

LOWENSTEIN SANDLER LLP

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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)

Hearing Date: February 25, 2021 at 10:00 a.m.
Objection Deadline: February 18, 2021 at 4:00 p.m.

NOTICE OF THIRD INTERIM AND FINAL FEE APPLICATION OF ANDERSON KILL P.C., INSURANCE COUNSEL TO THE DEBTORS, FOR ALLOWANCE OF COMPENSATION FOR SERVICES RENDERED AND REIMBURSEMENT OF EXPENSES FROM (I) AUGUST 1, 2020 THROUGH DECEMBER 31, 2020 AND (II) DECEMBER 13, 2018 THROUGH DECEMBER 31, 2020

PLEASE TAKE NOTICE that on **February 25, 2021 at 10:00 a.m. (Eastern Time)**, or as soon thereafter as counsel may be heard², Anderson Kill P.C. (“Anderson Kill”), insurance counsel to the above-captioned debtors and debtors-in-possession (the “Debtors”), shall move before the Honorable Michael B. Kaplan at the United States Bankruptcy Court, 402 East State Street, Trenton, New Jersey, Courtroom #8, for an order granting Anderson Kill LLP’s third interim and final fee application for compensation in the sum of \$551,478.50 and reimbursement of

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 hearing will be conducted telephonically. Parties who wish to appear at the hearing must make arrangements through Court Solutions at <http://www.Court-Solutions.com>.

expenses in the sum of \$835.73 for the period of December 13, 2018 through December 31, 2020 (the "Application").

PLEASE TAKE FURTHER NOTICE that Anderson Kill shall rely upon the Application. No brief is necessary as no novel issues of fact or law are presented by the Application. A proposed form of Order has been submitted therewith. Oral argument is requested in the event an objection is timely filed.

PLEASE TAKE FURTHER NOTICE that objections, if any, to the Application shall conform with the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure and the Local Bankruptcy Rules, and shall be filed with the Bankruptcy Court, and pursuant to Local Bankruptcy Rule 9013-1(d), shall be served upon the undersigned **so as to be received no later than February 18, 2021 at 4:00 p.m. (Eastern Time)**. In the event that no objections are filed, the relief requested in the Application may be granted without a hearing.

Dated: January 21, 2021

Respectfully submitted,

LOWENSTEIN SANDLER LLP

/s/ Jeffrey D. Prol

Kenneth A. Rosen, Esq.

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

FEE APPLICATION COVER SHEET

IN RE: Duro Dyne National Corp., et al.,¹ APPLICANT: Anderson Kill P.C.
CASE NO.: 18-27963 (MBK) CLIENT: Chapter 11 Debtors
CHAPTER: 11 CASE FILED: September 7, 2018

THIRD INTERIM AND FINAL FEE APPLICATION OF ANDERSON KILL P.C., INSURANCE COUNSEL TO THE DEBTORS, FOR ALLOWANCE OF COMPENSATION FOR SERVICES RENDERED AND REIMBURSEMENT OF EXPENSES FROM (I) AUGUST 1, 2020 THROUGH DECEMBER 31, 2020 AND (II) DECEMBER 13, 2018 THROUGH DECEMBER 31, 2020

**SECTION I
FEE SUMMARY**

	<u>FEES</u>	<u>EXPENSES</u>
TOTAL PREVIOUS FEES REQUESTED ² :	<u>\$551,478.50</u>	<u>\$835.73</u>
TOTAL FEES ALLOWED TO DATE:	<u>\$546,934.00</u>	<u>\$835.73</u>
TOTAL RECEIVED BY APPLICANT ³ :	<u>\$523,407.40</u>	<u>\$835.73</u>
TOTAL HOLDBACK (IF APPLICABLE) ⁴ :	<u>\$5,130.20</u>	<u>\$0.00</u>
 FEE TOTALS	 <u>\$551,478.50</u>	
DISBURSEMENTS TOTALS	<u>+ \$835.73</u>	
TOTAL FEE APPLICATION	<u>\$552,314.23</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 the total amount billed by Anderson Kill from December 13, 2018 through December 31, 2020. Additionally, Anderson Kill billed the Debtors the maximum \$150,000 allowed for ordinary course counsel and has been paid as ordinary course counsel pursuant to the OCP Orders (defined herein) for the period from September 7, 2018 through December 12, 2018.

