

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

NEW WEI, INC.)	CASE NO. 15-02741-TOM
)	CHAPTER 7
Debtor.)	

**INTERIM APPLICATION FOR COMPENSATION
BY ACCOUNTANT FOR THE TRUSTEE**

**To: The Honorable Tamara O. Mitchell
United States Bankruptcy Judge**

PART I. COVER SHEET

- 1) Name of Applicant: Edmond R. Denaburg
- 2) Date Application for Employment was Filed: February 22, 2017
- 3) Date of Order Authorizing Employment: February 24, 2017
- 4) Professional Services Provided to: Chapter 7 Trustee
- 5) Period for Which Compensation is Sought: November 1, 2020 Through December 31, 2021
- 6) (a) Amount of Fees Sought: \$12,459.00 (b) Amount of Expenses Sought: \$239.70
- 7) This is an X Interim Application Final Application

8) Disclosure of All Prior Application for Compensation:

<u>Date Filed</u>	<u>Period Covered</u>	<u>Fees Requested</u>	<u>Expenses Requested</u>	<u>Total Allowed</u>
November 15, 2017	February 15, 2017-November 1, 2017	<u>\$65,726.80</u>	<u>\$ 1,210.96</u>	<u>\$66,937.76</u>
January 9, 2019	November 2, 2017-December 31, 2018	<u>\$73,593.60</u>	<u>\$ 2,135.35</u>	<u>\$75,728.95</u>
November 25, 2019	January 1, 2019-November 15, 2019	<u>\$26,276.70</u>	<u>\$ 439.05</u>	<u>\$26,715.75</u>
November 25, 2020	November 16, 2019-October 31, 2020	<u>\$28,427.00</u>	<u>\$ 343.90</u>	<u>\$28,770.90</u>

- 9) Aggregate Amount of Fees and Expenses Allowed to Date: \$198,031.26
- 10) Aggregate Amount of Fees and Expenses Paid to Date: \$198,031.26

Respectfully Submitted,


 Edmond R. Denaburg



**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

NEW WEI, INC.

Debtor.

)
)
)
)
)

**CASE NO. 15-02741-TOM
CHAPTER 7**

**INTERIM APPLICATION FOR COMPENSATION
BY ACCOUNTANT FOR THE TRUSTEE**

**To: The Honorable Tamara O. Mitchell
United States Bankruptcy Judge**

COMES NOW Edmond R. Denaburg as accountant for the Chapter 7 Trustee, and prays that the Court award him accountant's fees and authorize payment thereof in the amount of \$12,698.70 consisting of fees in the amount of \$12,459.00 and expenses in the amount of \$239.70. This request is for Accounting services rendered from November 1, 2020 through December 31, 2021.

In support of this application, Edmond R. Denaburg attaches hereto and makes a part hereof by reference Appendices A through F as follows:

- Appendix A Applicable Legal Principles in Support of Fees
- Appendix B Project Summaries
- Appendix C Summarized Time Entries by Project for this Fee Application
- Appendix D Inception to date summarized time entries by project 2/15/17-12/31/21
- Appendix E Detailed Time Entries for Services Rendered 11/1/20-12/31/21
- Appendix F Summary of Expenses

Edmond R. Denaburg prays that he will be allowed compensation and reimbursement of expenses as hereinabove set forth, and that he will have such other further relief as is just and proper.

DATED this the 18th day of January, 2022.



Edmond R. Denaburg
Federal ID No. XXX-XX-7083
Accountant

APPENDIX A

APPLICABLE LEGAL PRINCIPLES IN SUPPORT OF FEES

Compensation for professional person is expressly authorized by 11 U.S.C. Section 330. Using the procedure set out in Bankruptcy Rule 2016, professional persons may receive reasonable compensation for

. . . actual, necessary services rendered by such . . .
professional person . . . based on the nature, the extent and the value of such
services, the time spent on such services, and the cost of comparable services
other than in a case under this title (11 U.S.C. Section 1, et seq.);

11 U.S.C. Section 330 (a) (1).

In determining the amount of any such award of accounting fees, the Court should consider the principles and factors enunciated in *Johnson v. Georgia Highway Express, Inc.*, 488 F.2d 714 5th Cir. 1974) as made applicable in the bankruptcy context in re *First Colonial Corporation of America*, 554 F.2d 1291 (5th Cir. 1977). In *Matter of U. S. Golf Corporation*, 639 F.2d 1197 (5th Cir. 1977), the bankruptcy factors were modified to comport to statutory provisions of the Bankruptcy Reform Act of 1978. The “former Fifth” Circuit decisions are “binding as precedent in the Eleventh Circuit, for this court, the district courts, and the bankruptcy courts in the circuit.” *Bonner v. City of Prichard, Alabama*, 661 F.2d 1206, 1207 (11th Cir. 1981). The relevance and significance of each factor in this case is discussed hereinafter.

1) Persons Who Performed the Services Covered by This Application

<u>Name</u>	<u>Position</u>	<u>Bkrty Rate</u>	<u>Non-Bkrty Rate</u>	<u>Time</u>	<u>Bkrty Total</u>
-------------	-----------------	-----------------------	---------------------------	-------------	------------------------

* * *See Attached* * *

<u>43.0</u>	<u>\$ 12,459.00</u>
-------------	---------------------

New WEI, Inc. - Fee application of Edmond R. Denaburg (November 1, 2020 - December 31, 2021)

Attachment to Appendix A, Question # 1 - Persons Who Performed the Services Covered by this Application

