


Paul M. Black

UNITED STATES BANKRUPTCY JUDGE

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

IN RE:

PANTHERA ENTERPRISES, LLC

Case No. 19-00787

Debtor.

Chapter 7

**AGREED ORDER RESOLVING MOTION FOR FIRST & FINAL FEE
APPLICATION OF THE BERNSTEIN-BURKLEY, P.C AND OBJECTIONS OF
AARON AMORE, TRUSTEE AND PANTHERA TRAINING, LLC**

Comes now Aaron C. Amore, Trustee, Mark Lindsay of Bernstein-Burkley PC and Douglas Kahle, counsel for Panthera Training, LLC with an Agreed Order resolving the pending objections to the First & Final Fee Application of the Bernstein-Burkley, P.C. for Allowance of Compensation and Reimbursement of Expenses (Final Fee Request). The creditors and parties in interest have been noticed and no objections have been filed in the noticed time period.

The parties have negotiated an agreement to resolve the issues now pending before the Court related to the requested attorney's fees and costs and objections of the Trustee and Panthera Training, LLC. The parties have agreed to a fifty percent (50%) reduction of the overall claimed fees and expenses sought, to be paid as an administrative claim pursuant to 11 U.S.C § 503(b)(1)(A) and/or 503(b)(2) with the remainder to be paid as a general unsecured claim.

Accordingly, it is

ORDERED and ADJUDGED that the Final Fee Request is Granted as modified by this order and the agreement of the parties to resolve the pending objections. Bernstein-Burkley, P.C. is allowed an administrative claim in the amount of \$131,994.10 and a general unsecured claim in the amount of \$131,994.11

Prepared by:

/s/ Aaron C. Amore

Aaron C. Amore, Trustee
WVSB No. 6455

Seen and Agreed:

Mark A. Lindsay, Esq.
Bernstein-Burkley, PC

Douglas E. Kahle, Esq.
Counsel for Panthera Training, LLC

Seen and Not Objected to:

Gary O. Kinder
U.S. Trustee

In re:
Panthera Enterprises, LLC
Debtor

Case No. 19-00787-pmb
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0424-2

User: ad

Page 1 of 3

Date Rcvd: Apr 01, 2021

Form ID: pdfdoc

Total Noticed: 12

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 03, 2021:

Recip ID	Recipient Name and Address
db	Panthera Enterprises, LLC, 2506 Fishpond Road, Old Fields, WV 26845
aty	+ Mark A. Lindsay, 707 Grant Street, Suite 2200, Pittsburgh, PA 15219-1945
cr	+ Darrick and Emily Gust, c/o Spencer D. Elliott, Lewis Glasser PLLC, 300 Summers Street Suite 700, