

IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF TEXAS
 DALLAS DIVISION

NETSPHERE, INC.,	§	
MANILA INDUSTRIES, INC., AND	§	
MUNISH KRISHAN	§	
	§	
PLAINTIFFS,	§	
	§	
V.	§	CIVIL ACTION NO. 3:09-CV-0988-F
	§	
JEFFREY BARON AND	§	
ONDOVA LIMITED COMPANY,	§	
	§	
DEFENDANTS.	§	

THE RECEIVER’S FIRST DYKEMA FEE APPLICATION

Peter S. Vogel, Receiver over Jeffrey Baron and the Receivership Parties (the “Receiver”), files this First Application for Reimbursement of Fees and Expenses Incurred (“First Dykema Fee Application”) by Dykema Gossett PLLC (“Dykema”) for the period of July 6, 2012 through July 31, 2012 (the “First Application Period”). In support of the First Dykema Fee Application, the Receiver states as follows:

I. SUMMARY OF REQUEST

Name of Applicant: Peter S. Vogel on behalf of Dykema Gossett PLLC
Role in Case: Counsel to Peter S. Vogel, Receiver
Application Period: July 6, 2012 – July 31, 2012

Summary of Request (July 6, 2012 to July 31, 2012)

	<u>Fees</u>	<u>Expenses</u>	<u>Total</u>
Amounts Requested	\$237,948.00	\$3,563.31	\$241,511.31
Less: Amounts Previously Paid	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
Total Compensation Due	\$237,948.00	\$3,563.31	= \$241,511.31
	<u>100%</u>	<u>100%</u>	
Total Req. Paid By This Appl.	\$237,948.00	\$3,563.31	= \$241,511.31

II. PRELIMINARY STATEMENT

In this First Dykema Fee Application, the Receiver asks this Court for approval and allowance of all (100%) fees earned and expenses incurred by Dykema during the First Application Period. As shown by the record before this Court and the exhibits attached hereto, throughout the First Application Period, Dykema has worked diligently on a daily basis to assist the Receiver in carrying out his duties under this Court's Order Appointing Receiver (the "Receivership Order") and other related orders. As shown on the record before this Court, the Receiver believes that Dykema's work has resulted in identifiable, tangible, and material progress in carrying out the Receivership Order and winding-up the Receivership. Accordingly, the First Dykema Fee Application should be approved.

III. SUPPORT

In support of the Dykema Fee Application, the Receiver has attached as Exhibit A hereto, a true and correct redacted¹ copy of Dykema's Invoice for Legal Services Rendered on Behalf of the Receiver during the First Application Period, detailing all fees requested for payment by Dykema and including narratives of the work performed by Dykema on behalf of the Receiver.

IV. REQUEST

On July 6, 2012, Dykema was substituted in as counsel for the Receiver. On July 12, 2012, the Receiver filed his expedited application to approve Dykema's retention, to be effective the first day of employment, July 6, 2012 [Doc. No. 1025] (the "Retention Application"). Dykema's engagement letter was attached to the Retention Application and the Court approved the terms of Dykema's engagement on July 12, 2012 [Doc. No. 1026].

¹ The Dykema fee statement has been redacted to preserve attorney client privilege and confidentiality.

Since engaging Dykema, the Receiver has a) filed a comprehensive brief addressing numerous consolidated expedited appeals in the Fifth Circuit, b) conducted negotiations with the Ondova Chapter 11 Trustee culminating in a joint settlement proposal and Term Sheet providing for a comprehensive joint Plan Settlement to wind-down and resolve this case and the related Ondova bankruptcy case, c) filed a comprehensive joint Plan and Disclosure Statement in the Ondova Bankruptcy Court to implement the joint Plan Settlement, d) identified, negotiated and obtained a \$4.1 million stalking horse bid for the primary assets of the Receivership, and e) filed a Receiver's Motion in this Court to obtain this Court's approval of the joint Plan Settlement, the stalking horse bid, and the joint plan process.

Based upon the foregoing work product, the Receiver respectfully requests that this Court enter an order (a) allowing and authorizing compensation to Dykema in the amount of **\$241,511.31**, for the period from July 6, 2012, through July 31, 2012; (b) directing the Receiver, and his agents or representatives, to immediately pay **\$241,511.31** to Dykema from the Receivership Assets to which the Receiver has obtained access to date, and to the extent that the Receiver controls available cash funds. Given the limited cash position of the Receivership estate, the retention Application calls for the prioritization of payment to Dykema for fees as they are incurred. Therefore, the Receiver asks for authority to prioritize payment to Dykema and to immediately pay Dykema from the more than \$1.6 million of Receivership cash on hand.

Respectfully submitted,

DYKEMA GOSSETT PLLC

By: /s/ David J. Schenck

David J. Schenck

State Bar No. 17736870

Jeffrey R. Fine

State Bar No. 07008410

Christopher D. Kratovil

State Bar No. 24027427
1717 Main Street, Suite 4000
Dallas, Texas 75201
(214) 462-6455
(214) 462-6401849 (Telecopier)

**ATTORNEYS FOR THE
RECEIVER, PETER S. VOGEL**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served via the Court's ECF system on all counsel of record on September 20, 2012.