Name	Position	Bankruptcy Rate	Non Bankruptcy Rate	Time	Total
Edmond R. Denaburg	Accountant	375	375	16.0	6,000.00
Edmond R. Denaburg	Accountant	390	390	9.9	3,861.00
Jake C. Drum	Accountant	150	150	4.3	645.00
Jennifer C. Leverette	Accountant	250	250	0.7	175.00
Samantha Dale	Accountant	205	205	0.2	41.00
Samantha Dale	Accountant	220	220	5.9	1,298.00
Angela C. Craig	Bookkeeper	105	105	0.2	21.00
Angela C. Craig	Bookkeeper	110	110	0.1	11.00
Pamela G. Murray	Clerical	105	105	0.1	Not Charged
Pamela G. Murray	Clerical	110	110	3.7	407.00
Pamela G. Murray	Clerical	110	110	1.9	Not Charged
				43.0	12,459.00
				=====	=====

2) Skill Requisites to Perform the Accounting Services and Experience, Reputation and Ability of the Accountant

Edmond R. Denaburg has been a shareholder in the accounting firm of Christian & Denaburg, P.C. (Denaburg) for approximately thirty-five years. Denaburg is an accounting firm whose members have been involved in bankruptcy practice for some time. Edmond R. Denaburg, CPA, CFF, CFE, CIRA, devotes a substantial portion of his practice to the bankruptcy area. Mr. Denaburg has been a practicing accountant since 1981. Jake C. Drum, CPA was an accountant with Denaburg for 4 years. Jennifer C. Leverette, CPA, is a tax manager with Denaburg who has been a practicing accountant for more than 15 years. Samantha Dale is an accountant with Denaburg who has been a practicing accountant for more than 20 years. Angela L. Craig is a bookkeeper for Denaburg who also does clerical work. Pamela G. Murray is a clerical worker for Denaburg.

3) Amounts Involved and Results Achieved

The Firm of Christian & Denaburg, P.C. incurred a total of 43.0 hours or \$12,459.00 relating to:

- a) Preparation of the Company's corporate consolidated federal income tax returns for the year ended December 31, 2020 and Alabama corporate income tax returns for the year ended December 31, 2020 and the Delaware income tax return for the year December 31, 2020. Preparation of federal and state trust income tax returns for the year ended December 31, 2020.
- b) Assist Trustee in administering the agreement with Warrior Met Coal.
- c) Additional assistance provided to the trustee or attorney for the trustee not identified above including but not limited to handling responding to tax notices, assisted the trustee in matters relating to analyzing and searching for potential recoveries for the estate, prepared cash projections, meetings and conversations with Porterfield, Humphries and/or Trustee to discuss various issues, conversations with various individuals involved with Cardem and complied with this courts employment and fee application requirements.

4) Time and Labor Involved

From November 1, 2020 through December 31, 2021, Denaburg devoted 43.0 hours of time as accountant for the Trustee.

It has frequently been held “that there can be no fee awarded on the basis of unrecorded or estimated time”. *In re Garland Corp.*, 9 B.R. 826, 829-830 (Bankr. D. Mass. 1981). At the same time this Court, based on its knowledge and experience, is aware that despite the diligent efforts of the accountant to keep complete time records, there are inevitably some hours that do not get recorded.

In its discussion of this factor, the Court in *Johnson V. Georgia Highway Express* stated:

Although hours claimed or spent on a case should not be the sole basis for determining a fee, *Electronics Capital Corp. v. Sheperd*, 439 F.2d 692 (5th Cir. 1971), they are a necessary ingredient to be considered. *Johnson v. Georgia Highway Express, Inc.*, 488 F.2d 714, 717 (5th Cir. 1974)

Because of its experience and expertise, your Applicant submits that less time was devoted to this case than would have been expended by accountants of lesser experience and expertise. In considering time spent as an element of fee awards, *Garland* stated “the Court should not penalize and, in fact, should reward diligence, experience, skill and results”. *In re Garland Corporation, supra*, 830.

5) Novelty and Complexity of the Issues Involved

Your Applicant submits that this factor is inapplicable to this case.

6) Preclusion of Other Employment

Your Applicant submits that this factor is inapplicable to this case.

7) Prior Government Investigation, Indictment, Criminal Prosecution and Related Civil Actions

Your Applicant submits that this factor is inapplicable to this case.

8) Time Limitations and Urgency of Litigation

Your Applicant submits that this factor is inapplicable to this case.

9) Nature and Length of Relationship Between Client and Accountants

Your Applicant submits that this factor is inapplicable to this case.

10) Undesirability of This Case

Your Applicant submits that this factor is inapplicable to this case.

11) Nature of the Fee and Awards in Similar Litigation

By statute, a professional employed to assist the Trustee is entitled to “reasonable compensation”; 11 U.S.C. Section 330. In making this analysis “(T)he reasonableness of a fee may also be considered in the light of awards made in similar litigation within and without the court’s circuit”. *Johnson v. Georgia Highway Express, ibid.* It is inconsistent with, and contrary to, Johnson for fees to be “set in accordance with maximum limits of the district court rather than as a result of a balance of all the Johnson factors”. *In the Matter of U. S. Golf Corporation*, 639 F.2d 1197, 1206 (5th Cir. 1981).

As with the fifth Johnson factor, “customary fees”, this Court is familiar with fees awarded in other bankruptcy cases.

12) Customary Fees

By statute, fees are to be considered based on “the cost of comparable services other than in a case under this title”. 11 U.S.C Section 330. “The scope of the inquiry as to comparable costs . . . take into consideration the billing practice in the entire legal community.” *In re City Planner & Developers, Inc.*, 5 B.R. 217, 219 (Bankr. D. Puerto Rico). “Because judges are themselves familiar with legal fees, expert testimony is not required, although it may, of course, be taken.” *In the Matter of U. S. Golf Corporation, ibid.* Your Applicant submits that customary accounting fees would be considered in the same light as legal fees.

13) Fixed or Contingent Fee

Your Applicant submits that this factor is inapplicable to this case.

