

CAPLIN & DRYSDALE, CHARTERED

Kevin C. Maclay (admitted *pro hac vice*)
Todd E. Phillips (admitted *pro hac vice*)
Jeffrey A. Liesemer (VSB No. 35918)
Nathaniel R. Miller (admitted *pro hac vice*)
1200 New Hampshire Avenue NW, 8th Floor
Washington, DC 20036
Telephone: (202) 862-5000

*Counsel for the Official
Committee of Unsecured Creditors*

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re:

HOPEMAN BROTHERS, INC.,

Debtor.

Chapter 11

Case No. 24-32428 (KLP)

**CERTIFICATION OF NO OBJECTION
AND NOTICE OF FILING OF REVISED PROPOSED ORDER**

On January 30, 2025, Caplin & Drysdale, Chartered (“**Caplin**”)¹ filed the *Second Interim Application of Caplin & Drysdale, Chartered for Allowance of Interim Compensation and Reimbursement of Expenses Incurred for the Period from September 1, 2024, Through November 30, 2024* [Docket No. 536] (“**Application**”) with the United States Bankruptcy Court for the Eastern District of Virginia. A proposed form of order is annexed to the Application (the “**Original Proposed Order**”).

The undersigned certifies that the Application was filed and served in accordance with the Order (I) Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Retained Professionals and (II) Granting Related Relief [Docket No. 162] (the “**Interim**

¹ Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Application.



Compensation Order”) and Procedures for Complex Chapter 11 Cases in the Eastern District of Virginia, as adopted by Rule 1075-1 of the Local Bankruptcy Rules for the United States Bankruptcy Court for the Eastern District of Virginia. Pursuant to the Interim Compensation Order and the notice served with the Application, all objections to the approval of the relief requested the Application were due on or before February 10, 2025.

In response to informal comments received to the Application, Caplin has made certain revisions to the Original Proposed Order and hereby is filing a revised proposed Order Granting Second Interim Application of Caplin & Drysdale, Chartered for Allowance of Interim Compensation and Reimbursement of Expenses Incurred for the Period from September 1, 2024, Through November 30, 2024 (the “**Revised Proposed Order**”), which is attached hereto as Exhibit A. Attached hereto as Exhibit B is a redline of the Revised Proposed Order as compared to the Original Proposed Order.

The undersigned further certifies that the notice filed with the Application includes a statement that the Application may be granted and an order entered without a hearing unless a timely objection is made. The undersigned further certifies that he has caused a review of the Court’s docket in this case and no answer, objection or other responsive pleading to the Application appears thereon, nor is he aware of any informal answer or objection to the Application.

Therefore, pursuant to the notice filed with the Application and the Interim Compensation Order, Caplin is authorized, and intends, to submit the Revised Proposed Order, without further notice or hearing. The United States Trustee has reviewed and authorized Caplin to add her endorsement to the Revised Proposed Order.

Dated: February 11, 2025

/s/ Jeffrey A. Liesemer

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1200 New Hampshire Avenue NW, 8th Floor

Washington, DC 20036

Telephone: (202) 862-5000

Facsimile: (202) 429-3301

kmaclay@capdale.com

tphillips@capdale.com

jliesemer@capdale.com

nmiller@capdale.com

Counsel for the Official

Committee of Unsecured Creditors

EXHIBIT

A

CAPLIN & DRYSDALE, CHARTERED

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**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re:

HOPEMAN BROTHERS, INC.,

Debtor.

Chapter 11

Case No. 24-32428 (KLP)

**ORDER GRANTING SECOND INTERIM APPLICATION OF
CAPLIN & DRYSDALE, CHARTERED FOR ALLOWANCE OF
COMPENSATION AND REIMBURSEMENT OF EXPENSES INCURRED
FOR THE PERIOD FROM SEPTEMBER 1, 2024, THROUGH NOVEMBER 30, 2024**

Upon consideration of the Second Interim Application (the “**Application**”)¹ of Caplin & Drysdale, Chartered (“**Caplin**”), counsel for the Official Committee of Unsecured Creditors, for the period from September 1, 2024, through November 30, 2024 (the “**Application Period**”); and Caplin having agreed to reduce the compensation sought in the Application by \$5,000.00 at the request of the United States Trustee, reducing the compensation sought in the Application from \$1,329,948.25 to \$1,324,948.25; and the Court having reviewed the Application and the Monthly Statements that were served by Caplin, and finding that the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, and determining that proper and adequate notice has been

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given and that no other or further notice is necessary; and after due deliberation thereon; and good and sufficient cause appearing therefore,

IT IS HEREBY ORDERED as follows:

1. The Application is GRANTED.
2. Caplin is hereby granted allowance of compensation for professional services in the amount of \$1,324,948.25 and reimbursement of actual and necessary expenses in the amount of \$35,301.52 as requested in the Application.
3. The Debtor is hereby authorized and directed to remit to Caplin the full amount of the fees and expenses set forth in paragraph 2 of this Order less any amounts previously paid to Caplin on account of the monthly fee statements filed during the Application Period.
4. The Debtor is authorized and empowered to take such actions as may be necessary and appropriate to implement the terms of this Order.
5. The Court shall retain jurisdiction to hear and determine all matters arising from the entry of the within Order, including the interpretation, implementation, or enforcement of the within Order.
6. This Order shall be immediately effective and enforceable upon its entry.