/ By: /s/ David J. Schenck
David J. Schenck

EXHIBIT A



400 Renaissance Center • Detroit, MI 48243 • EIN# 38-1446628

DUE UPON RECEIPT

PETER VOGEL
PETER S. VOGEL, RECEIVER
THANKSGIVING TOWER, SUITE 3000
1601 ELM STREET
DALLAS, TX 75201

SEPTEMBER 19, 2012
CLIENT-MATTER NO. 108946-0001
INVOICE NO. 1470491

FOR PROFESSIONAL SERVICES RENDERED

RE: BANKRUPTCY/APPEAL

FEES	\$ 237,948.00
DISBURSEMENTS	3,563.31
TOTAL AMOUNT DUE	<u>\$ 241,511.31</u>



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RE: BANKRUPTCY/APPEAL

DATE	ID	DESCRIPTION	HOURS
07/06/12	DJSCH	CALLS & MEETING W/ CLIENT RE: APPEAL.	2.50
07/07/12	JRF	REVIEW RECEIVERSHIP ORDER AND BEGIN TRACKING DOWN BACKGROUND OF SAME.	0.50
07/08/12	JRF	DOWNLOAD, REVIEW AND RESEARCH CASE HISTORIES OF FEDERAL DISTRICT COURT RECEIVERSHIP CASE, AND ONDOVA BANKRUPTCY CASE.	4.00
07/09/12	CDKR	ASSISTANCE REGARDING ENGAGEMENT LETTER AND STRUCTURE OF REPRESENTATION (NO CHARGE FOR THIS TASK). REVIEW OF 5TH CIRCUIT BRIEFING AND CONFERENCE WITH TEAM REGARDING 5TH CIRCUIT DRAFTING AND RESEARCH. WORK ON 5TH CIRCUIT APPEAL AND REVIEW OF PRIOR BRIEFING. ANALYSIS OF ISSUES IN APPEAL.	2.20
07/09/12	DJSCH	REVIEW FILINGS FORWARDED BY PETER YESTERDAY, READ FILING FORWARD BY J. FINE RE: PAST HEARINGS RE: APPOINTMENT AND READ ORDERS IN BK COURT AS FORWARDED BY J. FINE, MEETING W/ PETER AND JEFF FINE @ PETER'S OFFICE, PRELIMINARY RESEARCH ON [REDACTED], CONFERENCE WITH TEAM RE: [REDACTED]	9.50
07/09/12	JRF	PARTICIPATE IN DISCUSSIONS RE TAKING OVER CASE. REVIEW CASE HISTORY AND FEDERAL EQUITY RECEIVERSHIP ISSUES IN PREPARATION FOR MEETING WITH RECEIVER VOGEL. PREPARE FOR AND ATTEND MEETING WITH RECEIVER VOGEL AND DAVID SCHENCK REGARDING [REDACTED] PREPARE DRAFT ENGAGEMENT LETTER AND NUMEROUS DISCUSSIONS RE SAME (NO-CHARGE FOR THIS TASK).	0.00
07/09/12	RMT	EXAMINE OPENING BRIEF IN CASE NUMBER 12-10489; RESEARCH FILINGS IN EARLIER NOW CONSOLIDATED APPEALS ON PACER; IDENTIFY FUNDAMENTAL ISSUES TO BE ADDRESSED IN RESPONSE BRIEF; DEVELOP STRATEGY TO MEET EXPEDITED BRIEFING ORDER.	6.20
07/10/12	CDKR	ASSISTANCE REGARDING ENGAGEMENT LETTER AND STRUCTURE OF REPRESENTATION (NO CHARGE FOR THIS TASK). ATTENDED MEETING WITH MR. VOGEL AND MR. FINE, AND DISCUSSION OF KEY ISSUES AT ALL LEVELS OF CASE. REVIEW OF 5TH CIRCUIT BRIEFING AND CONFERENCE WITH TEAM REGARDING 5TH CIRCUIT DRAFTING AND RESEARCH. WORK ON 5TH CIRCUIT APPEAL. ANALYSIS OF ISSUES IN APPEAL.	5.50
07/10/12	DJSCH	INFORMAL RESEARCH ON (CALLS TO THIRD PARTIES RE: OPINIONS OF) COUNSEL ENGAGED BY THE PARTIES TO DATE. (NO CHARGE)	0.00
07/10/12	DJSCH	EMAILS & CALL TO ROSA TAMULIAN TO CLARIFY ISSUES IN NEED OF IDENTIFICATION IN DISTRICT COURT OR [REDACTED] SET UP CALL FOR 9:45 TO DISCUSS	0.50

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DATE	ID	DESCRIPTION	HOURS
07/10/12	DJSCH	DISCUSSIONS RE: DEADLINES & NEED FOR DISCOUNTED COMPETENT SUPPORT FROM OTHER OFFICES. (NO CHARGE)	0.00
07/10/12	DJSCH	EMAILS W/ P. VOGEL & J. FINE RE: DAY-TO-DAY DECISIONS, REQUEST TO MR. FINE TO HANDLE	0.50
07/10/12	DJSCH	REVISED ENGAGEMENT TO CLARIFY SCOPE AS TO PARTY AND CLIENT (NO CHARGE)	0.00
07/10/12	DJSCH	REVIEW CORRECTED BRIEF FROM BARON	1.00
07/10/12	DJSCH	ENGAGEMENT LETTER REVIEWED & REVISED (NO CHARGE FOR THIS TASK)	0.00
07/10/12	DJSCH	RESEARCH ON [REDACTED]	4.50
07/10/12	DJSCH	EXTENSIVE DISCUSSIONS W/ J. FINE AFTER MEETING W/ CLIENT RE: [REDACTED]	1.50
07/10/12	JRF	VERY EXTENDED ALL MORNING MEETING WITH BARRY GOLDEN, PETER LOH AND PETER VOGEL TRANSITIONING CASE MEETING WITH DAVID J. SCHENCK. MEETINGS WITH TEAM REGARDING ISSUES RE TRANSITION AND STRATEGY. AFTERNOON MEETING WITH PETER VOGEL AND DAMON NELSON RE THE [REDACTED] EXTENDED CONFERENCE IN EARLY EVENING PARTICIPATE IN DISCUSSIONS RE LATEST ISSUES AND HOW TO PROCEED. MEMOS TO FILE.	8.00
07/10/12	RMT	EXAMINE BRIEFS FILED IN ORIGINAL RECEIVERSHIP APPEAL; IDENTIFY ISSUE OVERLAP WITH PRESENT APPEAL. CALL WITH DAVID J. SCHENCK.	4.60
07/11/12	CDKR	REVIEW OF 5TH CIRCUIT BRIEFING AND CONFERENCE WITH MR. SCHENCK REGARDING 5TH CIRCUIT DRAFTING AND RESEARCH. WORK ON 5TH CIRCUIT APPEAL. ANALYSIS OF ISSUES IN APPEAL. ASSISTANCE TO MR. SCHENCK ON ENGAGEMENT LETTER AND STRUCTURE OF REPRESENTATION (NO CHARGE FOR THIS TASK).	3.20
07/11/12	DJSCH	MEETING W/ P. VOGEL RE; TERMS OF ENGAGEMENT; CALL AND MEETING WITH TEAM REGARDING [REDACTED]	5.00
07/11/12	JRF	DRAFT, AND MULTIPLE EXTENSIVE REVISIONS, TO ENGAGEMENT LETTER (NO CHARGE FOR THIS TASK) MULTIPLE INTERNAL DISCUSSIONS WITH FIRM GENERAL COUNSEL WITH TEAM RE SAME (NO CHARGE FOR THIS TASK). DRAFT NOTICE AND APPLICATION TO EMPLOY DYKEMA AND MULTIPLE REVISIONS TO SAME. RESEARCH [REDACTED] VERY EXTENDED TELEPHONE CONFERENCES (INCLUDING A 1 HOUR CALL) WITH PETER VOGEL REGARDING VERY COMPLEX ENGAGEMENT ISSUES. INTERNAL DISCUSSIONS REGARDING SAME.	3.90

