1.2	\$560	\$672.00
Cecilia Guerrero, Paralegal	N/A	2.3	\$340	\$782.00
Brigette A. Wolverton, Paralegal	N/A	2.1	\$295	\$619.50
TOTAL FEES		46.7		\$35,251.00
ATTORNEY BLENDED RATE			\$754.84	

**SECTION II
SUMMARY OF SERVICES**

SERVICES RENDERED	HOURS	FEE
(.01) Asset Analysis and Recovery	0.0	\$0.00
(.03) Business Operations	0.0	\$0.00
(.04) Case Administration	0.0	\$0.00
(.05) Claims Administration and Objections	0.0	\$0.00
(.07) Fee Applications-Self	2.6	\$1,020.50
(.09) Financing	0.0	\$0.00
(.10) Litigation	0.0	\$0.00
(.11) Plan and Disclosure Statement	42.0	\$33,444.00
(.12) Relief from Stay Proceedings	0.0	\$0.00
(.13) Tax Issues	0.0	\$0.00
(.15) Committee Meetings/Conferences	0.3	\$255.50
(.16) Travel Time	0.0	\$0.00
(.17) Docket Review & File Maintenance	1.8	\$531.00
(.18) Fee Applications-Others	0.0	\$0.00
(.19) Retention Applications-Others	0.0	\$0.00
(.20) Retention Applications-Self	0.0	\$0.00
(.22) Review Fee Application-Other Parties	0.0	\$0.00
SERVICE TOTALS:	46.7	\$35,251.00

**SECTION III
SUMMARY OF DISBURSEMENTS**

DISBURSEMENTS	AMOUNT
Computer Assisted Legal Research	\$0.00
Conference Call Charges	\$0.00
Courier & Express Carriers	\$0.00
Court Reporting	\$0.00
Fax	\$0.00
Filing Fees	\$0.00
Other Research	\$0.00
Pacer Fees	\$0.00
Postage	\$0.00
Reproduction Services - In-house	\$0.00
Reproduction Services - Outside	\$0.00
Travel	\$0.00
Other (specify):	\$0.00
DISBURSEMENTS TOTAL:	\$0.00

**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 8, 2018, effective as of September 26, 2018 [Docket No. 258]. *See* Order attached.
- (4) SUMMARIZE IN BRIEF THE BENEFITS TO THE ESTATE AND ATTACH SUPPLEMENTS AS NEEDED:
 - a) Caplin & Drysdale analyzed issues related to Plan documents and closing, including revisions of documents in anticipation of closing;
 - b) Caplin & Drysdale communicated with the Committee regarding case status and closing
 - c) Caplin & Drysdale prepared and filed fee applications;
 - d) Caplin & Drysdale spent time working with counsel for the other Plan proponents and internally on general case matters, and closing issues, as well as organizing and maintaining the case filing system and docket review for the bankruptcy case;
 - e) Caplin & Drysdale performed other professional services as counsel for the Committee as necessary and appropriate in these chapter 11 cases.

(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): Final disposition of case and dividend are unknown at this time.

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

Date: January 20, 2021

/s/ James P. Wehner
Signature

EXHIBIT

A



One Thomas Circle NW, Suite 1100
Washington, DC 20005
Federal Tax I.D. No.: 52-1226629
www.capdale.com

Telephone: (202) 862-5000

Fax: (202) 429-3301

Official Committee of Asbestos Claimants of Duro Dyne National

Invoice #: 331899
Page: 1

RE: Duro Dyne Bankruptcy

For Professional Services Rendered Through December 31, 2020

Total Services	\$35,251.00
Total Current Charges	\$35,251.00

Remittance Advice

[Payment is due upon receipt. If you should have any questions, please email accounting@capdale.com.](mailto:accounting@capdale.com)

Check Payable To:

Caplin & Drysdale, Chartered
Attn: Accounts Receivable
One Thomas Circle NW, Suite 1100
Washington, DC 20005

Wire Transfer:

Receiving Bank: Bank of America
ABA Wire Routing Number: 026009593
ABA ACH Routing Number: 054001204
Swift Code: BOFAUS3N
Beneficiary: Caplin & Drysdale, Chartered
Account Number: 001920814809

Credit Card:

We accept American Express. A service fee of 2.4% for Corporate Cards and 2.95% for Individual Cards will be added to all payments.
Please return this remittance page with your payment. Thank you.