³ Prior to the Petition Date, Anderson Kill was retained to represent the Debtors in insurance coverage matters, including litigation pending in state court in New York. Anderson Kill was paid for all amounts owed for legal services rendered prior to the Petition Date and held no retainer thereafter for services and expenses incurred during these Chapter 11 Cases. Additionally, Anderson Kill billed the Debtors and has been paid the maximum \$150,000 allowed for ordinary course counsel pursuant to the OCP Orders (defined herein) for the period from September 7, 2018 through December 12, 2018. This amount reflects payments received for services billed between December 13, 2018 through August 31, 2020 only.

⁴ This amount reflects holdback amounts for the period of August 1, 2020 through December 31, 2020 only.

Timekeeper Summary for the Seventh Interim Period:

Timekeeper Name	Year Admitted	Title/Department	Hours Worked	Rate	Bill Amount
William G. Passannante	1990	Shareholder/Insurance	0.10	935.00	\$93.50
Cort T. Malone	2003	Shareholder/Insurance	34.10	745.00	\$25,404.50
Vivian Michael	2014	Associate/Insurance	0.30	510.00	153.00
TOTAL ALL TIMEKEEPERS			34.50		\$25,651.00
Attorney Blended Rate					\$743.50

Timekeeper Summary for the Final Period:

Timekeeper Name	Year Admitted	Title/Department	Hours Worked	Rate	Bill Amount
Mark D. Silverschotz (2018)	1981	Shareholder/Insurance	5.70	755.00	\$4,303.50
Mark D. Silverschotz (2019)	1981	Shareholder/Insurance	29.10	780.00	\$22,698.00
William G. Passannante (2018)	1990	Shareholder/Insurance	0.20	870.00	\$174.00
William G. Passannante (2019)	1990	Shareholder/Insurance	0.80	895.00	\$716.00
William G. Passannante (2020)	1990	Shareholder/Insurance	0.70	935.00	\$654.50
Cort T. Malone (2018)	2003	Shareholder/Insurance	10.40	695.00	\$7,228.00
Cort T. Malone (2019)	2003	Shareholder/Insurance	453.60	715.00	\$324,324.00
Cort T. Malone (2020)	2003	Shareholder/Insurance	185.80	745.00	\$138,421.00
Dennis J. Nolan (2019)	2007	Shareholder/Insurance	4.20	610.00	\$2,562.00
Dennis J. Nolan (2020)	2007	Shareholder/Insurance	0.50	635.00	\$317.50
Raymond A. Mascia, Jr. (2019)	2010	Shareholder/Insurance	33.40	560.00	\$18,704.00
Raymond A. Mascia, Jr. (2020)	2010	Shareholder/Insurance	3.70	585.00	\$2,164.50
Vivian Michael (2018)	2014	Associate/Insurance	0.20	450.00	\$90.00
Vivian Michael (2019)	2014	Associate/Insurance	41.60	475.00	\$19,760.00
Vivian Michael (2020)	2014	Associate/Insurance	2.20	510.00	\$1,122.00
Glenn F. Fields	N/A	Insurance Litigation Support	0.70	425.00	\$297.50
Izak Feldgreber	N/A	Insurance Litigation Support	3.90	375.00	\$1,462.50
Harris E. Gershman	N/A	Insurance Litigation Support	0.60	350.00	\$210.00
Daryl Lyew	N/A	IT Litigation Support	0.50	315.00	\$157.50

Claudia A. Ilie	N/A	Paralegal/Insurance	3.10	310.00	\$961.00
James Goodridge	N/A	Law Clerk/Insurance	15.90	160.00	\$2,544.00
Michael Yusko	N/A	Law Clerk/Insurance	8.60	165.00	\$1,419.00
Shafkat Rakib	N/A	Law Clerk/Insurance	7.20	165.00	\$1,188.00
TOTAL ALL TIMEKEEPERS			812.6		\$551,478.50
Credit Applied					\$7,188.10
Total Fees			812.6		\$544,290.40
Attorney Blended Rate					\$678.66

**SECTION II
SUMMARY OF SERVICES**

Summary of Services for the Seventh Interim Period:

Task Description	Hours	Total
Drafting and Editing Briefing and Submissions	18.0	\$13,410.00
Prepare, Attend and Argue at Court Hearings, and Review Court Orders	6.3	\$4,693.50
Insurance Case Work	10.2	\$7,547.50
Totals	34.5	\$25,651.00
Total Fees Rendered This Statement		\$25,651.00

Summary of Services for the Final Period:

Task Description	Hours	Total
Opposition to Relief from Stay of Insurance Case	9.3	\$6,625.50
Drafting and Responding to Discovery	6.4	\$4,552.00
Drafting and Responding to Objections	26.1	\$19,019.50
Drafting and Editing Briefing and Submissions	148.7	\$108,057.00
Claims Evaluation and Related Motion Practice	55.7	\$33,558.00
Prepare, Attend and Argue at Court Hearings	64.5	\$46,492.50
Settlement Negotiations, Analyses, and Meetings	230.0	\$163,568.00
Insurance Case Work	264.7	\$164,446.00
Work related to UST and North River Appeals	7.2	\$5,160.00

Task Description	Hours	Total
Total Fees	812.6	\$551,478.50
Credit Applied		\$7,188.10
Total Fees Rendered This Statement		\$544,290.40

SECTION III
SUMMARY OF DISBURSEMENTS

Summary of Disbursements for Seventh Interim Period:

Court Call charges for Bankruptcy Court Hearing	\$0
Lexis Nexis Legal Research	\$0
Travel Charges – Car Service Late Night Work	\$0
Filing/court fees	\$0
Total Disbursements	\$0.00

Summary of Disbursements for Final Period:

Court Call charges for Bankruptcy Court Hearing	\$50.00
Lexis Nexis Legal Research	\$381.85
Travel Charges – Car Service Late Night Work	\$303.88
Filing/court fees	\$100.00
Total Disbursements	\$835.73

I certify under penalty of perjury that the above is true and correct to the best of my information, knowledge and belief.

Date: January 21, 2021

/s/Cort T. Malone _____
Cort T. Malone, Esq.

ANDERSON KILL P.C.

Cort T. Malone, Esq.
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Insurance 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)

**Hearing Date: February 25, 2021 at 10:00 a.m.
Objection Deadline: February 18, 2021 at 4:00
p.m.**

THIRD INTERIM AND FINAL FEE APPLICATION OF ANDERSON KILL P.C., INSURANCE COUNSEL TO THE DEBTORS, FOR ALLOWANCE OF COMPENSATION FOR SERVICES RENDERED AND REIMBURSEMENT OF EXPENSES FROM (I) AUGUST 1, 2020 THROUGH DECEMBER 31, 2020 AND (II) DECEMBER 13, 2018 THROUGH DECEMBER 31, 2020

Pursuant to 11 U.S.C. §§ 330 and 331 and Rule 2016 of the Federal Rules of Bankruptcy Procedure, Anderson Kill P.C. ("Anderson Kill"), as insurance counsel to the above captioned debtors and debtors-in-possession (collectively, the "Debtors"), submits its (i) third interim application (the "Application") for allowance of compensation and reimbursement of expenses for the period August 1, 2020 through December 31, 2020 (the "Seventh Interim Period") and (ii) its final application for allowance of compensation and reimbursement of expenses for the period December 13, 2018 through December 31, 2020 (the "Final Period"). By this Application,

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).

Anderson Kill seeks allowance and payment of (i) compensation in the amount of \$25,651.00 for services rendered by Anderson Kill during the Seventh Interim Period; and (ii) compensation in the amount of \$551,478.50 for services rendered by Anderson Kill during the Final Period and reimbursement of its actual and necessary expenses of \$835.73 for the Final Period. In support of this Application, Anderson Kill respectfully states as follows:

BACKGROUND AND INTRODUCTION

1. On September 7, 2018 (the “Petition Date”), each of the Debtors filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code, thereby commencing the above-captioned Chapter 11 Cases (the “Chapter 11 Cases”).

2. The Debtors continue to operate their businesses and manage their properties as Debtors-In-Possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code. No trustee or examiner has been appointed in the Chapter 11 Cases.

3. On September 27, 2018, the Office of the United States Trustee appointed the Official Committee of Asbestos Claimants (the “Committee”) [Docket No. 107].