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DATE	ID	DESCRIPTION	HOURS
07/11/12	RMT	DETAILED ANALYSIS OF BRIEFS FILED IN NOVO APPEAL, CCSB APPEAL, RECEIVER ADMINISTRATION APPEALS; EXAMINE MOTION [REDACTED] SYNTHESIZE FINDINGS INTO A SUMMARY CHART.	10.00
07/12/12	CDKR	REVIEW OF 5TH CIRCUIT BRIEFING. CONFERENCE WITH MR. SCHENCK REGARDING 5TH CIRCUIT DRAFTING AND RESEARCH. WORK ON 5TH CIRCUIT APPEAL.	2.10
07/12/12	DJSCH	MEET WITH P. VOGEL & J. FINE @ PETER'S OFFICE. MEET W/ R. URBANIK AND VOGEL & FINE. REVIEW MASTER CLAIMS AND APPEALS CHARTS IDENTIFYING ISSUES PENDING BEFORE THE 5TH CIR. AND ARGUMENTS MADE IN RESPONSE TO DATE; REVISE, CONFER & FILE NOTICE OF APPEARANCE AND APPLICATION FOR EMPLOYMENT, REVIEW ORDER FROM COURT, SCHEDULE MEETING W/ APPELLATE TEAM TO DIVIDE ASSIGNMENTS.	7.50
07/12/12	JRF	ATTEND MORNING MEETINGS WITH PETER VOGEL AND DAVID SCHENCK REGARDING RETENTION AND OTHER ISSUES. REVISIONS TO ENGAGEMENT LETTER (NO CHARGE FOR THIS TASK). LATER MEETING WITH PETER VOGEL, RAY URBANIK (TRUSTEE COUNSEL), DAVID SCHENCK RE CASE STATUS. MULTIPLE REVISIONS TO APPLICATION TO EMPLOY DYKEMA. DRAFT ORDER TO EMPLOY. FILE PLEADINGS WITH FEDERAL DISTRICT COURT. DRAFT NOTICE OF APPEARANCE IN BANKRUPTCY COURT. REVIEW VARIOUS MATTERS IN BANKRUPTCY COURT. TELEPHONE CALL WITH GARY SCHEPPS RE ENTRY INTO CASE. CONFER WITH PETER VOGEL MANY TIMES DURING DAY. CONFER WITH TEAM TO ASSIGN TASK OF DEALING WITH [REDACTED] MULTIPLE CONFERENCES RE VARIOUS LEGAL ISSUES, ASSIGNMENTS AND RESPONSES TO JUDGE'S ORDER. RESEARCH ISSUES ON ADMINISTRATIVE MATTERS. DRAFT NOTES OF MEETINGS.	9.80
07/12/12	RMT	COMPILE EXECUTIVE SUMMARY CHART; PREPARE ISSUE MAP FOR PRESENT APPEAL; IDENTIFY MOTIONS/ISSUES CARRIED WITH CASE PREPARATORY TO RESPONDING TO PRESENT APPEAL.	8.40
07/13/12	CDKR	REVIEW OF 5TH CIRCUIT BRIEFING. CONFERENCE WITH MR. SCHENCK REGARDING 5TH CIRCUIT DRAFTING AND RESEARCH. ATTENDED MEETING WITH MR. VOGEL, MR. FINE AND TRUSTEE'S COUNSEL.	4.00
07/13/12	DJSCH	READ MOTIONS FORWARD BY [REDACTED] AS RELEVANT TO PENDING BRIEFS, CONFERENCE CALL W/TEAM TO DIVIDE ASSIGNMENTS ON APPELLATE JURISDICTION, STANDARDS OF REVIEW, AND EQUITY ISSUES, GATHERED MOST SALIENT PAST RESPONSE BRIEFS AS PER [REDACTED] MEETINGS W/ J. FINE RE: [REDACTED]	8.50