One Thomas Circle NW, Suite 1100
Washington, DC 20005
Federal Tax I.D. No.: 52-1226629

Telephone: (202) 862-5000

www.capdale.com

Fax: (202) 429-3301

Official Committee of Asbestos Claimants of Duro Dyne National

January 19, 2020

Invoice #: 331899

Page: 1

RE: Duro Dyne Bankruptcy

For Professional Services Rendered Through December 31, 2020

SERVICES

Date	Person	Description of Services	Hours	Rate	Amount
.07 Fee Applications-Self					
12/23/2020	JPW	Review monthly fee application.	0.3	\$795.00	\$238.50
12/23/2020	CG	Review, revise, and finalize monthly fee application.	2.3	\$340.00	\$782.00
Total			2.60		\$1,020.50
.11 Plan & Disclosure Statement					
12/2/2020	ACM	Exchange e-mails re TDP and Trust Agreement (.1); review files re same (.2).	0.3	\$880.00	\$264.00
12/2/2020	JAL	Correspondence w/ ACM and J. Kramer re plan closing (0.5); correspondence w/ plan group counsel re updated plan document (0.6); review plan documents (0.6).	1.7	\$795.00	\$1,351.50
12/3/2020	ACM	Exchange e-mails re closing documents (.1); review files re same (.3); exchange e-mails re TDP and Trust Agreement (.1); review files re same (.3).	0.8	\$880.00	\$704.00
12/3/2020	JAL	Correspondence re plan closing (0.3); review and analyze materials re same (0.4).	0.7	\$795.00	\$556.50
12/4/2020	ACM	Exchange e-mails re revisions to Trust Agreement (.3); exchange e-mails re execution of same (.3).	0.6	\$880.00	\$528.00
12/4/2020	JAL	Review and revise draft closing materials (1.8); revise closing checklist (1.3); review updated closing documents (0.6); teleconference w/ C. Gear re same (0.2).	3.9	\$795.00	\$3,100.50
12/4/2020	JPW	Exchange e-mails re closing.	0.6	\$795.00	\$477.00
12/6/2020	ACM	Review TDP, Trust Agreement and Release (1.0); exchange e-mails re same (.1).	1.1	\$880.00	\$968.00

SERVICES

Date	Person	Description of Services	Hours	Rate	Amount
.11 Plan & Disclosure Statement					
12/6/2020	JAL	Review updated plan closing documents and exchange emails re same (1.0); review and revise closing documents (1.5).	2.5	\$795.00	\$1,987.50
12/7/2020	JAL	Review and revise plan closing documents (1.1); draft and revise correspondence re same (0.7).	1.8	\$795.00	\$1,431.00
12/8/2020	ACM	Exchange e-mails re admin closing issue.	0.1	\$880.00	\$88.00
12/8/2020	JAL	Correspondence w/ JPW and KCM re motion to close (0.2); review correspondence from Debtor's counsel and trust counsel re plan closing (0.2).	0.4	\$795.00	\$318.00
12/8/2020	JPW	Teleconference J. Prol re administrative issue (0.2); exchange emails re administrative and closing issues (0.5).	0.7	\$795.00	\$556.50
12/8/2020	KCM	Communicate w/ JPW and JAL re motion to close.	0.2	\$845.00	\$169.00
12/9/2020	ACM	Teleconference w/ C. Taylor re admin closing issue (.1); exchange e-mails re same (.1); review proposed changes to TDP, Trust Agreement and Cooperation Agreement (.5).	0.7	\$880.00	\$616.00
12/9/2020	JAL	Review correspondence and accompanying attachments from Debtor's counsel re plan closing.	0.3	\$795.00	\$238.50
12/10/2020	ACM	Exchange e-mails re TDP, Trust Agreement and Cooperation Agreement (.1); teleconference w/ C. Taylor, E. Harron and J. Kramer re same (.2); review revised Trust Agreement and Cooperation Agreement (.2).	0.5	\$880.00	\$440.00
12/10/2020	JAL	Review revisions to plan closing documents (0.2); teleconference w/ JPW re same (0.2).	0.4	\$795.00	\$318.00
12/10/2020	JPW	Exchange e-mails re closing issues (0.3); teleconference JAL re closing (0.2).	0.5	\$795.00	\$397.50
12/11/2020	ACM	Exchange e-mails re TDP (.1); teleconference w/ Trustee's counsel re insurance settlements (.1); review same (.3); exchange e-mails re same (.1); exchange e-mails re execution of documents (.1).	0.7	\$880.00	\$616.00
12/11/2020	JAL	Review correspondence re plan closing documents (.4); exchange e-mails w/ J. Prol re same (.2).	0.6	\$795.00	\$477.00
12/11/2020	JPW	Exchange e-mails re closing.	0.3	\$795.00	\$238.50
12/14/2020	ACM	Exchange e-mails re Trust issues (.1); exchange e-mails re execution of Trust Agreement (.2).	0.3	\$880.00	\$264.00
12/14/2020	JAL	Review and provide comments re draft insurer notice letters.	0.5	\$795.00	\$397.50
12/15/2020	ACM	Exchange e-mails re execution of Trust Agreement.	0.1	\$880.00	\$88.00