APPENDIX B

PROJECT SUMMARIES

In its capacity as accountant for the Trustee, your Applicant was involved in representing and assisting the Trustee in numerous matters. Your Applicant's efforts on behalf of the Trustee have been broken down into the following categories:

I) Tax Return Preparation - \$4,899.00

Your Applicant submits that a total of 19.6 hours were spent related to the preparation of the debtors 2020 corporate consolidated federal income tax return, Alabama 2020 income tax return and the Delaware 2020 income tax return. Your applicant also prepared the liquidating trusts 2020 federal and state income tax returns and responded to tax compliance notices.

Your Applicant is currently requesting fees in connection with assistance to the Trustee, as described as above, in the amount of \$4,899.00. Attached hereto in Appendix C are your Applicant's summarized time entries related to services rendered to the Trustee related to tax return preparation services rendered to the estate.

Professionals performing services covered by this application are detailed on Appendix E.

II) Warrior Met Coal Settlement Agreement - \$1,597.50

Your Applicant submits that a total of 4.2 hours were spent assisting the Trustee and the attorney for the Trustee in administering the agreement with Warrior Met Coal which benefitted the estate and its creditors.

Your applicant is currently requesting fees in connection with its assistance to the Trustee, as described above, in the amount of \$1,597.50. Attached hereto in Appendix C are your Applicant's summarized time entries related to services rendered to the Trustee related to the Warrior Met Coal Settlement Agreement.

Professionals performing services covered by this application are detailed on Appendix E.

III) General Bankruptcy Matters - \$5,962.50

Your Applicant submits that a total of 19.2 hours were spent while performing general bankruptcy matters. In general representation of the Trustee in this case, your Applicant included services in this fee application, not covered elsewhere, including the following: general meetings and conversations with the Trustee and attorney for the Trustee, assisted the trustee in matters relating to analyzing and searching for potential recoveries for the estate, prepared cash projections, participating in conference calls, assistance in matters involving Cardem Insurance, responding to tax notices and complying with the court's requirements of filing fee applications.

Your Applicant is currently requesting fees in connection with its representation of the Trustee in general bankruptcy matters, as described above, in the amount of \$5,962.50. Attached hereto in Appendix C are your Applicant's summarized time entries relating to services rendered to the Trustee for general bankruptcy matters.

Professionals performing services covered by this application are detailed on Appendix E.

APPENDIX C

New WEI, Inc. - Summarized time entries by project November 1, 2020 - December 31, 2021

	Name	Position	Rate	Time	Total
	-----	-----	-----	-----	-----
General matters	Edmond R. Denaburg	Accountant	375	10.5	3,937.50
	Edmond R. Denaburg	Accountant	390	4.6	1,794.00
	Pamela G. Murray	Clerical	105	0.1	Not Charged
	Pamela G. Murray	Clerical	110	2.1	231.00
	Pamela G. Murray	Clerical	110	1.9	Not Charged
				-----	-----
				19.2	5,962.50
				=====	=====
Warrior Met settlement agreement	Edmond R. Denaburg	Accountant	375	2.7	1,012.50
	Edmond R. Denaburg	Accountant	390	1.5	585.00
				-----	-----
				4.2	1,597.50
				=====	=====
Tax return preparation and tax return issues	Edmond R. Denaburg	Accountant	375	2.8	1,050.00
	Edmond R. Denaburg	Accountant	390	3.8	1,482.00
	Jake C. Drum	Accountant	150	4.3	645.00
	Jennifer C. Leverette	Accountant	250	0.7	175.00
	Samantha Dale	Accountant	205	0.2	41.00
	Samantha Dale	Accountant	220	5.9	1,298.00
	Angela C. Craig	Bookkeeper	105	0.2	21.00
	Angela C. Craig	Bookkeeper	110	0.1	11.00
	Pamela G. Murray	Clerical	110	1.6	176.00
				-----	-----
				19.6	4,899.00
				=====	=====
				43.0	12,459.00
				=====	=====

Appendix D

New WEI, Inc. - Inception to date summarized time entries by Project February 15, 2017 - December 31, 2021

General matters

Period of Time	Time	Total
February 15, 2017 - November 1, 2017	40.8	7,857.00
November 2, 2017 - December 31, 2018	23.0	5,201.80
January 1, 2019 - November 15, 2019	32.8	7,151.00
November 16, 2019 - October 31, 2020	63.6	20,398.00
November 1, 2020 - December 31, 2021	19.2	5,962.50
	-----	-----
	179.4	46,570.30
	=====	=====

Preparation of 1099's

Period of Time	Time	Total
February 15, 2017 - November 1, 2017	30.2	4,250.20
	=====	=====

Warrior Met settlement agreement

Period of Time	Time	Total
February 15, 2017 - November 1, 2017	66.0	22,987.50
November 2, 2017 - December 31, 2018	16.6	5,810.00
January 1, 2019 - November 15, 2019	4.4	1,584.00
November 1, 2020 - December 31, 2021	4.2	1,597.50
	-----	-----
	91.2	31,979.00
	=====	=====

Retirement plan related

Period of Time	Time	Total
February 15, 2017 - November 1, 2017	19.0	6,042.10
	=====	=====

Tax return preparation and tax return issues

Period of Time	Time	Total
February 15, 2017 - November 1, 2017	103.3	24,590.00
November 2, 2017 - December 31, 2018	139.2	38,474.20
January 1, 2019 - November 15, 2019	33.7	9,621.20
November 16, 2019 - October 31, 2020	29.2	7,691.50
November 1, 2020 - December 31, 2021	19.6	4,899.00
	-----	-----
	325.0	85,275.90
	=====	=====