4. Anderson Kill was retained in these chapter 11 cases to represent the Debtors in insurance coverage matters, including litigation pending in state court in New York, pursuant to the *Order Authorizing the Debtors to Employ and Compensate Ordinary Course Professionals*, dated November 1, 2018 [Docket No. 242] (the “Initial OCP Order”) and *Amended Order Authorizing the Debtors to Employ and Compensate Ordinary Course Professionals*, dated February 28, 2019 [Docket No. 491] (collectively, with the Initial OCP Order, the “OCP Orders”). The OCP Orders authorize Anderson Kill to be compensated in accordance with the procedures set forth in the relevant sections of the Bankruptcy Code, the applicable Federal

Rules of Bankruptcy Procedure, the rules of this Court and any Order entered by this Court with respect to the compensation of professionals.²

5. On December 18, 2018, the Court entered the *Administrative Fee Order Establishing Certain Procedures For Allowance Of Interim Compensation And Reimbursement Of Expenses Of Professionals Retained By Order Of This Court* (the “Interim Compensation Order”) [D.I. 345].

6. On October 23, 2020, the Court entered an order (the “Confirmation Order”) (I) *Approving and Adopting the Bankruptcy Court’s Amended Report and Recommendation, and* (II) *Confirming the Third Amended Prenegotiated Plan of Reorganization for Duro Dyne National Corp. et al., Pursuant to Chapter 11 of the Bankruptcy Code*, (the “Plan”) [D.I. 1332].

7. On December 31, 2020, the Effective Date of the Plan occurred. *See* Docket No. 1381. All conditions precedent to the Effective Date set forth in Section 10.02 of the Plan have been satisfied or waived.

8. Pursuant to the *Order Closing Chapter 11 Cases Effective as of December 31, 2020 and Directing Entry of Final Decree* [Docket No. 1367] entered by the Bankruptcy Court on December 29, 2020, the Debtors’ Chapter 11 Cases were deemed closed effective as of December 31, 2020. The Bankruptcy Court retained sole and exclusive jurisdiction to hear and determine all matters arising from or related to any applications for the payment of Professional Claims or requests for the payment of Administrative Claims filed on or after December 31, 2020.

² In accordance with paragraph 10 of the Initial OCP Order, Anderson Kill was not paid any amount as an Ordinary Course Professional during the previous 90 days; and did not render any services as an Ordinary Course Professional during such period. All services as an Ordinary Course Professional were rendered by Anderson Kill prior to December 13, 2018.

**ANDERSON KILL'S APPLICATION FOR COMPENSATION
AND FOR REIMBURSEMENT OF EXPENSES**

9. Anderson Kill's monthly fee statements (the "Monthly Fee Statements") and interim fee applications (the "Interim Applications") for the periods of December 13, 2018 through December 31, 2020 have been filed and served pursuant to the OCP Orders and the Interim Compensation Order.

10. On or around April 28, 2020, Anderson Kill filed its First Interim Application for the period from December 13, 2018 through March 31, 2020 [Docket No. 1126] (the "First Interim Application") requesting \$469,186.40 in fees and \$835.73 in expenses. The Order Granting this Application for Compensation for Anderson Kill was filed on May 28, 2020.

11. On or around August 26, 2020, Anderson Kill filed its Second Interim Application for the period from April 1, 2020 through July 31, 2020 [Docket No. 1256] (the "Second Interim Application") requesting \$49,453.00 in fees and \$0 in expenses for that period. The Order Granting this Application for Compensation for Anderson Kill was filed on October 9, 2020.

12. On or around April 12, 2019, Anderson Kill filed its *First Monthly Fee Statement of Anderson Kill For The Period From December 13, 2018 Through March 31, 2019* [Docket No. 612] (the "First Monthly Fee Statement") requesting \$149,639.50 in fees and \$0 in expenses.

13. On or around May 16, 2019, Anderson Kill filed its *Second Monthly Fee Statement of Anderson Kill For The Period From April 1, 2019 Through April 30, 2019* [Docket No. 695] (the "Second Monthly Fee Statement") requesting \$34,854.50 in fees and \$221.90 in expenses.