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DATE	ID	DESCRIPTION	HOURS
07/13/12	JRF	REVIEW AND ANALYZE TRUSTEE DRAFT MOTION AND SETTLEMENT AGREEMENT TO RESOLVE THE BANKRUPTCY CASE. HANDLE MASSIVE NUMBER OF EMAILS FROM VARIOUS PARTIES AND DIRECT TO OTHERS TO MANAGE. PREPARE FOR AND ATTEND MEETING AT RECEIVER'S OFFICE WITH PETER VOGEL AND CHRIS KRATOVIL, WITH PRELIMINARY PRIVATE MEETING WITH RECEIVER AND THEN VERY EXTENDED TELEPHONIC CONFERENCE WITH DENNIS ROOSIEN, RAY URBANIK AND RICHARD HUNT REGARDING THE [REDACTED] THEN RESPOND TO MYRIAD EMAILS ON THE [REDACTED] MEETING WITH DAVID J. SCHENCK RE: [REDACTED]	5.50
07/13/12	MJMI	CONFERENCE CALL WITH TEAM RE CASE BACKGROUND AND RESEARCH ASSIGNMENTS FOR APPELLATE REPLY BRIEF; CONFERENCE WITH R. TUMIALAN RE SAME; REVIEW AND ANALYZE APPELLATE MOTIONS.	3.50
07/13/12	NA	CONFERENCE CALL WITH TEAM RE STRATEGY; ANALYSIS RE MOTION RE PROPOSED BANKRUPTCY SETTLEMENT; RESEARCH RE [REDACTED]	3.10
07/13/12	NGM	REVIEW AND ANALYZE DOCUMENTS RELATED TO [REDACTED] MULTIPLE TELEPHONE CONFERENCES WITH DAMON NELSON.	1.10
07/13/12	RMT	DEVELOP STRATEGY FOR DRAFTING RESPONSE BRIEF; DRAFT OUTLINE OF SUBSTANTIVE ISSUES; DEFINE RESEARCH NEEDED TO SUPPORT SAME.	6.30
07/14/12	MJMI	REVIEW AND ANALYZE KEY ISSUES ON APPEAL AND STATUS OF CONSOLIDATED APPEALS.	0.90
07/15/12	DJSCH	READ SERIATIM BARRON CORRECTED CONSOLIDATED BRIEF AND 4 PAST BRIEFS OF MUNSCHE & VOGEL ON THE MERITS. INITIAL ON-LINE RESEARCH ON [REDACTED]	7.50
07/15/12	MJMI	RESEARCH RE [REDACTED] RESEARCH RE [REDACTED]	5.20
07/15/12	NA	RESEARCH RE [REDACTED]	3.10
07/16/12	CDKR	STRATEGY CONFERENCE WITH MR. SCHENCK AND MR. FINE, AND OUTLINING OF 5TH CIRCUIT BRIEF. LEGAL RESEARCH ON [REDACTED] REVIEW OF BRIEFING AND RECORD AS PART OF DRAFTING PROCESS FOR 5TH CIRCUIT APPEAL. CONFERENCE REGARDING APPELLATE ISSUES. REVIEW OF E-MAILS AND CORRESPONDENCE WITH RECEIVER.	4.00
07/16/12	DJSCH	MEETING W/ J. FINE RE: GOING FORWARD PLAN, RESEARCH ASSIGNMENTS TO NADAV RE: [REDACTED] PULLING CASES CITED IN [REDACTED], ON-LINE RESEARCH; CALL-WITH R. TUMIALAN & C. KRATOVIL RE; STATUS OF ASSOCIATE RESEARCH, DRAFTING OF FACTS AND PROCEDURAL HISTORY SECTIONS; MEETING W/ MR. HUNT; [REDACTED] BY MR. HUNT; STRATEGY MEETING W/ MR. FINE & KRATOVIL.	7.50

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DATE	ID	DESCRIPTION	HOURS
07/16/12	JRF	MEETING WITH RECEIVER VOGEL, TRUSTEE SHERMAN, LAWYERS HUNT, ROOSIEN AND URBANIK, AND LAWYER KRATOVIL, ALL RE HOW TO RESOLVE AS EFFICIENTLY AS POSSIBLE THE CURRENT SITUATION. STRATEGY AND APPELLATE ISSUES MEETING WITH THE TEAM. EXTENDED TELEPHONE CONFERENCE WITH RECEIVER VOGEL REGARDING VARIOUS ADMINISTRATIVE MATTERS. READ MANY PLEADINGS FROM [REDACTED] BANKRUPTCY CASE TO UNDERSTAND REASONING BEHIND [REDACTED] [REDACTED] MET WITH DAVID J. SCHENCK.	8.90
07/16/12	MJMI	CONTINUE RESEARCH RE [REDACTED]; RESEARCH RE [REDACTED]; RESEARCH RE [REDACTED] CONFERENCE CALL WITH R. TUMIALAN RE RESEARCH; EMAIL CORRESPONDENCE WITH D. SCHENCK RE SUMMARY OF RESEARCH FINDINGS; RESEARCH RE [REDACTED]	5.80
07/16/12	NA	RESEARCH RE [REDACTED]	3.40
07/16/12	NGM	MULTIPLE TELEPHONE CONFERENCES WITH DAMON NELSON REGARDING [REDACTED]	0.90
07/16/12	RMT	DRAFT STATEMENT OF THE CASE FOR RESPONSE BRIEF; EXAMINE TRANSCRIPT FROM DECEMBER 17, 2010 HEARING; STUDY BANKRUPTCY COURT REPORT/RECOMMENDATION, MOTION PRACTICE RE [REDACTED] [REDACTED] EVALUATE STRENGTH OF [REDACTED]	8.20
07/17/12	CDKR	LEGAL RESEARCH ON [REDACTED] STRATEGY CONFERENCE WITH MR. SCHENCK AND MR. FINE. CONFERENCE CALL WITH APPELLATE TEAM. REVIEW OF BRIEFING AND RECORD.	2.50
07/17/12	DJSCH	RESEARCH, ON-LINE & WRIGHT & MILLER, [REDACTED] TEXAS STATE LAW & OTHER STATES FOR [REDACTED] MELANIE'S RESEARCH RE: [REDACTED] [REDACTED] FORWARDED BY J. FINE RE: [REDACTED] [REDACTED] W/ J/ FINE & P. VOGEL; REVIEW & COMMENT TO J. FINE ON MEMO FROM NADAV RE: [REDACTED] TEAM CALL ON STATUS OF RESEARCH & BRIEFING PROJECTS	8.50
07/17/12	JRF	RESEARCH AND FIND CASE PRECEDENT FOR [REDACTED] [REDACTED] TELEPHONE CONFERENCES WITH PETER VOGEL REGARDING [REDACTED] TELEPHONE CONFERENCE WITH STEVE COHELL REGARDING HIS DOCUMENT REQUESTS AND INQUIRE ABOUT [REDACTED] CONFER WITH NEAL MASSAND REGARDING [REDACTED]	4.40
07/17/12	MJMI	RESEARCH RE [REDACTED] [REDACTED] EMAIL CORRESPONDENCE WITH R. TUMIALAN RE SAME; CONFERENCE CALL WITH TEAM MEMBERS RE ARGUMENTS FOR BRIEF.	4.90