503 (B)(9) claim/Ch 11 claim analysis

Period of Time	Time	Total
November 2, 2017 - December 31, 2018	85.7	24,107.60
January 1, 2019 - November 15, 2019	24.1	7,920.50
November 16, 2019 - October 31, 2020	0.9	337.50
	-----	-----
	110.7	32,365.60
	=====	=====
	755.5	206,483.10
	=====	=====

<u>NAME</u>	<u>DATE</u>	<u>DESCRIPTION</u>	<u>TIME</u>	<u>RATE</u>	<u>AMOUNT</u>
ERD	11/6/2020	REVIEW ELECTRONIC NOTICE RECEIVED RE: EXPEDITED HEARING ON GENRE INSURANCE PAYMENTS, GO ONLINE TO REVIEW MOTION RELATED	0.2	375	75.00
ERD	11/10/2020	REVIEW OCTOBER BANK STATEMENT RECEIVED FROM TRUSTEE AND RESPOND TO HIS EMAIL, THEN UPDATE LIQUID ASSET REPORT SPREADSHEET	0.2	375	75.00
ERD	11/11/2020	MEET WITH TRUSTEE RE: BANK ACCOUNT ACTIVITY, CURRENT LITIGATION, THIS WEEK'S HEARING ON EMPLOYMENT AND OTHER OPEN ISSUES	0.2	375	75.00
ERD	11/12/2020	CONVERSATION WITH PORTERFIELD RE: MONDAY'S HEARING, ISSUES, HIS CONVERSATION WITH MALONY AND MURPHY RELATED ISSUES AND MY THOUGHTS ON QUESTIONS RAISED (.2) GO ONLINE AND PRINT OFF ORDER TO EMPLOY AND REVIEW SAME (.1) CONVERSATION WITH PORTERFIELD REGARDING COAL ACT LITIGATION AND MEDIATION (.1)	0.4	375	150.00
ERD	11/16/2020	REVIEW MOTION TO APPROVE SETTLEMENT RE: WORKERS COMPENSATION SETTLEMENT	0.2	375	75.00
ERD	11/17/2020	READ AND REPLY TO EMAIL FROM TRUSTEE RE: MEETING	0.1	375	37.50
ERD	11/25/2020	PRINT OFF AND REVIEW AMENDED CONSULTING AGREEMENT BETWEEN TRUSTEE AND INVESTMENT RECOVERY GROUP (.2) REVIEW EMAILS AND ATTACHMENTS FROM PORTERFIELD AND TOFFEL RE: FUNDS WIRED IN, ADDITIONAL FUNDS DUE AND BALANCE DUE WMC RESPOND TO EMAILS AFTER REVIEWING EVERYTHING (.2) CONVERSATION WITH TOFFEL RE: PREVIOUS BALANCE DUE WMC CALCULATIONS, TUESDAY MEETING AND WHAT HE WANTS ME TO HAVE FOR THE MEETING (.2)	0.6	375	225.00
ERD	11/27/2020	REVIEW NOTICE OF WITHDRAWAL OF EXPEDITING HEARING	0.1	375	37.50
ERD	11/28/2020	REVIEW RECORDS AND UPDATE CURRENT BALANCE DUE WMC AND EMAIL SCHEDULE TO TRUSTEE AND PORTERFIELD	0.1	375	37.50

<u>NAME</u>	<u>DATE</u>	<u>DESCRIPTION</u>	<u>TIME</u>	<u>RATE</u>	<u>AMOUNT</u>
ERD	11/30/2020	REVIEW ORIGINAL SETTLEMENT AGREEMENT WITH WMC, THEN AMENDED AGREEMENT, CREATE A SPREADSHEET TO QUANTIFY FUNDS RECEIVED TO DATE FOR PURPOSE OF MEETING THE \$2.9M THRESHOLD, ADD NOTES TO EXPLAIN PARTICIPATION BEFORE AND AFTER CROSSING THAT THRESHOLD AND EMAIL SAME TO TOFFEL, PORTERFIELD AND HUMPHRIES SO THEY CAN REVIEW PRIOR TO TOMORROW'S MEETING (1.7) REVIEW PRELIMINARY REPORT FROM DAN OLIVER RE: MY FEE APPLICATION, THEN CONVERSATION WITH HIM ON SAME (2) REVIEW REVISED FEE APPLICATION REPORT AND SEND EMAIL TO OLIVER RE: SAME (.1)	2.0	375	750.00
ERD	12/1/2020	REVIEW DOCUMENTS AND RECENT CORRESPONDENCE RECEIVED AND PREPARE FOR MEETING WITH PORTERFIELD AND TRUSTEE (.2) TRAVEL TO PORTERFIELD OFFICE FOR MEETING (1/2 TIME CHARGED) (.3) PARTICIPATE IN MEETING WITH TOFFEL, PORTERFIELD AND HUMPHRIES (1.3) READ 2 DIFFERENT EMAILS FROM TRUSTEE ON DISBURSEMENTS DUE WMC (.1)	1.9	375	712.50
ERD	12/2/2020	REVIEW EMAIL FROM GROTENHUIS AND ATTACHED EXHIBITS CONCERNING SURETY BONDS AND CHAPTER 11 SETTLEMENT AGREEMENTS THEN RESPOND TO TRUSTEE'S EMAIL RE: QUESTIONS ASKED	0.4	375	150.00
ERD	12/3/2020	REVIEW EMAIL FROM GROTENHUIS THEN CALL AND DISCUSS INFORMATION NEEDED WITH SUGGESTION ON HOW TO GET SAME	0.2	375	75.00
ERD	12/7/2020	REVIEW INFORMATION RECEIVED FROM TOFFEL RE: ADDITIONAL FUNDS RECEIVED, UPDATE SCHEDULES FOR ACTIVITY AND MODIFY SCHEDULE OF PARTICIPATION DUE WMC, SEND EMAIL TO TOFFEL RE: NEEDING TO SEE IF FINAL \$2,500 DUE FROM GENRE HAD BEEN RECEIVED (.3) REVIEW EMAILS FROM KENDALL WITH RESPONSES AND NOVEMBER BANK STATEMENT, UPDATE SPREADSHEET, SEND EMAILS RE: ADDITIONAL INFORMATION NEEDED (.2) REVIEW EMAIL RESPONSES FROM TOFFEL AND THEN FROM REGIONS, THEN READ AND REPLY TO EMAIL FROM PORTERFIELD RE: BALANCE DUE FROM GENRE (.2)	0.7	375	262.50
ERD	12/8/2020	FINISH SCHEDULE SHOWING CALCULATION OF BALANCE DUE TO WMC, PRINT TO PDF AND EMAIL TO TOFFEL AND PORTERFIELD (.2) REVIEW AND RESPOND TO EMAILS FROM TRUSTEE AND PORTERFIELD RE: PAYMENT DUE WMC (.2)	0.4	375	150.00