14. On or around June 20, 2019, Anderson Kill filed its *Third Monthly Fee Statement of Anderson Kill For The Period From May 1, 2019 Through May 31, 2019* [Docket No. 758] (the “Third Monthly Fee Statement”) requesting \$60,224.50 in fees and \$157.63 in expenses.

15. On or around July 18, 2019, Anderson Kill filed its *Fourth Monthly Fee Statement of Anderson Kill For The Period From June 1, 2019 Through June 30, 2019* [Docket No. 793] (the “Fourth Monthly Fee Statement”) requesting \$22,351.50 in fees and \$406.20 in expenses.

16. On or around August 16, 2019, Anderson Kill filed its *Fifth Monthly Fee Statement of Anderson Kill For The Period From July 1, 2019 Through July 31, 2019* [Docket No. 826] (the “Fifth Monthly Fee Statement”) requesting \$5,422.50 in fees and \$0 in expenses.

17. On or around September 17, 2019, Anderson Kill filed its *Sixth Monthly Fee Statement of Anderson Kill For The Period From August 1, 2019 Through August 31, 2019* [Docket No. 867] (the “Sixth Monthly Fee Statement”) requesting \$9,392.50 in fees and \$0 in expenses.

18. On or around October 11, 2019, Anderson Kill filed its *Seventh Monthly Fee Statement of Anderson Kill For The Period From September 1, 2019 Through September 30, 2019* [Docket No. 912] (the “Seventh Monthly Fee Statement”) requesting \$26,531.50 in fees and \$0 in expenses.

19. On or around November 13, 2019, Anderson Kill filed its *Eighth Monthly Fee Statement of Anderson Kill For The Period From October 1, 2019 Through October 31, 2019* [Docket No. 936] (the “Eighth Monthly Fee Statement”) requesting \$22,720.50 in fees and \$0 in expenses.

20. On or around December 23, 2019, Anderson Kill filed its *Ninth Monthly Fee Statement of Anderson Kill For The Period From November 1, 2019 Through November 30, 2019* [Docket No. 993] (the “Ninth Monthly Fee Statement”) requesting \$60,502.00 in fees and \$835.73 in expenses.

21. On or around January 16, 2020, Anderson Kill filed its *Tenth Monthly Fee Statement of Anderson Kill For The Period From December 1, 2019 Through December 31, 2019* [Docket No. 1019] (the “Tenth Monthly Fee Statement”) requesting \$17,160.00 in fees and \$0 in expenses.

22. On or around February 21 2020, Anderson Kill filed its *Eleventh Monthly Fee Statement of Anderson Kill For The Period From January 1, 2020 Through January 31, 2020* [Docket No. 1064] (the “Eleventh Monthly Fee Statement”) requesting \$28,730.50 in fees and \$0 in expenses.

23. On or around March 18, 2020, Anderson Kill filed its *Twelfth Monthly Fee Statement of Anderson Kill For The Period From February 1, 2020 Through February 29, 2020* [Docket No. 1079] (the “Twelfth Monthly Fee Statement”) requesting \$11,362.40 in fees and \$0 in expenses.

24. On or around April 16, 2020, Anderson Kill filed its *Thirteenth Monthly Fee Statement of Anderson Kill For The Period From March 1, 2020 Through March 31, 2020* [Docket No. 1106] (the “Thirteenth Monthly Fee Statement”) requesting \$20,294.50 in fees and \$0 in expenses. The Thirteenth Monthly Fee Statement is still pending.

25. On or around May 14, 2020, Anderson Kill filed its *Fourteenth Monthly Fee Statement of Anderson Kill For The Period From April 1, 2020 Through April 30, 2020* [Docket

No. 1157] (the “Fourteenth Monthly Fee Statement”) requesting \$24,047.50 in fees and \$0 in expenses.

26. On or around June 18, 2020, Anderson Kill filed its *Fifteenth Monthly Fee Statement of Anderson Kill For The Period From May 1, 2020 Through May 31, 2020* [Docket No. 1206] (the “Fifteenth Monthly Fee Statement”) requesting \$11,619.00 in fees and \$0 in expenses.

27. On or around July 16, 2020, Anderson Kill filed its *Sixteenth Monthly Fee Statement of Anderson Kill For The Period From June 1, 2020 Through June 30, 2020* [Docket No. 1222] (the “Sixteenth Monthly Fee Statement”) requesting \$6,472.50 in fees and \$0 in expenses.

