

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

IN RE: PANTHERA ENTERPRISES, LLC Debtor, BERNSTEIN-BURKLEY, P.C. Applicants. v. NO RESPONDENTS.	Bankruptcy Case No. 2:19-bk-00787 Chapter 11
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SUMMARY COVER SHEET

1. Your applicant was appointed on October 10, 2019 *nunc pro tunc* to September 13, 2019 as Counsel for the chapter 11 Debtor.
2. Your applicant represents PANTHERA ENTERPRISES, LLC.
3. The total amount of the compensation requested is \$260,551.00 for the period from September 13, 2019 through September 30, 2020.
4. The compensation is Final.
5. No retainer was paid by the Debtor to Bernstein-Burkley, P.C.
6. The amount of compensation previously requested is 0.00.
7. The amount of compensation previously approved is 0.00.
8. The amount of compensation previously paid is 0.00.
9. The total amount of expenses for which reimbursement is sought is \$3,427.21 and is for the period from September 13, 2019 through September 30, 2020.
10. The amount of expenses previously requested is 0.00.
11. The amount of expenses previously approved is 0.00.
12. The amount of expenses previously paid is 0.00.
13. The blended hourly rate for this application is 298.73.

14. Other factors bearing on fee application:

BERNSTEIN-BURKLEY, P.C.

Dated: 10/19/2020

By: /s/ John J. Richardson
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IN RE: PANTHERA ENTERPRISES, LLC Debtor, BERNSTEIN-BURKLEY, P.C. Applicants. v. NO RESPONDENTS.	Bankruptcy Case No. 2:19-bk-00787 Chapter 11
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**APPLICATION FOR FINAL COMPENSATION AND
REIMBURSEMENT OF EXPENSES BY BERNSTEIN-BURKLEY, P.C.,
COUNSEL FOR THE CHAPTER 11 DEBTOR, PANTHERA ENTERPRISES, LLC**

This application is for Compensation by Bernstein-Burkley, P.C., as counsel for the chapter 11 Debtor, Panthera Enterprises, LLC, and respectfully represents:

1. Panthera Enterprises, LLC ("Debtor" or "Panthera") filed a Voluntary Bankruptcy Petition on September 13, 2019.
2. On September 23, 2019, Bernstein-Burkley filed an Application for Employment as Counsel to the Debtor with this Honorable Court, and pursuant to the entry of the Order of Court dated October 10, 2019, Applicant has been serving in that capacity. A copy of the Order is attached hereto, marked as Exhibit "A".
3. On July 21, 2020, by Order of Court, this matter was converted from Chapter 11 to Chapter 7.

4. A list of (a) the attorneys and paraprofessionals contributing the services for which compensation is sought, their billing rates and years of experience is attached hereto as Exhibit “B” and (b) charges for services by category and a listing of all expenses for which reimbursement is sought is attached hereto, marked as Exhibit “C”.

5. A narrative statement of the services rendered in each category and a summary of the time and charges of each professional who rendered services and the grand total of all time and charges for services rendered in each category, is as follows:

.01 Case Administration. Services rendered in this category include general case management, preparation of first day motions and communications with the US Trustee. The total hours in this category are 93.20, for which compensation is sought in the amount of \$28,935.00. A summary of the attorneys and paraprofessionals who provided services in this category is as follows:

Attorney or Paraprofessional	Total Hours	Total Services
Robert S. Bernstein (RSB)	8.20	4,510.00
Mark S. Lindsay (MAL)	55.90	19,125.00
Salene M. Kraemer (SMK)	2.10	682.50
John J. Richardson (JJR)	.30	93.00
Sarah E. Wenrich (SEW)	12.00	2,100.00
Cheryl A. Bauer (CAB)	1.90	332.50
Christina N. Wirick (CNW)	12.80	2,092.00
TOTAL	93.20	\$28,935.00

.02 Petition. Services rendered in this category pertain to matters include review of pertinent documents, preparation of the petition and schedules, etc.. The total hours in this category are 46.75 for which compensation is sought in the amount of \$10,435.50. A summary of the attorneys and paraprofessionals who provided services in this category is as follows:

Attorney or Paraprofessional	Total Hours	Total Services
Robert S. Bernstein (RSB)	1.95	1,072.50
Mark S. Lindsay (MAL)	11.00	3,740.00
Sarah E. Wenrich (SEW)	19.20	3,360.00
Christina N. Wirick (CNW)	14.60	2,263.00
TOTAL	46.75	\$10,435.50

.03 Cash Collateral. Services rendered in this category include drafting and revision of cash collateral motion. The total hours in this category are 5.50, for which compensation is sought in the amount of \$1,037.50. A summary of the attorneys and paraprofessionals who provided services in this category is as follows:

Attorney or Paraprofessional	Total Hours	Total Services
Robert S. Bernstein (RSB)	.20	110.00
Sarah E. Wenrich (SEW)	5.30	927.50
TOTAL	5.50	\$1,037.50

.04 DIP Financing. Services rendered in this category include communications with potential DIP Lender. The total hours in this category are 1.80, for which compensation is sought in the amount of \$630.00. A summary of the attorneys and paraprofessionals who provided services in this category is as follows:

Attorney or Paraprofessional	Total Hours	Total Services
Robert S. Bernstein (RSB)	.20	110.00
Salene M. Kraemer (SMK)	1.60	520.00
TOTAL	1.80	630.00

.05 Creditors Inquiries and Correspondence. There were no services rendered in this category.

.06 Docket Control & Review. There were no services rendered in this category.

.07 Monthly Reports. Services rendered in this category include preparation of and communications related to the monthly operating report, as well finalization and filing of the same. The total hours in this category are 16.20, for which compensation is sought in the amount of \$3,791.50. A summary of the attorneys and paraprofessionals who provided services in this category is as follows:

Attorney or Paraprofessional	Total Hours	Total Services
Robert S. Bernstein (RSB)	.40	220.00
Mark A. Lindsay (MAL)	5.00	1,743.00
John J. Richardson (JJR)	.30	93.00
Sarah E. Wenrich (SEW)	.50	87.50
Christina N. Wirick (CNW)	10.00	1,648.00
TOTAL	16.20	\$3,791.50

.08 Executory Contracts. Services rendered in this category include review and analysis of all contracts and leases, communications regarding the same. The total hours in this category are 25.75, for which compensation is sought in the amount of \$8,442.50. A summary of the attorneys and paraprofessionals who provided services in this category is as follows:

Attorney or Paraprofessional	Total Hours	Total Services
Robert S. Bernstein (RSB)	3.65	2,007.50
Mark A. Lindsay (MAL)	15.50	5,280.00
Sarah E. Wenrich (SEW)	6.60	1,155.00
TOTAL	25.75	\$8,442.50

.09 Reclamation. There were no services rendered in this category.

.10 Employee Matters. There were no services rendered in this category.

.11 Conferences With Client. Services rendered in this category pertain to matters relating to the coordination and intercommunication with the representative of the Debtor on all pending relating to the effective administration of this case. The total hours in this category are 11.90 for which compensation is sought in the amount of \$3,588.00. A summary of the attorneys and paraprofessionals who provided services in this category is as follows:

Attorney or Paraprofessional	Total Hours	Total Services
Mark A. Lindsay (MAL)	8.30	2,865.00
John J. Richardson (JJR)	.70	255.50
Sarah E. Wenrich (SEW)	.90	157.50
Christina N. Wirick (CNW)	2.00	310.00
TOTAL	11.90	\$3,588.00

.12 Plan and Disclosure Statement. Services rendered in this category pertain to matters related to consideration of a potential Plan and Disclosure Statement and drafting of exclusivity motions thereto. The total hours in this category are 53.70, for which compensation is sought in the amount of \$17,449.50. A summary of the attorneys and paraprofessionals who provided services in this category is as follows:

Attorney or Paraprofessional	Total Hours	Total Services
Mark A. Lindsay (MAL)	42.60	14,870.00
Salene M. Kraemer (SMK)	.80	260.00
John J. Richardson (JJR)	2.30	806.50
Sarah E. Wenrich (SEW)	6.30	1,235.50
Christina N. Wirick (CNW)	1.70	277.50
TOTAL	53.70	\$17,449.50

.13 Insurance. Services rendered in this category relate to all matters pertaining to liability and property insurance. The total hours in this category are 7.90, for which compensation is sought in the amount of \$2,765.00. A summary of the attorneys and paraprofessionals who provided services in this category is as follows:

<u>2</u>		
Attorney or Paraprofessional	Total Hours	Total Services
Mark A. Lindsay (MAL)	7.90	2,765.00
TOTAL	7.90	\$2,765.00

.14 Taxes. Services rendered in this category relate to all matters pertaining to tax issues within this case. The total hours in this category are 1.50, for which compensation is sought in the amount of \$345.00. A summary of the attorneys and paraprofessionals who provided services in this category is as follows:

<u>2</u>		
Attorney or Paraprofessional	Total Hours	Total Services
Mark A. Lindsay (MAL)	.50	170.00
Sarah E. Wenrich (SEW)	1.00	175.00
TOTAL	1.50	345.00

.15 Creditors' Committee. There were no services rendered in this category.

.16 Claims. Services rendered in this category pertain to matters relating to the claims of creditors of this case. The total hours in this category are 1.20, for which compensation is sought in the amount of \$549.00. A summary of the attorneys and paraprofessionals who provided services in this category is as follows:

Attorney or Paraprofessional	Total Hours	Total Services
Robert S. Bernstein (RSB)	.60	330.00
John J. Richardson (JJR)	.60	219.00
TOTAL	1.20	\$549.00

.17 Miscellaneous Motions. Services rendered in this category pertain to monitoring miscellaneous motions and preparation of responses thereto; attendance at meetings, telephone conferences and court appearances related thereto. The total hours in this category are 263.90, for which compensation is sought in the amount of \$83,037.50. A summary of the attorneys and paraprofessionals who provided services in this category is as follows:

Attorney or Paraprofessional	Total Hours	Total Services
Robert S. Bernstein (RSB)	.20	110.00
Mark S. Lindsay (MAL)	169.40	58,434.00
Salene M. Kraemer (SMK)	14.00	4,550.00
John J. Richardson (JJR)	37.00	11,998.00
Sarah E. Wenrich (SEW)	29.20	5,264.00
Trisha R. Hudkins (TRH)	5.80	1,247.00
Christina N. Wirick (CNW)	8.30	1,434.50
TOTAL	263.90	\$83,037.50

.18 Adversary Proceedings. Services rendered in this category pertain to the review and analysis of all matters pertaining to avoidance actions and preparation of a Complaint, TRO Motions, etc., as well as communications related to the same, preparation and attendance at various hearings, etc.. The total hours in this category are 331.80 for which compensation is sought in the amount of \$97,526.00. A summary of the attorneys and paraprofessionals who provided services in this category is as follows:

Attorney or Paraprofessional	Total Hours	Total Services
Robert S. Bernstein (RSB)	.30	165.00
Mark S. Lindsay (MAL)	147.10	49,843.00
Salene M. Kraemer (SMK)	13.70	4,452.50
John J. Richardson (JJR)	93.60	29,120.50
Sarah E. Wenrich (SEW)	58.70	10,605.00
Abigail Smith	4.60	667.00

(AS)		
Christina N. Wirick (CNW)	13.80	2,173.00
TOTAL	331.80	\$97,526.00

.19 Sales. There were no services rendered in this category.

.20 Professional Retentions. Services rendered in this category include the preparation, review and analysis of employment applications and correspondence with the Debtor representative regarding same. The total hours in this category are 2.10, for which compensation is sought in the amount of \$444.00. A summary of the attorneys and paraprofessionals who provided services in this category is as follows:

<u>2</u>		
Attorney or Paraprofessional	Total Hours	Total Services
Robert S. Bernstein (RSB)	.30	165.00
Christina N. Wirick (CNW)	1.80	279.00
TOTAL	2.10	\$444.00

.21 Fee Applications. Services rendered in this category pertain to the preparation and revisions to Fee Applications. The total hours in this category are 9.00, for which compensation is sought in the amount of \$1,575.00. A summary of the attorneys and paraprofessionals who provided services in this category is as follows:

<u>2</u>		
Attorney or Paraprofessional	Total Hours	Total Services
Christina N. Wirick (CNW)	9.00	1,575.00
TOTAL	9.00	\$1,575.00

6. Applicant does not represent any interest adverse to that of the Debtor or the bankruptcy estate. Applicant is a disinterested person and has entered into no agreement with anyone else regarding the sharing of its compensation in this estate, except that your Applicant is the Professional Corporation of

Bernstein-Burkley, P.C., and any compensation received will be deposited into the general fee account of that law firm.

7. The services and expenses for which compensation and reimbursement are being sought were necessary and the charges for the same are reasonable.

8. The signature of the undersigned, a member of the Applicant, constitutes his certification as a member of the Bar of this Court that the contents of this Application and its exhibits are true and correct.

COSTS ADVANCED

DATE	DESCRIPTION	AMOUNT
9/16/2019	Disbursed to Bankruptcy Court- file Chapter 11 Petition	1,717.00
9/18/2019	Disbursed to CSC - Delaware UCC searches	450.00
9/23/2019	Disbursed to CSC - New Castle County, DE UCC search	242.00
10/12/2019	Disbursed for monthly conference call(s)	40.99
10/26/2019	Disbursed to Bankruptcy Court	350.00
10/30/2019	Travel Expense - Mark Lindsay travel to/from Martinsburg, WV for US Trustee 341 Meeting	214.00
11/15/2019	Disbursed to LogMeIn October, 2019 conference calls	16.71
11/27/2019	Travel Expense - John Richardson attend Preliminary Injunction Hearing in Wheeling	140.00
11/30/2019	Travel Expense - John Richardson 11/23/19 travel	8.16
12/20/2019	Travel Expense - John Richardson attend evidentiary hearing in Wheeling, WV	50.60
12/22/2019	Travel Expense - Mark Lindsay additional travel expense from November, 2019	144.10
5/19/2020	Disbursed for monthly conference call(s)	22.71
8/19/2020	Disbursed for monthly conference call(s)	40.94
TOTAL COSTS ADVANCED:		\$3,437.21

WHEREFORE, the Bernstein-Burkley, P.C. respectfully requests that this Honorable Court enter an Order allowing it FINAL compensation in the amount of \$260,551.00 for legal services rendered on behalf of the Debtor during the period of September 13, 2019 through September 30, 2020, and allowing reimbursement of expenses incurred in the amount of \$3,437.21 during the same period and directing the Debtor to immediately pay the said amount of \$263,988.21.

Respectfully submitted,
BERNSTEIN-BURKLEY, P.C.

Dated: October 19, 2020

By: /s/ John J. Richardson
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