Dated: _____, 2025
Richmond, Virginia

HONORABLE KEITH L. PHILLIPS
UNITED STATES BANKRUPTCY JUDGE

Entered on Docket: _____

WE ASK FOR THIS:

/s/ Jeffrey A. Liesemer

Kevin C. Maclay (admitted *pro hac vice*)
Todd E. Phillips (admitted *pro hac vice*)
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tphillips@capdale.com
jliesemer@capdale.com
nmiller@capdale.com

*Counsel for the Official
Committee of Unsecured Creditors*

SEEN AND NO OBJECTION:

/s/ Kathryn Montgomery

Kathryn Montgomery
Office of the United States Trustee
701 East Broad Street, Suite 4304
Richmond, VA 23219

United States Trustee

**CERTIFICATION OF ENDORSEMENT
UNDER LOCAL BANKRUPTCY RULE 9022-1(C)**

I hereby certify that the foregoing proposed order has been endorsed by or served upon all necessary parties.

/s/ Jeffrey A. Liesemer

EXHIBIT B

CAPLIN & DRYSDALE, CHARTERED

Kevin C. Maclay (admitted *pro hac vice*)
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*Counsel for the Official
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**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
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In re:

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FOR THE PERIOD FROM SEPTEMBER 1, 2024, THROUGH NOVEMBER 30, 2024**

Upon consideration of the Second Interim Application (the “**Application**”)¹ of Caplin & Drysdale, Chartered (“**Caplin**”), counsel for the Official Committee of Unsecured Creditors, for the period from September 1, 2024, through November 30, 2024 (the “**Application Period**”); and Caplin having agreed to reduce the compensation sought in the Application by \$5,000.00 at the request of the United States Trustee, reducing the compensation sought in the Application from \$1,329,948.25 to \$1,324,948.25; and the Court having reviewed the Application and the Monthly Statements that were served by Caplin, and finding that the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, and determining that proper and adequate

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notice has been given and that no other or further notice is necessary; and after due deliberation thereon; and good and sufficient cause appearing therefore,

IT IS HEREBY ORDERED as follows:

1. The Application is GRANTED.
2. Caplin is hereby granted allowance of compensation for professional services in the amount of \$~~1,329,948.25~~1,324,948.25 and reimbursement of actual and necessary expenses in the amount of \$35,301.52 as requested in the Application.
3. The Debtor is hereby authorized and directed to remit to Caplin the full amount of the fees and expenses set forth in paragraph 2 of this Order less any amounts previously paid to Caplin on account of the monthly fee statements filed during the Application Period.
4. The Debtor is authorized and empowered to take such actions as may be necessary and appropriate to implement the terms of this Order.
5. The Court shall retain jurisdiction to hear and determine all matters arising from the entry of the within Order, including the interpretation, implementation, or enforcement of the within Order.
6. This Order shall be immediately effective and enforceable upon its entry.

Dated: _____, ~~2025~~2025
Richmond, Virginia

HONORABLE KEITH L. PHILLIPS
UNITED STATES BANKRUPTCY JUDGE

Entered on Docket: _____

WE ASK FOR THIS:

/s/ Jeffrey A. Liesemer

Kevin C. Maclay (admitted *pro hac vice*)
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*Counsel for the Official
Committee of Unsecured Creditors*

SEEN AND NO OBJECTION:

/s/ Kathryn Montgomery

Kathryn Montgomery
Office of the United States Trustee
701 East Broad Street, Suite 4304
Richmond, VA 23219

United States Trustee

**CERTIFICATION OF ENDORSEMENT
UNDER LOCAL BANKRUPTCY RULE 9022-1(C)**

I hereby certify that the foregoing proposed order has been endorsed by or served upon all necessary parties.

/s/ Jeffrey A. Liesemer

Summary report: Litera Compare for Word 11.10.0.38 Document comparison done on 2/11/2025 2:48:42 PM	
Style name: Default Style	
Intelligent Table Comparison: Active	
Original DMS: iw://caplindrysdale-mobility.imanage.work/ACTIVE/10299088/1	
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<u>Add</u>	16
Delete	2
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<u>Table Insert</u>	0
Table Delete	0
<u>Table moves to</u>	0
Table moves from	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Format changes	0
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