

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

)	
In re:		)	Chapter 11
LABORATORY PARTNERS, INC., <i>et al.</i> , ¹		)	Case No. 13-12769 (PJW)
Debtors.		)	Jointly Administered
)	
		)	Obj. Deadline: February 24, 2014 at 4:00 p.m.
		)	Hearing Date: March 6, 2014 at 11:00 a.m.

**FIRST INTERIM APPLICATION OF OTTERBOURG P.C.
FOR PAYMENT OF COMPENSATION AND REIMBURSEMENT
OF EXPENSES AS LEAD CO-COUNSEL TO THE OFFICIAL COMMITTEE
OF UNSECURED CREDITORS FOR THE PERIOD FROM
NOVEMBER 7, 2013 THROUGH DECEMBER 31, 2013**

Name of Applicant:	<u>Otterbourg P.C.</u>
Authorized to Provide Professional Services to:	<u>Official Committee of Unsecured Creditors</u>
Date of Retention:	<u>nunc pro tunc to November 7, 2013</u>
Period for which compensation and reimbursement is sought:	<u>November 7, 2013 through December 31, 2013</u>
Amount of Compensation sought as actual, reasonable and necessary:	<u>\$136,116.50</u>
Amount of Expense Reimbursement sought as actual, reasonable and necessary:	<u>\$2,684.56</u>
This is a(n):	<input checked="" type="checkbox"/> Interim <input type="checkbox"/> Final application

This is the FIRST Interim fee application filed in this case.

Prior Applications: N/A

¹ The Debtors and the last four digits of their taxpayer identification numbers are as follows: Laboratory Partners, Inc. (3376), Kilbourne Medical Laboratories, Inc. (9849), MedLab Ohio, Inc. (9072), Suburban Medical Laboratory, Inc. (0859), Biological Technology Laboratory, Inc. (4370), Terre Haute Medical Laboratory, Inc. (1809), and Pathology Associates of Terre Haute, Inc. (6485).

SUMMARY OF BILLING BY PROFESSIONAL

The hourly rates below reflect what Applicant generally charges non-bankruptcy clients for similar services. A breakdown among the persons rendering the services are as follows:

Name of Professional Person	Position of the Professional Person, Number of Years in that Position, Prior Relevant Experience, Year of Obtaining License to Practice, Area of Expertise	Hourly Billing Rate	Total Billed Hours	Total Compensation
Scott L. Hazan ("SLH")	Chairman of Insolvency Department and Member of firm since 1980, specializing in creditors' rights/insolvency law, admitted in 1974.	\$940	12.1	\$11,374.00
David M. Posner ("DMP")	Member of firm since 2010, specializing in creditors' rights/insolvency law, admitted in 1989.	\$835	55.2	\$46,092.00
Jenette A. Barrow-Bosshart ("JAB")	Member of firm since 2002, specializing in creditors' rights/insolvency law, admitted in 1985.	\$795	0.4	\$318.00
Jessica M. Ward ("JMW")	Associate at firm since 2002, specializing in creditors' rights/insolvency law, admitted in 2003.	\$575	27.8	\$15,985.00
Gianfranco Finizio ("GF")	Associate at firm since 2009, specializing in creditors' rights/insolvency law, admitted in 2010.	\$425	140.1	\$59,542.50
Cathy A. Pellegrino ("CAP")	Paraprofessional	\$255	11.0	\$2,805.00
	GRAND TOTAL:		246.6	\$136,116.50
BLENDED HOURLY RATE:	\$551.97			

COMPENSATION BY PROJECT CATEGORY

Project Category	Total Hours	Total Fees
Review Financial Information/Business Operations	6.9	\$3,764.00
Investigation/Asset Analysis & Recovery	48.2	\$22,687.50
Debtor-In-Possession Financing	31.7	\$19,061.00
Committee Meetings	41.7	\$23,768.00
Communications with Creditors' Committee and Creditors	13.2	\$7,254.00
Lease and Real Estate Analysis & Related	3.8	\$2,046.00
Preparation of Applications for Allowance/Employment	20.9	\$11,802.50
Acquisition/Divestiture Work/Asset Disposition	53.5	\$30,643.50
Claims Objection Work/Claims Administration	8.6	\$4,768.50
Fee/Employment Objections	11.1	\$6,005.00
Employee Benefits/Pension/General Labor	7.0	\$4,316.50
TOTALS:	246.6	\$136,116.50

EXPENSE SUMMARY

Expense Category	Total Expenses¹
Laser Copies (\$0.10 per page)	\$139.10
Photocopies (\$0.10 per page)	\$1.10
Telephone Calls (tolls only)	\$1,368.93
Transportation	\$1,038.65
Working Meals	\$136.78
TOTAL:	\$2,684.56

¹ The date that appears on the annexed disbursement detail for a particular disbursement is, as to certain disbursements (e.g., Transportation), the date the disbursement is recorded in the computer records and not the date of actual incurrence.

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:)	
	)	Chapter 11
LABORATORY PARTNERS, INC., <i>et al.</i> , ¹	)	Case No. 13-12769 (PJW)
)	
Debtors.	)	Jointly Administered
)	
	)	Obj. Deadline: February 24, 2014 at 4:00 p.m.
	)	Hearing Date: March 6, 2014 at 11:00 a.m.