SERVICES

Date	Person	Description of Services	Hours	Rate	Amount
.11 Plan & Disclosure Statement					
12/16/2020	ACM	Exchange e-mails re execution of Trust Agreement.	0.1	\$880.00	\$88.00
12/16/2020	JAL	Exchange e-mails re plan closing docs.	0.1	\$795.00	\$79.50
12/17/2020	JAL	Correspondence w/ E. Grim re plan closing and insurance settlements.	0.2	\$795.00	\$159.00
12/17/2020	JPW	Exchange e-mails re closing issues.	0.9	\$795.00	\$715.50
12/18/2020	ACM	Exchange e-mails re Trust issues.	0.1	\$880.00	\$88.00
12/20/2020	JAL	Correspondence w/ plan parties and Trust counsel re plan closing.	0.4	\$795.00	\$318.00
12/21/2020	ACM	Exchange e-mails re execution of Trust Agreement.	0.2	\$880.00	\$176.00
12/21/2020	JAL	Review correspondence and attachments re plan closing (1.0); exchange e-mails w/ Trustee re plan closing (0.7); review and analyze correspondence from S. Yusem and J. Kramer re same (0.4); review and analyze closing documents in prep for call re plan closing (0.3); teleconference w/ J. Kramer, S. Yusem, C. Grear, A. Rich, J. Bromberg, and C. Taylor re same (0.4); teleconference w/ C. Grear, J. Bromberg, and C. Taylor re same (0.3); draft and revise email to S. Yusem re same (0.5); review correspondence re plan closing (0.2).	3.8	\$795.00	\$3,021.00
12/21/2020	JPW	Exchange e-mails re closing.	0.5	\$795.00	\$397.50
12/22/2020	JAL	Review and analyze plan closing documents (.4); review correspondence from Debtors' counsel and Trust counsel re same (0.3); draft and revise email to Trustee re same (0.3); review and revise plan closing document (0.7).	1.7	\$795.00	\$1,351.50
12/23/2020	JAL	Exchange e-mails w/ C. Taylor re plan closing (0.4); teleconference w/ C. Taylor re same (0.1); draft and revise emails to Debtors' counsel re Trust Agreement and plan closing (0.6); review and analyze materials re same (0.9).	2.0	\$795.00	\$1,590.00
12/23/2020	JPW	Exchange emails re closing issues (0.5); review draft order (0.2).	0.7	\$795.00	\$556.50
12/28/2020	JAL	Correspondence w/ E. Grim re plan closing (0.2); review and revise plan closing documents (1.0); review and provide comments re plan closing documents and related materials (3.1).	4.3	\$795.00	\$3,418.50
12/28/2020	JPW	Exchange e-mails re closing.	0.4	\$795.00	\$318.00

