UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE

In Re:	§	**Chapter 11**
	§	
EXIDE TECHNOLOGIES, et al.,	§	**Jointly Administered**
	§	**Case No. 02-11125 (KJC)**
Debtors.	§	
	§	

FEE AUDITOR'S FINAL REPORT REGARDING
FEE APPLICATION OF PEPPER HAMILTON LLP
FOR THE THIRD INTERIM PERIOD

This is the final report of Warren H. Smith & Associates, P.C. ("Smith"), acting in its capacity as fee auditor in the above-captioned bankruptcy proceeding, regarding the Fee Application of Pepper Hamilton LLP for the Third Interim Period (the "Application").

BACKGROUND

1. Pepper Hamilton LLP ("Pepper Hamilton") was retained as co-counsel for the Official Committee of Unsecured Creditors. In its Application, Pepper Hamilton seeks approval of fees totaling $131,526.25 and expenses totaling $12,460.79 for the period from July 1, 2003, through September 30, 2003.

2. In conducting this audit and reaching the conclusions and recommendations contained herein, we reviewed in detail the Application in its entirety, including each of the time entries included in the exhibits to the Application, for compliance with 11 U.S.C. § 330, Local Rule 2016-2 of the Local Rules of the United States Bankruptcy Court for the District of Delaware, Amended Effective February 1, 2001, and the United States Trustee Guidelines for Reviewing Applications for Compensation and Reimbursement of Expenses Filed Under 11 U.S.C. 330, Issued January 30, 1996 (the "Guidelines"), as well as for consistency with precedent established in the United States

Bankruptcy Court for the District of Delaware, the United States District Court for the District of Delaware, and the Third Circuit Court of Appeals. We served on Pepper Hamilton an initial report based on our review, and received a response from Pepper Hamilton, portions of which response are quoted herein.

DISCUSSION

3. In our initial report, we noted that during September, 2003, several professionals billed for non-working travel time at what appears to be their full hourly rate. The total time billed was 11.60 hours for a total fee of $2,633.50. The time entries are provided below:

09/17/03	SH	1.80	540.00	Non-working travel to Wilmington for meeting with D. Fournier and D. Stratton (.8); non-working travel to Philadelphia (1.0).
09/17/03	MR	2.00	230.00	Non-working travel time
09/26/03	DS	1.80	801.00	Non working travel to and from Philadelphia for discovery conference.
09/29/03	SH	1.00	300.00	Non-working travel to New York for meeting at Akin Gump.
09/29/03	MB	3.50	612.50	Non working travel to New York.
09/30/03	AM	1.50	150.00	Non-working travel to/from Philadelphia office.

Rule 2016-2(d)(viii) states that "[t]ravel time during which no work is performed shall be separately described and may be billed at no more than 50% of regular hourly rates." We asked Pepper Hamilton to review the above entries and explain why a reduction of 50% of the corresponding fees should not be taken. Pepper Hamilton responded that "[we] have reviewed your report and have confirmed that the time was bill at 100% rather than 50%. " We appreciate Pepper Hamilton's response and thus recommend a reduction for half of the non-working travel time, for a reduction of $1,316.75 in fees.

CONCLUSION

4. Thus we recommend approval of fees totaling $130,209.50 ($131,526.25 minus $1,316.75) and expenses totaling $12,460.79, for Pepper Hamilton's services from July 1, 2003, through September 30, 2003.

Respectfully submitted,

WARREN H. SMITH & ASSOCIATES, P.C.

By:

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FEE AUDITOR

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served First Class United States mail to the attached service list on this 12th day of February 2004.

Warren H. Smith

SERVICE LIST

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