**FIRST INTERIM APPLICATION OF OTTERBOURG P.C.
FOR PAYMENT OF COMPENSATION AND REIMBURSEMENT OF
EXPENSES AS LEAD CO-COUNSEL TO THE OFFICIAL
COMMITTEE OF UNSECURED CREDITORS FOR THE PERIOD
FROM NOVEMBER 7, 2013 THROUGH DECEMBER 31, 2013**

Otterbourg P.C. (“Otterbourg”), lead co-counsel to the Official Committee of Unsecured Creditors (the “Committee”) of Laboratory Partners, Inc., et al., the above-captioned debtors and debtors-in-possession (the “Debtors”), hereby submits its first interim application (the “Application”) for entry of an order pursuant to sections 330 and 331 of title 11 of the United States Code, 11 U.S.C. §§101 et seq., as amended (the “Bankruptcy Code”) granting it interim compensation and reimbursement of expenses for the period from November 7, 2013 through December 31, 2013. In support hereof, Otterbourg respectfully represents as follows:

**I JURISDICTION, VENUE AND STATUTORY
PREDICATES FOR RELIEF SOUGHT**

1. This Court has jurisdiction over this Application pursuant to 28 U.S.C. §1334. This is a core proceeding pursuant to 28 U.S.C. §157(b)(2)(A) and (B). Venue of this proceeding and

¹ The Debtors and the last four digits of their taxpayer identification numbers are as follows: Laboratory Partners, Inc. (3376), Kilbourne Medical Laboratories, Inc. (9849), MedLab Ohio, Inc. (9072), Suburban Medical Laboratory, Inc. (0859), Biological Technology Laboratory, Inc. (4370), Terre Haute Medical Laboratory, Inc. (1809), and Pathology Associates of Terre Haute, Inc. (6485).

this Application is proper in this District pursuant to 28 U.S.C. §§1408 and 1409. The statutory predicate for the relief sought herein is sections 330 and 331 of the Bankruptcy Code.

BACKGROUND

2. On October 25, 2013 (the "Petition Date"), the Debtors filed voluntary petitions for reorganization under Chapter 11 of the Bankruptcy Code. The Debtors' cases are being jointly administered. 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 Debtors' cases.

3. On November 7, 2013, pursuant to section 1102(a) of the Bankruptcy Code, the United States Trustee for the District of Delaware (the "United States Trustee") appointed the Committee [Docket No. 80]. Also on November 7, 2013, the Committee selected Otterbourg to serve as its lead co-counsel and Klehr Harrison Harvey Branzburg LLP to serve as its Delaware co-counsel. On November 12, 2013, the Committee selected Carl Marks Advisory Group LLC to serve as its financial advisors.

4. On November 26, 2013, the Court entered the *Order Pursuant to Bankruptcy Code Sections 105(a) and 331, Bankruptcy Rule 2016 and Local Rule 2016-2 Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals* [Docket No. 145].

5. On December 12, 2013, this Court entered an *Order Pursuant to, Inter Alia, 11 U.S.C. §§ 328(a) and 1103(a) of the Bankruptcy Code Authorizing Employment and Retention of Otterbourg P.C., Effective as of November 7, 2013, as Lead Co-Counsel to the Official Committee of Unsecured Creditors* [D.I. No. 205].

6. Otterbourg has continuously rendered services on behalf of the Committee for the period from November 7, 2013 through December 31, 2013 (the "Compensation Period"), totaling 246.6 hours of professional time.

7. The total sum due to Otterbourg for professional services rendered on behalf of the Committee for the Compensation Period is \$136,116.50. Otterbourg submits that the professional services it rendered on behalf of the Committee during this time were reasonable and necessary.

8. Otterbourg also expended costs on behalf of the Committee in the sum of \$2,684.56 during the Compensation period. In accordance with Local Bankruptcy Rule 2016-2(e)(iii), the line designated "Photocopying" represents in-house copying based on a cost of \$0.10 per page.

9. Otterbourg accordingly seeks interim allowance of the sum of \$136,116.50 in fees and \$2,684.56 in expenses, for a total of \$138,801.06.

10. As of the date of this Application, Otterbourg is owed **\$136,116.50** in fees and **\$2,684.56** in expenses, which represents 100% of fees and 100% expenses incurred during the Compensation Period.

11. The undersigned hereby attests that he has reviewed the requirements of Local Rule 2016-1 and this Application conforms to such requirements.

[Remainder of this page intentionally left blank.]

WHEREFORE, Otterbourg hereby requests: (i) interim approval and allowance of the full amount of the fees and expenses requested for the period covering November 7, 2013 through December 31, 2013; (ii) authorization for the Debtors to pay the full amounts requested; and (iii) such other relief as this Court deems just and proper.

Dated: February 4, 2014
New York, New York

/s/ David M. Posner

David M. Posner, Esq.
Member of the Firm
OTTERBOURG P.C.
230 Park Avenue
New York, New York 1069
Telephone: (212) 661-9100

Lead Co-Counsel to
the Official Committee of Unsecured Creditors