SERVICES

Date	Person	Description of Services	Hours	Rate	Amount
.11 Plan & Disclosure Statement					
12/29/2020	JAL	Review and analyze materials in prep for conference call re plan closing (0.8); teleconference w/ KMD re plan closing issue (0.2); teleconference w/ J. Prol, J. Kramer, D. Suckerman, S. Yusem, C. Grear, A. Rich, and J. Bromberg re same (0.4); revise and finalize execution version of plan closing documents (1.1); review correspondence re plan closing and next steps (0.3); review and analyze plan closing documents (0.3).	3.1	\$795.00	\$2,464.50
12/29/2020	JPW	Exchange e-mails re closing.	0.6	\$795.00	\$477.00
12/29/2020	KMD	Research issues re UCC financing statement (0.7); discuss same w/ JAL (0.2).	0.9	\$560.00	\$504.00
12/30/2020	JAL	Teleconferences w/ C. Grear re plan closing issue (0.2); review correspondence and research re same (0.3); correspondence re same (0.1).	0.6	\$795.00	\$477.00
12/30/2020	KMD	Research issues re UCC financing statement (0.2); correspond re same w/ JAL (0.1).	0.3	\$560.00	\$168.00
12/31/2020	JPW	Exchange emails re closing issues.	0.5	\$795.00	\$397.50
12/31/2020	BAW	Prepare closing materials (.2); communications w/ JAL re same (.1).	0.3	\$295.00	\$88.50
Total			42.00		\$33,444.00
.15 Committee Meetings/Conferences					
12/31/2020	ACM	Exchange e-mails re Committee memo (.1); teleconference w/ JPW re same (.1).	0.2	\$880.00	\$176.00
12/31/2020	JPW	Teleconference ACM re Committee memo.	0.1	\$795.00	\$79.50
Total			0.30		\$255.50
.17 Docket Review & File Maintenance					
12/1/2020	BAW	Review dockets, prepare recently filed pleadings, communicate re same w/ internal team.	0.1	\$295.00	\$29.50
12/2/2020	BAW	Review dockets, prepare recently filed pleadings, communicate re same w/ internal team.	0.1	\$295.00	\$29.50
12/3/2020	BAW	Review dockets, prepare recently filed pleadings, communicate re same w/ internal team.	0.1	\$295.00	\$29.50
12/4/2020	BAW	Review dockets re recently filed pleadings, communicate re same w/ internal team.	0.1	\$295.00	\$29.50
12/7/2020	BAW	Review dockets re recently filed pleadings, communicate re same w/ internal team.	0.1	\$295.00	\$29.50
12/8/2020	BAW	Review dockets re recently filed pleadings, communicate re same w/ internal team.	0.1	\$295.00	\$29.50
12/9/2020	BAW	Review dockets, prepare recently filed pleadings, communicate re same w/ internal team.	0.1	\$295.00	\$29.50
12/10/2020	BAW	Review dockets re recently filed pleadings, communicate re same w/ internal team.	0.1	\$295.00	\$29.50

SERVICES

Date	Person	Description of Services	Hours	Rate	Amount
.17 Docket Review & File Maintenance					
12/11/2020	BAW	Review dockets, prepare recently filed pleadings, communicate re same w/ internal team.	0.1	\$295.00	\$29.50
12/14/2020	BAW	Review dockets re recently filed pleadings, communicate re same w/ internal team.	0.1	\$295.00	\$29.50
12/15/2020	BAW	Review dockets re recently filed pleadings, communicate re same w/ internal team.	0.1	\$295.00	\$29.50
12/16/2020	BAW	Review dockets, prepare recently filed pleadings, communicate re same w/ internal team.	0.1	\$295.00	\$29.50
12/17/2020	BAW	Review dockets re recently filed pleadings, communicate re same w/ internal team.	0.1	\$295.00	\$29.50
12/18/2020	BAW	Review dockets re recently filed pleadings, communicate re same w/ internal team.	0.1	\$295.00	\$29.50
12/21/2020	BAW	Review dockets, prepare recently filed pleadings, communicate re same w/ internal team.	0.1	\$295.00	\$29.50
12/22/2020	BAW	Review dockets re recently filed pleadings, communicate re same w/ internal team.	0.1	\$295.00	\$29.50
12/28/2020	BAW	Review dockets, prepare recently filed pleadings, communicate re same w/ internal team.	0.1	\$295.00	\$29.50
12/30/2020	BAW	Review dockets, prepare recently filed pleadings, communicate re same w/ internal team.	0.1	\$295.00	\$29.50
Total			1.80		\$531.00
Total Professional Services			46.7		\$35,251.00

PERSON RECAP

Person	Title	Hours	Rate	Amount
JAL Jeffrey A. Liesemer	Member	29.0	\$795.00	\$23,055.00
KCM Kevin C. Maclay	Member	0.2	\$845.00	\$169.00
ACM Ann C. McMillan	Member	5.8	\$880.00	\$5,104.00
JPW James P. Wehner	Member	6.1	\$795.00	\$4,849.50
KMD Kevin M. Davis	Of Counsel	1.2	\$560.00	\$672.00
CG Cecilia Guerrero	Paralegal	2.3	\$340.00	\$782.00
BAW Brigette A. Wolverton	Paralegal	2.1	\$295.00	\$619.50
Total Services				\$35,251.00
Total Current Charges				\$35,251.00