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DATE	ID	DESCRIPTION	HOURS
07/17/12	NA	DRAFT MEMO RE [REDACTED] [REDACTED]	2.60
07/17/12	NGM	MULTIPLE TELEPHONE CONFERENCES WITH DAMON NELSON REGARDING [REDACTED] [REDACTED]	0.80
07/17/12	RMT	EXAMINATION OF BANKRUPTCY CASE TRANSCRIPTS FROM SEPTEMBER 15, 22, 29 OCTOBER 10, 2010; STUDY ADDITIONAL DISTRICT COURT TRANSCRIPTS; REVISE DRAFT STATEMENT OF THE CASE TO IDENTIFY [REDACTED] [REDACTED] BEGIN DRAFTING STATEMENT OF FACTS.	8.20
07/18/12	CDKR	EDITING AND REVISION OF INITIAL SECTIONS OF 5TH CIRCUIT BRIEF. LEGAL RESEARCH IN SUPPORT OF [REDACTED] STRATEGY CONFERENCE WITH MR. SCHENCK. CONFERENCE CALL WITH APPELLATE TIME. FURTHER LEGAL RESEARCH ON [REDACTED]	6.20
07/18/12	DJSCH	RESEARCH ON [REDACTED] [REDACTED] EMAILS W/ MR. HUNT RE: SAME, CALLS TO R. TULMALIAN RE: RECORD OF SAME; ON-LINE RESEARCH ON [REDACTED] [REDACTED] ON-LINE RESEARCH RE: [REDACTED] [REDACTED] APPEARANCE IN 5TH CIR. EMAILS RE: [REDACTED]	9.00
07/18/12	JRF	REVIEW ALL BANKRUPTCY DOCKET MATTERS AND SPECIFIC [REDACTED] RELATED MATTERS FOR APPELLATE BRIEFING. VERY EXTENDED TELEPHONE CONFERENCE WITH TRUSTEE COUNSEL URBANIK RE [REDACTED] [REDACTED] REVIEW [REDACTED]	8.50
07/18/12	RMT	DRAFT DETAILED STATEMENT OF FACTS ; STUDY TRANSCRIPTS FROM THE DISTRICT AND BANKRUPTCY COURTS TO COMPILE CHRONOLOGY OF EVENTS.	12.10
07/19/12	CDKR	MEETING WITH MR. FINE AND MR. VOGEL AT GARDERE. EDITING AND REVISION OF INITIAL SECTIONS OF 5TH CIRCUIT BRIEF. STRATEGY CONFERENCE WITH MR. SCHENCK. CONTINUED WORK ON 5TH CIRCUIT BRIEF.	2.80
07/19/12	DJSCH	ADDITIONAL CONTROVERSY OVER DOMAIN NAME DISPUTES, READING TREATISES & APPROXIMATELY 12 CASES PRINTED FROM WESTLAW ON APPOINTMENT OF TRUSTEE FOR PERSONAL DEBTOR NOT YET IN BK & GROUNDS FOR SAME; PRELIMINARY REVIEW OF HEARING TRANSCRIPTS FORWARDED BY P. VOGEL.	8.50

