

YOUNG CONAWAY STARGATT & TAYLOR, LLP

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Counsel to the Future Claimants' Representative

**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)

**TENTH MONTHLY FEE STATEMENT² OF YOUNG CONAWAY
STARGATT & TAYLOR, LLP AS COUNSEL TO LAWRENCE FITZPATRICK,
LEGAL REPRESENTATIVE FOR FUTURE CLAIMANTS FOR
THE PERIOD AUGUST 1, 2019 THROUGH AUGUST 31, 2019**

Young Conaway Stargatt & Taylor, LLP (“**YCST**” or the “**Applicant**”), counsel to Lawrence Fitzpatrick, the legal representative for future claimants (the “**Future Claimants' Representative**” or the “**FCR**”), submits this tenth monthly fee statement for the period from August 1, 2019 through August 31, 2019 (the “**Tenth Fee Statement**”) pursuant to the Court’s *Administrative Fee Order Establishing Certain Procedures for Allowance of Interim*

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 YCST filed the *First Interim Application of Young Conaway Stargatt & Taylor, LLP for Compensation for Services Rendered and Reimbursement of Expenses for Professional Services Rendered as Counsel to Lawrence Fitzpatrick as the Legal Representative for Future Asbestos Personal Injury Claimants for the Period from September 7, 2018 through November 30, 2018* [Docket No. 335] in lieu of a first monthly fee statement.

Compensation and Reimbursement of Expenses of Professionals Retained By Order of this Court, dated December 18, 2018 [Docket No. 345] (the “**Administrative Order**”).

Pursuant to the Administrative Order, responses to the Tenth Fee Statement, if any, are due by September 30, 2019.

Dated: September 19, 2019

Respectfully submitted,

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Edwin J. Harron

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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: Young Conaway Stargatt & Taylor, LLP
CASE NO.: 18-27963 (MBK) AUTHORIZED TO PROVIDE PROFESSIONAL SERVICES AS: Counsel to Lawrence Fitzpatrick, Legal Representative for Future Asbestos Personal Injury 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 C

TENTH MONTHLY FEE STATEMENT² OF YOUNG CONAWAY STARGATT & TAYLOR, LLP, AS COUNSEL TO LAWRENCE FITZPATRICK FOR THE PERIOD AUGUST 1, 2019 THROUGH AUGUST 31, 2019

**SECTION I
FEE SUMMARY**

	<u>FEES</u>	<u>EXPENSES</u>
TOTAL PREVIOUSLY REQUESTED:	<u>\$631,935.00</u>	<u>\$24,848.70</u>
TOTAL ALLOWED TO DATE:	<u>\$549,648.50</u>	<u>\$22,282.68</u>
TOTAL RETAINER ³ (IF APPLICABLE):	<u>n/a</u>	<u>n/a</u>
TOTAL HOLDBACK (IF APPLICABLE):	<u>\$16,457.30</u>	<u>\$0.00</u>
TOTAL PAID OR TO BE PAID TO APPLICANT:	<u>\$615,477.70</u>	<u>\$24,848.70</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 YCST filed the *First Interim Application of Young Conaway Stargatt & Taylor, LLP for Compensation for Services Rendered and Reimbursement of Expenses for Professional Services Rendered as Counsel to Lawrence Fitzpatrick as the Legal Representative for Future Asbestos Personal Injury Claimants for the Period from September 7, 2018 through November 30, 2018* (the "**First Interim Application**") [Docket No. 335] in lieu of a first monthly fee statement.

³ The FCR and YCST were paid for their prepetition services in connection with the Chapter 11 Cases and related matters from a retainer. The FCR and YCST have been paid for all amounts owed for legal services rendered prior to the Petition Date. On 12/31/18 YCST received a wire in the amount of \$201,287.11 (representing 65.77% of fees and 100% of expenses) in connection with the First Interim Application and applied the remaining retainer (\$40,942) to that amount, for a total of \$242,228.61 (representing 80% fees and 100% expenses).

FEE TOTALS – PAGE 2	<u>\$23,855.50</u>
DISBURSEMENTS TOTALS – PAGE 3	<u>\$263.59</u>
TOTAL FEE APPLICATION	<u>\$24,119.09</u>
MINUS 20% HOLDBACK	<u>-\$4,771.10</u>
MINUS RETAINER	<u>n/a</u>
AMOUNT SOUGHT AT THIS TIME	<u>\$19,347.99</u>

Name of Professional	Title/ Department	Hours	Rate	Fees (*Reflects 50% rate reduction due to non-working travel time)
Craig D. Gear	Partner	1.10	\$975.00	\$1,072.50
Edwin J. Harron	Partner	5.90	\$905.00	\$5,339.50
Sara Beth A.R. Kohut	Counsel	23.80	\$600.00	\$14,280.00
Casey S. Cathcart	Paralegal	3.90	\$285.00	\$1,111.50
Lisa M. Eden	Paralegal	7.20	\$285.00	\$2,052.00
TOTAL		41.90		\$23,855.50
Attorney Blended Rate: \$569.34				

**SECTION II
SUMMARY OF SERVICES**

SERVICES RENDERED	HOURS	FES
Case Administration (B001)	1.90	\$541.50
Plan and Disclosure Statement (B012)	31.20	\$20,461.50
Retention of Professionals/Fee Issues (B017)	5.10	\$1,548.00
Fee Application Preparation (B018)	3.70	\$1,304.50
SERVICE TOTALS	41.90	\$23,855.50

**SECTION III
SUMMARY OF DISBURSEMENTS**

DESCRIPTION	AMOUNT
Computerized Legal Research	\$41.26
Docket Retrieval/Search	\$41.50
Federal Express	\$43.15
Postage	\$19.00
Reproduction Charges	\$115.70
Teleconference/Video Conference	\$2.98
TOTAL DISBURSEMENTS	\$263.59

**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 13, 2018 [Docket No. 269]. See Order attached.
- (4) SUMMARIZE IN BRIEF THE BENEFITS TO THE ESTATE AND ATTACH SUPPLEMENTS AS NEEDED:

During the period covered by this monthly fee statement:

- a) YCST reviewed and analyzed various trust documents;
 - b) YCST analyzed, drafted, and conferred with plan proponents regarding the plan proponents' reply to North River's objections to the Court's proposed findings of fact and conclusions of law regarding confirmation; and
 - c) YCST performed other professional services as counsel to the legal representative for future claimants 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 foregoing is true and correct.

Date: September 19, 2019

/s/ Edwin J. Harron
Edwin J. Harron, Esq.