28. On or around August 18, 2020, Anderson Kill filed its *Seventeenth Monthly Fee Statement of Anderson Kill For The Period From July 1, 2020 Through July 31, 2020* [Docket No. 1241] (the “Seventeenth Monthly Fee Statement”) requesting \$7,314.00 in fees and \$0 in expenses. The Seventeenth Monthly Fee Statement is still pending.

29. On or around September 17, 2020, Anderson Kill filed its *Eighteenth Monthly Fee Statement of Anderson Kill For The Period From August 1, 2020 Through August 31, 2020* [Docket No. 1276] (the “Eighteenth Monthly Fee Statement”) requesting \$5,960.00 in fees and \$0 in expenses.

30. On or around October 16, 2020, Anderson Kill filed its *Nineteenth Monthly Fee Statement of Anderson Kill For The Period From September 1, 2020 Through September 30, 2020* [Docket No. 1301] (the “Nineteenth Monthly Fee Statement”) requesting \$7,603.00 in fees and \$0 in expenses.

31. On or around November 12, 2020, Anderson Kill filed its *Twentieth Monthly Fee Statement of Anderson Kill For The Period From October 1, 2020 Through October 31, 2020* [Docket No. 1342] (the “Twentieth Monthly Fee Statement”) requesting \$5,085.50 in fees and \$0 in expenses.

32. On or around December 16, 2020, Anderson Kill filed its *Twenty-first Monthly Fee Statement of Anderson Kill For The Period From November 1, 2020 Through November 30, 2020* [Docket No. 1363] (the “Twenty-first Monthly Fee Statement”) requesting \$2,458.50 in fees and \$0 in expenses.

33. On or around January 13, 2020, Anderson Kill filed its *Twenty-second Monthly Fee Statement of Anderson Kill For The Period From December 1, 2020 Through December 31, 2020* [Docket No. 1378] (the “Twenty-second Monthly Fee Statement”) requesting \$4,544.00 in fees and \$0 in expenses. The Twenty-second Monthly Fee Statement remains pending.

34. By this Application, and in accordance with the Interim Compensation Order, Anderson Kill seeks final approval and allowance of the full amount of the fees and expenses requested in the above-referenced Monthly Fee Statements and Interim Applications (including the Seventh Interim Period), and payment in an amount equal to the difference between the amount of the fees and expenses allowed and the actual payments received by Anderson Kill on account of the Interim Applications and the Monthly Fee Statements.

SUMMARY OF SERVICES

1. During the Final Period, Anderson Kill rendered professional services to the Debtors in connection with these Chapter 11 Cases and on behalf of the Debtors in accordance with Anderson Kill’s professional responsibilities. The services performed were necessary to the administration of these Chapter 11 Cases and were beneficial at the time which the services were

rendered. All services were performed within a reasonable amount of time commensurate with the complexity, importance, and nature of the problem, issue, or task addressed.

2. The Monthly Fee Statements covered by this Application contain detailed daily time entries describing the actual and necessary services provided by Anderson Kill during the periods covered by such applications. The Monthly Fee Statements are incorporated herein by reference as if fully set forth in their entirety. In addition, Anderson Kill incorporates herein by reference the summaries of services performed by Anderson Kill contained in the Monthly Fee Statements as if fully set forth herein in their entirety.

3. Anderson Kill has rendered professional services as insurance counsel to the Debtors as requested and necessary and appropriate in these Chapter 11 Cases.

4. During the course of these Chapter 11 Cases, Anderson Kill incurred and paid its actual and necessary disbursements and expenses.

5. This is Anderson Kill's third interim and final application pursuant to the Interim Compensation Order. Anderson Kill has made no prior or other application to this or any other Court for the relief requested herein.

EXPENSES INCURRED

6. During the course of these Chapter 11 Cases, Anderson Kill incurred and paid its actual and necessary disbursements and expenses, which totaled \$835.73. The Monthly Fee Statements and Interim Applications covered by this Application contain detailed itemizations of expenses incurred by Anderson Kill during the Final Period. The Monthly Fee Statements and Interim Applications are incorporated herein by reference as if fully set forth in their entirety.