NAME	DATE	DESCRIPTION	TIME	RATE	AMOUNT
ERD	1/3/2021	REVIEW SPREADSHEETS DETAILING 2020 ACTIVITY, SEND EMAIL REQUESTING DECEMBER BANK STATEMENT BE SENT TO ME WHEN RECEIVED FOR TAX RETURN PURPOSES	0.1	375	37.50
ERD	1/5/2021	SEVERAL CONVERSATIONS WITH SAMANTHA RE: QUESTIONS ON HOW TO HANDLE CERTAIN TRANSACTIONS FOR ADJUSTING TRUSTEE'S RECORDS, REVIEW PRIOR YEAR AND CURRENT YEAR GENERAL LEDGER ACTIVITY, QUANTIFY ADJUSTMENTS TO BE POSTED TO CLIENTS BOOKS TO BALANCE TO PRIOR YEAR CHRISTIAN & DENABURG ADJUSTED TRIAL BALANCE AND CURRENT YEAR ACTIVITY (1.2) BEGIN TO WORK ON QUANTIFYING CURRENT YEAR TAXABLE INCOME FOR TRUST (.4)	1.6	375	600.00
SAD	1/5/2021	MEET WITH ERD TO GO OVER QUICKBOOKS ISSUES AND HOW TO HANDLE SAME	0.2	205	41.00
ERD	1/6/2021	PREPARE FOR AND PARTICIPATE IN FEE APPLICATION HEARING (.3) DRAFT ORDER ON FEE APPLICATION (.2)	0.5	375	187.50
PGM	1/6/2021	TYPE ORDER APPROVING 4TH INTERIM FEE APPLICATION AND EMAIL TO JUDGE MITCHELL	0.1	NOT	CHARGED
ERD	1/11/2021	UPDATE CASH ACTIVITY SPREADSHEET FOR DECEMBER BANK STATEMENT RECEIVED, SEND EMAIL TO TRUSTEE RE: BANK ANALYSIS CHARGES PRESENT FOR THE FIRST TIME	0.2	375	75.00
ERD	1/12/2021	READ TEXT FROM TRUSTEE RE: INFORMATION NEEDED ON CARDEM, LOOK UP SAME AND EXCHANGE ADDITIONAL TEXTS ON SAME AND MEDIATION	0.2	375	75.00
ERD	1/14/2021	CONVERSATION WITH TRUSTEE RE: THIS WEEK'S MEDIATION AND HOW TO PROCEED	0.1	375	37.50
ERD	1/15/2021	REVIEW VARIOUS EMAILS FROM TOFFEL, PORTERFIELD AND HALL RE: MEDIATION (.1) REVIEW NOTICE OF 2004 EXAMINATION (.1)	0.2	375	75.00
ERD	1/20/2021	CONVERSATION WITH PORTERFIELD RE: MEDIATION ATTEMPTS, CARDEM ISSUES, OTHER OPEN LITIGATION MATTERS, MY NEED TO UPDATE SETTLEMENT PARTICIPATION MODEL FOR INCEPTION TO DATE ACTIVITY AND PROJECTIONS UNDER DIFFERENT SCENARIOS	0.3	375	112.50