TASK RECAP

Services

<u>Category</u>	<u>Hours</u>	<u>Amount</u>
.07	2.60	\$1,020.50
.11	42.00	\$33,444.00
.15	0.30	\$255.50
.17	1.80	\$531.00
	<u>46.70</u>	<u>\$35,251.00</u>

Disbursements

<u>Category</u>	<u>Amount</u>
	<u>\$0.00</u>

BREAKDOWN BY PERSON

<u>Person</u>	<u>Category</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
JPW James P. Wehner	.07	0.30	\$795.00	\$238.50
CG Cecilia Guerrero	.07	2.30	\$340.00	\$782.00
JAL Jeffrey A. Liesemer	.11	29.00	\$795.00	\$23,055.00
KCM Kevin C. Maclay	.11	0.20	\$845.00	\$169.00
ACM Ann C. McMillan	.11	5.60	\$880.00	\$4,928.00
JPW James P. Wehner	.11	5.70	\$795.00	\$4,531.50
KMD Kevin M. Davis	.11	1.20	\$560.00	\$672.00
BAW Brigette A. Wolverton	.11	0.30	\$295.00	\$88.50
ACM Ann C. McMillan	.15	0.20	\$880.00	\$176.00
JPW James P. Wehner	.15	0.10	\$795.00	\$79.50
BAW Brigette A. Wolverton	.17	1.80	\$295.00	\$531.00
		<u>46.70</u>		<u>\$35,251.00</u>

EXHIBIT B



Order Filed on November 9, 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**

John A. Fialcowitz, Esq.
THE LAW OFFICE OF JOHN A.
FIALCOWITZ
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973.532.7208
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*Proposed Local Counsel for the Official
Committee of Asbestos Claimants*

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

In re:

DURO DYNE NATIONAL CORP., *et al.*,

Debtors.¹

Chapter 11

Case No. 18-27963 (MBK)

(Jointly Administered)

**[PROPOSED] ORDER AUTHORIZING THE EMPLOYMENT AND RETENTION OF
CAPLIN & DRYSDALE, CHARTERED, AS THE COMMITTEE'S COUNSEL,
EFFECTIVE *NUNC PRO TUNC* AS OF SEPTEMBER 26, 2018**

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

DATED: November 9, 2018

Honorable Michael B. Kaplan
United States Bankruptcy Judge

Page: 2
Debtor: Duro Dyne National Corp., et al.
Case No.: 18-27963 (MBK)
Caption: Order Authorizing the Employment and Retention of Caplin & Drysdale, Chartered, as the Committee's Counsel, Effective *Nunc Pro Tunc* as of September 26, 2018

Before this Court is the *Application of the Official Committee of Asbestos Claimants for an Order Authorizing the Employment and Retention of Caplin & Drysdale, Chartered, as the Committee's Counsel, Effective Nunc Pro Tunc as of September 26, 2018* (the “**Application**”), which was filed by the Official Committee of Asbestos Claimants (the “**Committee**”) on October 29, 2018. Based on the record herein, and after due deliberation thereon, this Court finds and concludes that (i) the law firm of Caplin & Drysdale, Chartered (“**Caplin & Drysdale**”), does not represent any entity having an interest adverse to the Committee or to the asbestos-related creditors of the Debtors’ estates in connection with the matters for which the Committee proposes to employ Caplin & Drysdale; (ii) Caplin & Drysdale is a “disinterested person” pursuant to §§ 101(14) and 328(c) of the Bankruptcy Code; (iii) proper and adequate notice of the Application has been given and no other or further notice is necessary; and (iv) the Committee’s employment and retention of Caplin & Drysdale as its counsel should be approved. Accordingly, **IT IS HEREBY ORDERED**, that:

1. The Application is granted and approved;
2. The Committee is authorized to employ and retain Caplin & Drysdale as its counsel on the terms set forth in the Application, pursuant to §§ 328 and 1103 of the Bankruptcy Code, effective *nunc pro tunc* as of September 26, 2018;
3. Caplin & Drysdale shall be compensated in accordance with the procedures set forth in §§ 330 and 331 of the Bankruptcy Code, the applicable Federal Rules of Bankruptcy Procedure, the orders and rules of this Court, and such other procedures as may be fixed by order of this Court;

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Debtor: Duro Dyne National Corp., *et al.*
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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. This Order shall be immediately effective and enforceable upon its entry; and

6. The Court shall retain jurisdiction with respect to all matters arising or related to the implementation of this order.