RELIEF REQUESTED

7. By this Application, Anderson Kill requests that the Court grant an interim award of one-hundred percent (100%) of the fees and expenses incurred by Anderson Kill during the Seventh Interim Period and grant a final award of one-hundred percent (100%) of the fees and expenses incurred by Anderson Kill during the Final Period.

8. The professional services and related expenses for which Anderson Kill requests approval were rendered and incurred in connection with the Chapter 11 Cases in accordance with Anderson Kill's professional responsibilities as insurance counsel to the Debtors. Anderson Kill's services were reasonable, necessary, and beneficial to the Debtors and their estates.

9. In accordance with the factors enumerated in section 330 of the Bankruptcy Code, it is respectfully submitted that the amount of compensation requested by Anderson Kill in this Application is fair and reasonable given (a) the complexity of the Chapter 11 Cases, (b) the time expended, (c) the nature and extent of the services rendered, (d) the value of such services, and (e) the costs of comparable services other than in a case under the Bankruptcy Code.

10. Moreover, Anderson Kill has reviewed the requirements of D.N.J. LBR 2016-3 and the Revised UST Guidelines and believes this Application substantially complies therewith.

CERTIFICATION OF COUNSEL

11. A Certification of Counsel attached as **Exhibit A** is made part of this Application.

WHEREFORE, Anderson Kill P.C. respectfully requests the Court enter an order, substantially in the form attached hereto, providing (a) that an interim allowance be made to Anderson Kill P.C. in the amount of (i) \$25,651.00 as compensation for necessary professional services rendered during the Third Interim Period, and (ii) \$0 for actual and necessary expenses incurred during the Third Interim Period; (b) a final allowance be made to Anderson Kill in the

amount of (i) \$551,478.50, as compensation for necessary professional services rendered during the Final Period, and (ii) \$835.73 for actual and necessary expenses incurred during the Final Period, for a total of \$552,314.23; (c) that the Debtors are authorized and directed to pay Anderson Kill the outstanding amount of such sums in accordance with the Plan; and (d) for such other and further relief as may be just and proper.

Dated: January 21, 2021

Respectfully submitted,

ANDERSON KILL P.C.

/s/ Cort T. Malone

Cort T. Malone, Esq.

1251 Avenue of the Americas

42nd Floor

New York, NY 10020

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212-278-1733 (Facsimile)

cmalone@andersonkill.com

Insurance Counsel to the Debtors and Debtors-in-Possession

EXHIBIT A

ANDERSON KILL P.C.

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New York, NY 10020
212-278-1000 (Telephone)
212-278-1733 (Facsimile)

Insurance 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)

CERTIFICATION OF CORT T. MALONE, ESQ.

Cort T. Malone, pursuant to 28 U.S.C. § 1746, states as follows:

1. I am a shareholder in the law firm of Anderson Kill P.C., insurance counsel to the above-captioned debtors and debtors-in-possession (the “Debtors”). I submit this Certification in connection with the *Third Interim and Final Application of Anderson Kill P.C. as Insurance Counsel to the Debtors for Allowance of Compensation for Services Rendered and Reimbursement of Expenses from (I) August 1, 2020 through December 31, 2020 and (II) December 13, 2018 through December 31, 2020* (the “Application”).

2. In accordance with 18 U.S.C. § 155 and the Rules of this Court, neither I nor any attorney of my firm has entered into any agreement, written or oral, express or implied, with the Debtors, any creditor, or any other party in interest, or any attorney of such person, for the

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).

purpose of fixing the amount of any of the fees or other compensation to be allowed out of or paid from the assets of the Debtors.

3. In accordance with § 504 of the Bankruptcy Code, no agreement or understanding exists between me, my firm or any attorney thereof, on the one hand, and any other person, on the other hand, for the division of such compensation as my firm may receive from the Debtors herein, nor will any division of fees prohibited by § 504 of the Bankruptcy Code be made by me, or any partner or associate of my firm.

4. I have reviewed the requirements of D.N.J. LBR 2016-4 and the Revised UST Guidelines and certify to the best of my knowledge and belief that this Application substantially complies therewith.

I certify, under penalty of perjury, that the foregoing statements made by me are true to the best of my knowledge, information, and belief.

Dated: January 21, 2021

/s/ Cort T. Malone
Cort T. Malone, Esq.