NEW WEI, INC.
BILLING DETAILS
11/1/20-12/31/21

APPENDIX E

<u>NAME</u>	<u>DATE</u>	<u>DESCRIPTION</u>	<u>TIME</u>	<u>RATE</u>	<u>AMOUNT</u>
ERD	1/21/2021	READ AND RESPOND TO TOFFEL EMAIL ON BANKING ISSUES	0.1	375	37.50
ERD	1/27/2021	MEET WITH TRUSTEE TO GO OVER OPEN ITEMS IN ESTATE, LITIGATION AND INCOME TAX RELATED ISSUES, HIS RECENT FEE APPLICATION FILED AND HOW TO PROCEED (.2) REVIEW FEE APPLICATION FILED (.1)	0.3	375	112.50
ERD	2/9/2021	REVIEW JANUARY BANK STATEMENTS, THEN CONVERSATION WITH TRUSTEE RE: BANK STOPPING TO PAY INTEREST IN JANUARY	0.1	375	37.50
ERD	2/11/2021	REVIEW EMAIL FROM TRUSTEE RE: UNCLAIMED PROPERTY RECOVERY IN FLORIDA	0.1	375	37.50
ERD	2/13/2021	PRINT OFF REVIEW FEE APPLICATION FOR WEISKOTTEN	0.1	375	37.50
ERD	2/18/2021	REVIEW EMAILS FROM TRUSTEE AND PORTERFIELD RE: POSSIBLE REMNANT ASSETS SALE	0.1	375	37.50
ERD	2/25/2021	REVIEW EMAILS RECEIVED FROM TOFFEL AND PORTERFIELD, EXCHANGE SERIES OF EMAILS REGARDING BANK INTEREST AND WHAT RATES OTHER BANKS ARE CURRENTLY PAYING	0.2	375	75.00
ERD	3/7/2021	REVIEW OF EMAIL FROM PORTERFIELD, PRINT OFF ALL ATTACHMENTS, SAVE TO EXCEL AS APPLICABLE, OVERVIEW SAME, THEN RESPOND TO EMAIL THAT I WILL REVIEW DEEPER AND GET BACK AND ASK ABOUT WMC'S POSITION	0.4	375	150.00
ERD	3/8/2021	FINISH REVIEW OF TAX RETURNS AND VARIOUS EMAILS AND ATTACHMENTS (.3) CONVERSATION WITH JONATHAN HOLLINGSHEAD RE: TAX RETURN ISSUES, HIS UNDERSTANDING ON ISSUE, HIS POSITION AND LOGISTICS FOR FILING (.2) SEND EMAIL TO TOFFEL AND PORTERFIELD RE: SIGNING TAX RETURNS, FILING LOGISTICS, WHAT NEEDS TO BE DONE FOR SAME TO BE FILED IN LIGHT OF POST OFFICE MAILING PROBLEMS (.2) REVIEW EMAILS FROM TRUSTEE RE: MONEY MARKET ACCOUNTS, THEN CONVERSATION WITH TRUSTEE RE: SAME, AS WELL AS, AMENDED TAX RETURN ISSUES AND QUESTIONS (.2)	0.9	375	337.50
ERD	3/18/2021	MEET WITH TRUSTEE TO DISCUSS ONGOING LITIGATION, WHAT IS NEEDED TO BE DONE, TAX COMPLIANCE AND HOW TO PROCEED	0.1	375	37.50

<u>NAME</u>	<u>DATE</u>	<u>DESCRIPTION</u>	<u>TIME</u>	<u>RATE</u>	<u>AMOUNT</u>
ERD	3/23/2021	REVIEW PRIOR YEAR TAX RETURNS, WORK UP AMOUNT NEEDED TO EXTEND RETURNS, THEN MEET WITH STAFF RE: SAME	0.3	375	112.50
ERD	3/24/2021	MEET WITH STAFF RE: DELAWARE EXTENSION ISSUES AND HOW TO HANDLE	0.1	375	37.50
ERD	3/30/2021	REVIEW IRS CORRESPONDENCE RECEIVED FROM KENDALL ON 2019 TAX RETURN	0.1	375	37.50
ERD	4/6/2021	CONVERSATION WITH TOFFEL RE: INTEREST INCOME ISSUES, DISCUSS EXTENDING TAX RETURNS AND HOW TO HANDLE DELAWARE TAX DUE	0.1	375	37.50
ALC	4/7/2021	ELECTRONIC FILING CORPORATE TAX RETURN EXTENSIONS	0.2	105	21.00
ERD	4/21/2021	CONVERSATION WITH TRUSTEE RE: STATUS UPDATE, TAX ISSUES AND CASH FLOW ISSUES	0.1	375	37.50
ERD	4/28/2021	READ AND RESPOND TO EMAIL FROM TRUSTEE RE: SETTING UP MEETING	0.1	375	37.50
ERD	5/10/2021	REVIEW APRIL BANK STATEMENT AND ENTER APRIL ACTIVITY IN SPREADSHEET	0.1	375	37.50
ERD	5/25/2021	CONFERENCE CALL WITH TRUSTEE, PORTERFIELD AND HUMPHRIES RE: STATUS UPDATE ON ALL ISSUES (.5) UPDATE SOURCES AND USES SCHEDULES, SEND EMAIL TO KENDALL RE: NEEDING JANUARY'S BANK STATEMENT (.2) CONVERSATION WITH TRUSTEE RE: TAX RETURN QUESTIONS AND WMC QUESTION (.1) REVIEW ADDITIONAL BANK INFORMATION RECEIVED, UPDATE OF SOURCES AND USES SCHEDULE, EMAIL KENDALL OPEN LIST OF QUESTIONS ON SOURCES AND USES FOR HER TO COMPLETE (.2) REVIEW RECENT SUPREME COURT CERT DENIAL ON COAL ACT AND FORWARD TO PORTERFIELD, HUMPHRIES AND TOFFEL, THEN REVIEW VARIOUS EMAILS ON SAME (.2) REVIEW INFORMATION RECEIVED ON CARDEM SEND TRUSTEE AND PORTERFIELD FINDINGS (.2) CONVERSATION WITH PORTERFIELD RE: CARDEM INFORMATION NEEDED FOR TAX RETURN (.1)	1.5	375	562.50
ERD	6/1/2021	REVIEW EMAILS FROM PORTFIELD AND TOFFEL RE: RECORD STORAGE AND DESTRUCTION ISSUES	0.1	375	37.50
ERD	6/7/2021	REVIEW CASE STATUS REPORT	0.2	375	75.00

<u>NAME</u>	<u>DATE</u>	<u>DESCRIPTION</u>	<u>TIME</u>	<u>RATE</u>	<u>AMOUNT</u>
ERD	7/5/2021	MODIFY SPREADSHEETS AS NEEDED TO QUANTIFY TAXABLE INCOME FOR SETTLEMENT TRUST, UPDATE INCEPTION TO DATE SCHEDULES SHOWING WHAT HAS BEEN PAID TO WMC, BEGIN CALCULATION OF WHAT IS OWED BY NEW WEI, SEND KENDALL EMAIL RE: INFORMATION NEEDED TO CONCLUDE ON WHAT IS CURRENTLY OWED TO WMC, UPDATE INCOME AND EXPENSE SPREADSHEETS FOR ACTIVITY THROUGH MAY 2021 (2.2) REVIEW CARDEM INFORMATION RECEIVED WITH PRIOR YEAR AND DELAWARE CORRESPONDENCE, GET FILE READY FOR STAFF TO PREPARE TAX RETURN (.2)	2.4	390	936.00
ERD	7/6/2021	REVIEW JUNE BANK STATEMENT RECEIVED, UPDATE CASH ACTIVITY SPREADSHEET, FINISH CALCULATION OF BALANCE DUE WMC AND SCHEDULE SHOWING PAYMENTS TO WMC INCEPTION TO DATE, THEN EMAIL UPDATED SCHEDULES TO TOFFEL AND PORTERFIELD (.7) REVIEW WEI INVESTMENT TRUST TAX RETURNS (.5)	1.2	390	468.00
JCD	7/6/2021	PREPARATION WEI TRUST TAX RETURNS	4.3	150	645.00
ERD	7/7/2021	MEET WITH STAFF RE: PROBLEMS WITH THE NET OPERATING LOSS CALCULATION FOR THE TRUST (.1) MEET WITH STAFF TO DISCUSS TAX FILING ISSUES OF C-CORP AND HOW TO HANDLE (.1)	0.2	390	78.00
JCL	7/9/2021	MAKE ADJUSTMENTS NEEDED TO WEI LIQUIDATING TRUST TAX RETURN	0.7	250	175.00
SAD	7/15/2021	BEGIN PREPARATION OF 2020 CORPORATE INCOME TAX RETURNS	1.9	220	418.00
ERD	7/16/2021	REVIEW REVISED INCOME TAX RETURNS FOR LIQUIDATING TRUST AND PUT IN PROCESSING	0.2	390	78.00
PGM	7/19/2021	PROCESS TRUST INCOME TAX RETURNS	0.4	110	44.00
ERD	7/21/2021	REVIEW AND SIGN TAX RETURNS, EMAIL TAX FILING AUTHORIZATION FORMS AND TAX RETURN PACKAGE TO TRUSTEE FOR HIS FILE AND FOR SIGNING	0.3	390	117.00
ERD	7/26/2021	REVIEW EMAIL FROM TRUSTEE WITH SIGNED TAX FILING AUTHORIZATION FORMS THEN GIVE TO STAFF FOR FILING	0.1	390	39.00
ALC	7/26/2021	ELECTRONIC FILING OF LIQUIDATING TRUST TAX RETURNS	0.1	110	11.00

<u>NAME</u>	<u>DATE</u>	<u>DESCRIPTION</u>	<u>TIME</u>	<u>RATE</u>	<u>AMOUNT</u>
ERD	8/11/2021	SEND EMAIL TO KENDALL AND TRUSTEE REQUESTING JULY BANK STATEMENT AND INQUIRE IF PAYMENT DUE WMC HAS BEEN PAID (.1) REVIEW JULY BANK STATEMENT, UPDATE SPREADSHEET FOR ACTIVITY, SEND KENDALL AND TRUSTEE EMAIL RE: STATUS OF FUNDS STILL DUE WMC THAT HAVE NOT BEEN REMITTED (.2)	0.3	390	117.00
ERD	8/19/2021	REVIEW EMAIL FROM MIKE HALL TO TRUSTEE THEN EMAIL PDF CALCULATION OF PAYMENT DUE WMC	0.1	390	39.00
ERD	9/2/2021	EXCHANGE EMAILS WITH HALL AND HOLLINGSHEAD RE: UNCLAIMED PROPERTY CHECK, LOCATE TOFFEL ADDRESS AND EMAIL TO HOLLINGSHEAD	0.1	390	39.00
ERD	9/8/2021	REVIEW AUGUST BANK STATEMENT RECEIVED FROM KENDALL AND UPDATE SCHEDULES FOR ACTIVITY	0.2	390	78.00
ERD	9/23/2021	CONVERSATION WITH TRUSTEE RE: OPEN ISSUES, HIS SCHEDULE AND TAX RETURNS TO BE FILED (.1) READ AND RESPOND TO EMAIL FROM TRUSTEE RE: SCHEDULING A MEETING (.1)	0.2	390	78.00
ERD	10/5/2021	REVIEW FILES AND PREPARE FOR MEETING WITH TOFFEL, PORTERFIELD AND HUMPHRYS RE: STATUS UPDATE ON ALL OPEN ITEMS (.4), GO TO TOFFELS OFFICE FOR MEETING (1/2 TIME CHARGED) (.3) MEETING WITH TOFFEL AND PORTERFIELD (.6)	1.3	390	507.00
ERD	10/7/2021	READ EMAIL FROM TRUSTEE RE: INTERIM DISTRIBUTIONS, RESPOND TO SAME OVER CONCERN AND NEED TO DO LONG TERM PROJECTIONS AFTER NEXT SIGNIFICANT RECOVERY	0.2	390	78.00
ERD	10/8/2021	READ AND RESPOND TO EMAIL FROM HOLLINGSHEAD ON POSSIBLE UNCLAIMED PROPERTY	0.1	390	39.00
SAD	10/13/2021	FINISH PREPARATION OF CONSOLIDATED CORPORATE INCOME TAX RETURNS	3.5	220	770.00
ERD	10/13/2021	MEET OFF AND ON WITH STAFF RE: CORPORATE TAX RETURN QUESTIONS, REVIEW TAX RETURNS, DRAFT DISCLOSURE STATEMENTS AND PROMPT DETERMINATION REQUESTS, CONVERSATION WITH STAFF RE: DELWARE RETURN, SIGN PROCESSED TAX RETURN AND GET RETURNS READY FOR TRUSTEE TO SIGN	0.6	390	234.00
PGM	10/13/2021	PROCESS TAX RETURNS, MAKE EXTRA COPIES FOR STATE OF ALABAMA AND EFAXING	1.0	110	110.00

**NEW WEI, INC.
BILLING DETAILS
11/1/20-12/31/21**

APPENDIX E

<u>NAME</u>	<u>DATE</u>	<u>DESCRIPTION</u>	<u>TIME</u>	<u>RATE</u>	<u>AMOUNT</u>
SAD	10/14/2021	MEET WITH TRUSTEE AND FILE DELAWARE TAX RETURN ONLINE	0.5	220	110.00
ERD	10/14/2021	MEET WITH TRUSTEE RE: GOING OVER TAX RETURNS AND GETTING SAME SIGNED, THEN MEET WITH STAFF RE: FILING DELAWARE RETURNS	0.2	390	78.00
PGM	10/20/2021	FINISH PROCESSING TAX RETURNS TO BE FILED	0.2	110	22.00
ERD	12/13/2021	REVIEW EMAIL FROM PORTERFIELD ON RECENT CARDEM RULING	0.1	390	39.00
ERD	12/24/2021	UPDATE CASH ACTIVITY SCHEDULES FOR SEPTEMBER - NOVEMBER ACTIVITY, SEND EMAIL TO KENDALL RE: ADDITIONAL INFORMATION NEEDED ON OCTOBER ACTIVITY	0.2	390	78.00
ERD	12/27/2021	REVIEW EMAIL FROM TRUSTEE ON WORKERS COMP PAYMENT TO BE RECEIVED AND NEED FOR ME TO CALCULATE AMOUNT DUE WMC	0.1	390	39.00
ERD	VARIOUS	REVIEW AND REVISE TIME ENTRIES, PREPARATION OF FEE APPLICATION AND FILING SAME	1.8	390	702.00
PGM	VARIOUS	ASSIST ERD IN PREPARATION OF FEE APPLICATION	2.1	110	231.00
ALC	VARIOUS	ASSIST ERD IN PREPARATION OF FEE APPLICATION	1.9	NOT	CHARGED
TOTAL TIME			<u>43.0</u>		<u>12,459.00</u>

APPENDIX F

NEW WEI, Inc.

FEE APPLICATION (11/1/20-12/31/21)

<u>EXPENSES</u>	<u>AMOUNT</u>
SUMMARY OF EXPENSES	
COMPUTER TAX FILING CHARGES	71.50
534 COPIES MADE AT 25 CENTS PER PAGE RELATED TO TAX RETURN PREPARATION	133.50
POSTAGE	<u>34.70</u>
TOTAL EXPENSES	<u>\$ 239.70</u>

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

IN RE:)
NEW WEI, INC.) **BANKRUPTCY NO. 15-02741-TOM**
)
)
DEBTOR)

STATEMENT REQUIRED BY BANKRUPTCY RULE 2016


COMES NOW Edmond R. Denaburg, who files this statement in support of the Application for Fees by Accountant in the above-styled case.

Applicant has not received any payments for services rendered in this case for the period from November 1, 2020 through December 31, 2021.

Applicant has been promised payment for services to be rendered in this case only in such amount as may be allowed by this Court upon application submitted by Applicant.

The source of the compensation, which has been promised, was to be from funds of the bankruptcy estate as an administrative expense. No previously received compensation has been shared with any other person or entity, nor does any agreement exist between Applicant and any other person or entity for the sharing of compensation to be received for services rendered in connection with this case.

DATED this the 18th day of January, 2022.


Edmond R. Denaburg

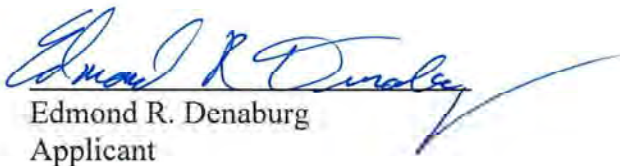
PRINCIPAL:

CHRISTIAN & DENABURG, PC
CERTIFIED PUBLIC ACCOUNTANTS
2649 ROCKY RIDGE LANE
BIRMINGHAM, ALABAMA 35216
(205) 967-8901

VERIFICATION

I have read the above and forgoing Application. As required by Federal Bankruptcy Rule of Procedure 2014(a) and in accordance with Federal Bankruptcy Rule of Procedure 9011(b) and Title 28 U.S.C. § 1746, I declare under penalty of perjury that the statements there made with reference to me and my professional associates are true and correct.

Dated this the 18th day of January, 2022.


Edmond R. Denaburg
Applicant

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing on the following by US mail, email or electronically through CM/ECF system on or before January 18, 2022.

Served Via US mail:

The Honorable Tamara O. Mitchell
Robert S. Vance Federal Building
1800 Fifth Avenue North
Birmingham, AL 35203

Email or Electronically Through CM/ECF:

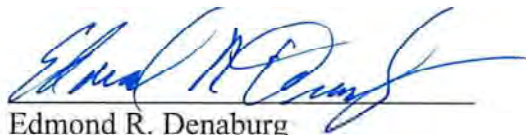
Jon A. Dudeck, Esquire
jon_dudeck@alnba.uscourts.gov
Attorney for the Bankruptcy Administrator
Robert S. Vance Federal Building
1800 Fifth Avenue North
Birmingham, AL 35203

Andre' M. Toffel

atoffel@toffelpc.com
450A Century Park South, Suite 206A
Birmingham, AL 35226

New WEI, LLC

C/O Jay Bender
jbender@babco.com
One Federal Place
1819 Fifth Avenue North
Birmingham, AL 35203-2105



Edmond R. Denaburg
2649 Rocky Ridge Lane
Birmingham, AL 35216