

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

In re:

Prodigy Investment Holdings, Inc.,¹

Reorganized Debtor.

Chapter 11

Case No. 23-11120 (BLS)

Ref. Docket No. 1301

**FEE EXAMINER'S FINAL REPORT REGARDING
FINAL FEE APPLICATION OF MOELIS & COMPANY LLC**

Rucki Fee Review, LLC (“Rucki Fee Review”), the fee examiner appointed in the above-captioned chapter 11 cases and acting in its capacity as such (the “Fee Examiner”), hereby submits its final report (this “Final Report”) regarding the *Final Application of Moelis & Company LLC for Compensation for Professional Services Rendered and Reimbursement of Actual and Necessary Expenses as Investment Banker to the Debtors from August 7, 2023 through and including March 13, 2024* (the “Final Fee Application”) [Docket No. 1301] whereby Moelis & Company LLC (the “Firm”) seeks final bankruptcy court approval of fees in the amount of \$7,000,000.00 and the reimbursement of expenses in the amount of \$69,549.82.

BACKGROUND

1. As is typical of investment bankers of its kind, the Firm is not compensated by the hour, but through a structure of fixed fees and contingent success fees. As such, review of the

¹ The Reorganized Debtor in this chapter 11 case, along with the last four digits of the Reorganized Debtor’s federal tax identification number, is: Prodigy Investments Holdings, Inc. (9565). The location of the Reorganized Debtor’s service address is: 3350 Virginia St., 2nd Floor, Miami, FL 33133.



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Firm's fees is beyond the scope of Rucki Fee Review's mandate, and Rucki Fee Review instead is tasked only with reviewing the Firm's expenses.

2. In performance of its expense review procedures and in preparation of its initial report (the "Initial Report") provided to the Firm and this Final Report designed to quantify and present factual data relevant to the requested expenses contained in the Final Fee Application consistent with its appointment order, Rucki Fee Review reviewed the Final Fee Application and all other fee applications filed by the Firm in these chapter 11 cases, including the billing and expense entries listed in the exhibits thereto, for compliance with Bankruptcy Rule 2016 and Local Rule 2016-2, as well as the *U.S. Trustee Guidelines for Reviewing Applications for Compensation and Reimbursement of Expenses Filed Under 11 U.S.C. § 330—Appendix A* and the Firm's retention order. Consistent with the order appointing Rucki Fee Review as the Fee Examiner, Rucki Fee Review did not evaluate the firm's fees, which are beyond the scope of its mandate. Instead, and consistent with its appointment order, Rucki Fee Review addresses only the expense reimbursement request of the Firm.
3. Rucki Fee Review did not prepare informal memos related to the fee applications of the Firm, but instead included its issues and questions in its Initial Report provided to the Firm. Rucki Fee Review thereafter conferred with the Firm regarding the Initial Report, and following such conferral includes its recommendations in this Final Report.

DISCUSSION

4. Through the Final Fee Application, the Firm seeks final approval of expense reimbursement in the amount of \$69,549.82. This figure includes \$13,630.04 in expenses not previously considered by the Bankruptcy Court on an interim basis.
5. As noted in its prior reports filed in these chapter 11 cases at Docket Nos. 1063 and 1284, the Firm previously agreed to expense reductions of \$4,814.66 and \$7,860.94 with Rucki Fee Review in connection with its first quarterly fee application and second quarterly fee application, respectively. The Final Fee Application properly accounts for these \$12,675.60 of aggregate prior agreed expense reductions.
6. The Firm's \$13,630.04 in expenses not previously considered by the Bankruptcy Court on an interim basis includes \$8,785.00 for 10.8 hours of outside legal work. The remaining \$4,845.04 consists primarily of travel expenses and overtime meals and transportation charges, but also includes certain other expenses. With respect to the \$8,785.00 in outside legal fees, full invoices supporting these legal fees were attached to the Firm's monthly fee applications as required by Local Rule 2016-2(f) for professional fees billed as an expense by another professional.
7. Rucki Fee Review notes that it generally considers the cost of meals in excess of the following guidelines, per person, to be unreasonable: \$25/breakfast, \$35/lunch and \$55/dinner, for Wilmington and all other U.S. locations, except for New York City and London, \$35/breakfast, \$55/lunch and \$70/dinner; for Washington DC, Chicago, Los Angeles and San Francisco, \$30/breakfast, \$45/lunch and \$65/dinner. With respect to hotel charges, Rucki Fee Review generally considers room charges (inclusive of taxes) in excess

of the following rates to be excessive absent satisfactory explanation from an applicant of the justification for exceeding such charges: \$375/Wilmington; \$550/New York City; \$450/Boston and San Francisco; \$400/Washington, DC, Los Angeles, and London; \$325/Chicago, Miami, Philadelphia and Pittsburgh; \$300/Dallas and Houston; \$275/Baltimore and Denver; \$250 for all other U.S. locations.

8. Here, Rucki Fee Review identified one lodging charge that slightly exceeded the foregoing limitations, and after receipt of additional information requested from and provided by the Firm as to certain other expenses requested an expense reduction of \$3,608.27 on account of this lodging charge and certain other expenses, which the Firm agreed to in compromise of Rucki Fee Review's request.

CONCLUSION

9. The fees sought in the Final Fee Application are beyond the scope of Rucki Fee Review's mandate set forth in the order appointing it as the Fee Examiner, but Rucki Fee Review recommends approval of the Firm's expense reimbursement request in the amount of \$65,941.55, which amount reflects the expense reductions of \$3,608.27 agreed to with the Firm set forth herein.

Dated: May 30, 2024
Wilmington, Delaware

Respectfully submitted,

RUCKI FEE REVIEW, LLC
FEE EXAMINER

By: /s/ Justin H. Rucki
Justin H. Rucki
President of Rucki Fee Review, LLC