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DATE	ID	DESCRIPTION	HOURS
07/19/12	JRF	STRATEGY AND UPDATE MEETING WITH TEAM. MORNING MEETING WITH PETER VOGEL AND CHRIS KRATOVIL ADDRESSING [REDACTED] [REDACTED] ATTENTION TO DOCUMENT REQUEST FROM BARON COUNSEL ON [REDACTED] REVIEW [REDACTED] IN PREPARATION FOR MEETING WITH RECEIVER AFTERNOON MEETING WITH RECEIVER RE [REDACTED] STRATEGY MEETING WITH TEAM RE [REDACTED] [REDACTED] RESEARCH BANKRUPTCY COURT TRUSTEE ESTATE ISSUES.	7.40
07/19/12	MJMI	CONFERENCE CALL WITH N. ARIEL RE [REDACTED] RESEARCH RE [REDACTED] DRAFT SECTION OF APPELLATE BRIEF RE [REDACTED]	3.50
07/19/12	NA	RESEARCH RE [REDACTED]	4.50
07/19/12	NGM	PREPARE MEMOS TO FILE REGARDING [REDACTED] [REDACTED]	0.50
07/19/12	RMT	DRAFT STATEMENT OF FACTS SECTION RELATING TO BANKRUPTCY PROCEEDINGS; STUDY TRANSCRIPT FROM JANUARY 4 EVIDENTIARY HEARING TO SYNTHESIZE EVIDENCE ADDUCED RE [REDACTED] [REDACTED]	8.10
07/20/12	CDKR	EDITING AND REVISION OF INITIAL SECTIONS OF 5TH CIRCUIT BRIEF. STRATEGY CONFERENCE WITH MR. SCHENCK AND MR. FINE.	1.50
07/20/12	DJSCH	STATEMENT OF FACTS & HISTORY OF CASE AS FORWARDED BY R. THULMANIN, CALL TO FIFTH CIR. & COUNSEL RE: EXTENSION, RESEARCH ON [REDACTED] [REDACTED] MULTIPLE MEETINGS W/ MR. FINE & MEETING W/ SAME & KRATOVIL RE: [REDACTED] [REDACTED]	7.50
07/20/12	JRF	MEETING WITH PETER VOGEL AND NEAL MASSAND RE [REDACTED] [REDACTED] OBTAIN AND REVIEW EMAIL FROM MARTIN THOMAS REQUESTING [REDACTED] [REDACTED] TELEPHONE CONFERENCE WITH MARTIN THOMAS RE [REDACTED] [REDACTED] MULTIPLE TELEPHONE CONFERENCES WITH PETER VOGEL RE SAME. CONFER WITH DAVID SCHENCK RE LATEST APPELLATE BRIEFING ISSUES AND [REDACTED] [REDACTED] TELEPHONE CONFERENCE WITH GARY SCHEPPS REQUESTING BRIEFING EXTENSION OF 1 WEEK.	8.40
07/20/12	MJMI	REVIEW AND ANALYZE ADMINISTRATIVE ORDERS AT ISSUE ON APPEAL; EMAIL CORRESPONDENCE WITH N. ARIEL RE [REDACTED], REVIEW AND ANALYZE RESEARCH RE PRO-SNACK DOCTRINE; REVIEW AND ANALYZE STATEMENT OF FACTS; DRAFT SECTION OF APPELLATE BRIEF RE [REDACTED]	6.80

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DATE	ID	DESCRIPTION	HOURS
07/20/12	NA	ANALYSIS RE [REDACTED]	1.20
07/20/12	RMT	RESUME DRAFTING STATEMENT FACTS SECTION [REDACTED] [REDACTED] REVISE SAME.	3.70
07/21/12	MJMI	RESEARCH RE [REDACTED] [REDACTED] DRAFT APPELLATE RESPONSE BRIEF SECTION RE [REDACTED]	1.90
07/22/12	JRF	INCORPORATE CHANGES SUGGESTED BY RECEIVER, REVIEW AND INCORPORATE CHART OF PRIOR FEE REQUESTS AND CIRCULATE FOR APPROVAL FINAL DRAFT OF [REDACTED] [REDACTED] MET WITH DAVID J. SCHENCK AND REPORT ON SAME. REVIEW MATERIALS AND FORWARD SAME TO RESPOND TO STEVE COHELL DISCOVERY REQUEST ON [REDACTED]	2.40
07/22/12	MJMI	DRAFT RESPONSE BRIEF SECTION RE [REDACTED] RESEARCH RE [REDACTED] [REDACTED] RESEARCH RE [REDACTED] RESEARCH RE [REDACTED] [REDACTED]	8.70
07/22/12	NA	RESEARCH RE [REDACTED] [REDACTED]	3.20
07/23/12	CDKR	WORK ON 5TH CIRCUIT BRIEF, INCLUDING EDITING AND REVISION. CONFERENCE WITH MR. SCHENCK REGARDING APPELLATE STRATEGY. MEETING WITH MR. FINE.	2.70
07/23/12	DJSCH	[REDACTED] MEETING W/ J. FINE RE: [REDACTED] [REDACTED] RE: SAME; RESEARCH ON [REDACTED] RE: SAME; CALL TO CLERK OF 5TH CIR. & DRAFT EXTENSION REQUEST; READ [REDACTED] [REDACTED]	8.50
07/23/12	JRF	TELEPHONE CONFERENCE WITH PETER VOGEL DISCUSSING [REDACTED] [REDACTED] REVIEW 5TH CIRCUIT MOTION. FILE OBJECTION TO 8TH INTERIM MUNSCH HARDT APPLICATION. REVIEW NUMEROUS RESEARCH CASES ON [REDACTED] [REDACTED] REVIEW [REDACTED] MEET WITH TEAM RE: SAME.	4.50
07/23/12	MJMI	REVIEW AND REVISE RESPONSE BRIEF SECTION RE [REDACTED] EMAIL CORRESPONDENCE WITH APPELLATE TEAM MEMBERS RE SAME.	8.60
07/23/12	NA	RESEARCH RE [REDACTED] [REDACTED]	1.50
07/24/12	CDKR	WORK ON 5TH CIRCUIT BRIEF, INCLUDING EDITING AND REVISION. REVIEW OF RECORD AND PRIOR BRIEFING. CONFERENCE WITH MR. SCHENCK REGARDING APPELLATE STRATEGY	2.20
07/24/12	DJSCH	MEETING W/ J. FINE RE: BANKRUPTCY PLAN, MEETING W/ KRATOVIL & CALL TO 5TH CIR. CLERK RE: EXTENSION ORDER.	1.50

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DATE	ID	DESCRIPTION	HOURS
07/24/12	JRF	REVIEW DISTRICT COURT RECORDS ON [REDACTED]	1.50
07/25/12	DJSCH	MULTIPLE EMAILS AND CALLS RE: MUNSCH HARDT AND R. URBANIK CALLS TO P. VOGEL; OUTLINE DRAFTED AND CIRCULATED; CALLS TO MELANIE RE: [REDACTED] AND REVIEW EMAILS RESEARCH MEMOS FROM N. ARIEL RE: [REDACTED]	6.50
07/25/12	JRF	VERY EXTENDED TELEPHONE CONFERENCE WITH PETER VOGEL REGARDING [REDACTED] REVIEW OF APPELLATE ISSUES, STRATEGY TO [REDACTED] PREPARE FOR MEETING WITH [REDACTED]	1.90
07/25/12	MJMI	CONFERENCE CALL WITH D. SCHENCK RE REVISIONS TO APPELLATE BRIEF; REVIEW AND ANALYZE OUTLINE FOR BRIEF; DETERMINE ADDITIONAL FOLLOW UP RESEARCH NEEDED FOR BRIEF; REVIEW AND REVISE BRIEF.	2.10
07/25/12	NGM	MULTIPLE TELEPHONE CONFERENCES WITH PORTFOLIO ADMINISTRATOR; REVIEW AND ANALYZE [REDACTED]	2.10
07/26/12	CDKR	REVIEW OF 5TH CIRCUIT BRIEFING. EDITING AND REVISION OF INITIAL SECTIONS OF 5TH CIRCUIT BRIEF. STRATEGY CONFERENCE AND DISCUSSION OF CASE WITH MR. SCHENCK AND MR. FINE.	1.40
07/26/12	DJSCH	READING AND REVISING FACTS SECTION, DRAFTING INTRODUCTION AND BEGIN [REDACTED] MEET WITH R. HUNT OF MUNSCH HARDT RE: [REDACTED] MEET WITH J. FINE RE: [REDACTED]	6.50
07/26/12	JRF	RESEARCH [REDACTED] MEETING WITH TRUSTEE APPELLATE LAWYER HUNT RE [REDACTED] MEETING WITH NEAL MASSAND RE [REDACTED] VERY EXTENDED TELEPHONE CONFERENCE WITH PETER VOGEL REGARDING VARIOUS [REDACTED] AND REVIEWING A [REDACTED] EXTENDED TELEPHONE CONFERENCE WITH BARON ATTORNEY COHELL ON VARIOUS ISSUES RAISED BY COHELL. RESEARCH [REDACTED] [REDACTED] CONFER WITH NADAV ARIEL RE [REDACTED] RESEARCH AND REVIEW [REDACTED] INCLUDING JUDGE JERNIGAN LETTER RE MANDAMUS. RESEARCH [REDACTED] AND APPEAL OF SAME BY BARON. REPORT TO TEAM RE: US TRUSTEE CONFERENCE.	9.90
07/26/12	MJMI	RESEARCH RE [REDACTED] RESEARCH RE [REDACTED] REVIEW AND REVISE RESPONSE BRIEF.	3.10
07/26/12	NA	RESEARCH RE APPLICATION OF [REDACTED] IN BANKRUPTCY COURT; DRAFT MEMO RE SAME.	1.70

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DATE	ID	DESCRIPTION	HOURS
07/27/12	CDKR	EDITING AND REVISION OF INITIAL SECTIONS OF 5TH CIRCUIT BRIEF. STRATEGY CONFERENCE AND DISCUSSION OF CASE WITH MR. SCHENCK AND MR. FINE.	1.50
07/27/12	DJSCH	MEETING W. J. FINE & KRATOVIL RE: U.S. TRUSTEE CONFERENCE AND PLAN FOR BANKRUPTCY; CONTINUE DRAFTING BRIEF OPENING.	5.50
07/27/12	JRF	EXTENDED TELEPHONE CALL WITH PETER VOGEL ON SOME BARON REQUESTS. PREPARATION FOR AND EXTENDED TELEPHONE CONFERENCE WITH RAY URBANIK AND RICHARD HUNT RE [REDACTED] MEETING WITH TEAM RE LATEST UPDATES ON APPELLATE ISSUES AND STRATEGY. TELEPHONE CONFERENCE WITH PETER VOGEL PREPARING FOR US TRUSTEE MEETING. US TRUSTEE MEETING WITH ONDOVA TRUSTEE, RICHARD HUNT, RAY URBANIK, CORKY SHERMAN, PETER VOGEL, LISA LAMBERT AND NANCY RESNICK. POST MEETING MEETING WITH PETER VOGEL ON ACTION ITEMS FROM MEETING. DISCUSS WITH TEAM RE APPELLATE ISSUES.	5.20
07/27/12	MJMI	RESEARCH RE [REDACTED] CONFERENCE CALL WITH R. TUMIALAN RE [REDACTED] RESEARCH RE [REDACTED]	1.70
07/27/12	NA	RESEARCH RE [REDACTED] DRAFT MEMO RE SAME.	1.50
07/29/12	DJSCH	DRAFTING BRIEF AND RE-READING APPELLANT'S BRIEF .	1.50
07/29/12	JRF	FOLLOW-UP RESEARCH ON [REDACTED]	2.50
07/30/12	CDKR	WORK ON 5TH CIRCUIT BRIEF, INCLUDING EDITING AND REVISION. CONFERENCE WITH MR. SCHENCK REGARDING APPELLATE STRATEGY.	2.20
07/30/12	DJSCH	DRAFTING BRIEF, MEETING WITH J. FINE RE: US TRUSTEE, CALL WITH P. VOGEL, MEETING WITH TEAM RE: OUTLINE, BRIEF STATUS AND WORK ASSIGNMENTS.	4.50
07/30/12	JRF	TELEPHONE CONFERENCE WITH PETER VOGEL REGARDING 1:30 MUNSCH HARDT 8TH INTERIM FEE HEARING. PREPARE FOR AND ATTEND ONDOVA BANKRUPTCY COURT HEARING ON MUNSCH HARDT 8TH INTERIM FEE APPLICATION. POST-HEARING MEETING WITH TEAM REGARDING HEARING RESULTS. WORK ON SWISS PROTECTOR MATTER. REVIEW [REDACTED] AND MATERIALS. BEGIN TO OUTLINE [REDACTED]	7.00
07/30/12	MJMI	REVIEW AND REVISE APPELLATE RESPONSE BRIEF; CONFERENCE WITH TEAM RE [REDACTED]	9.80
07/30/12	NA	REVISE MEMO RE [REDACTED]	0.70
07/30/12	RMT	[REDACTED] DEVELOP ARGUMENT TO [REDACTED] REVISE STATEMENT OF FACTS TO COMPLY WITH [REDACTED]	5.20



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DATE	ID	DESCRIPTION	HOURS
07/31/12	CDKR	WORK ON 5TH CIRCUIT BRIEF, INCLUDING EDITING AND REVISION. CONFERENCE WITH MR. SCHENCK REGARDING APPELLATE STRATEGY.	1.50
07/31/12	DJSCH	MEETINGS WITH TEAM ON DRAFT STATUS AND CHANGES, CALL WITH R. HUNT AT MUNSCH GAVE RESEARCH RESULTS AND EXPLAINED SAME TO M. MILLS.	2.50
07/31/12	JRF	EXTENDED TELEPHONE CONFERENCE WITH PETER VOGEL REVIEWING 7/30/12 ONDOVA BANKRUPTCY HEARING. VERY EXTENDED TELEPHONE CONFERENCE WITH DAMON NELSON AND NEAL MASSAND REGARDING [REDACTED] VERY EXTENDED TELEPHONE CONFERENCE WITH PROSPECTIVE PURCHASER AND HIS BROKER (AND DAMON NELSON AND NEAL MASSAND) REGARDING A [REDACTED] RESEARCH [REDACTED] RESEARCH [REDACTED]	5.70
07/31/12	MJMI	REVIEW AND REVISE APPELLATE RESPONSE BRIEF ARGUMENTS; REVIEW RESEARCH RE [REDACTED] RESEARCH RE [REDACTED] RESEARCH RE [REDACTED]	9.40
07/31/12	NGM	REVIEW AND ANALYZE [REDACTED] TELEPHONE CONFERENCE WITH POTENTIAL PORTFOLIO BUYER.	2.10
07/31/12	RMT	DRAFT RESPONSE TO DUE PROCESS ARGUMENT; REVISE JURISDICTIONAL ARGUMENT SECTION; ADDITIONAL REVISION TO STATEMENT OF FACTS.	10.10

TOTAL ATTORNEY & PARALEGAL TIME..... 482.90
TOTAL LEGAL FEES \$ 237,948.00



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DISBURSEMENTS		
07/25/12	TRAVEL EXPS.-EXCEPT AIR TRL& MEALS - JEFFREY R. FINE PARKING FOR MEETING WITH MR. VOGEL	10.00
07/30/12	TRAVEL EXPS.-EXCEPT AIR TRL& MEALS - JEFFREY R. FINE PARKING AT COURTHOUSE FOR HEARING	10.00
07/16/12	FEDEX: STEPHEN R. COCHELL : THE COCHELL LAW FIR	11.76
07/15/12	LEGAL RESEARCH - WESTLAW	293.30
07/15/12	LEGAL RESEARCH - WESTLAW	162.05
07/16/12	LEGAL RESEARCH - WESTLAW	337.40
07/16/12	LEGAL RESEARCH - WESTLAW	128.10
07/16/12	LEGAL RESEARCH - WESTLAW	38.50
07/17/12	LEGAL RESEARCH - WESTLAW	292.25
07/17/12	LEGAL RESEARCH - WESTLAW	186.55
07/17/12	LEGAL RESEARCH - WESTLAW	155.75
07/20/12	LEGAL RESEARCH - WESTLAW	26.95
07/23/12	LEGAL RESEARCH - WESTLAW	69.30
07/24/12	LEGAL RESEARCH - WESTLAW	10.50
07/26/12	LEGAL RESEARCH - WESTLAW	189.70
07/27/12	LEGAL RESEARCH - WESTLAW	128.45
07/30/12	LEGAL RESEARCH - WESTLAW	106.40
07/31/12	LEGAL RESEARCH - WESTLAW	86.45
	PHOTOCOPY EXPENSES	9.40
	TELECOMMUNICATIONS	3.90
	SCANNING EXPENSES	17.80
	CD BURNING	10.00
	PRINTING EXPENSES	935.80
	LEGAL RESEARCH - OTHER DATABASES	343.00
TOTAL DISBURSEMENTS		\$ 3,563.31

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***NOTE: INCURRED DISBURSEMENTS NOT APPEARING
ON THIS INVOICE WILL BE BILLED LATER.***



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BILLING SUMMARY

ID	TIMEKEEPER	HOURS	RATE	AMOUNT
JRF	JEFFREY R. FINE	109.90	560.00	61,544.00
CDKR	CHRISTOPHER D. KRATOVIL	45.50	505.00	22,977.50
DJSCH	DAVID J. SCHENCK	126.50	570.00	72,105.00
RMT	ROSA M. TUMIALAN	91.10	485.00	44,183.50
MJMI	MELANIE J. MILES	75.90	345.00	26,185.50
NA	NADAV ARIEL	26.50	310.00	8,215.00
NGM	NEAL G. MASSAND	7.50	365.00	2,737.50
TOTAL		482.90		237,948.00

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FEES.....	\$ 237,948.00
DISBURSEMENTS	3,563.31
TOTAL AMOUNT DUE	\$ <u>241,511.31</u>

REMITTANCE

DYKEMA GOSSETT PLLC

**DYKEMA GOSSETT PLLC
DEPT CH 16382
PALATINE, IL 60055-6382**

**CLIENT CHECK INFORMATION
PLEASE COMPLETE:**

THIS INVOICE IS PAYABLE UPON RECEIPT.

CHECK #: _____ **DATE:** _____ **AMOUNT:** _____
PLEASE RETURN THIS PAGE WITH YOUR REMITTANCE.

FOR FIRM USE:

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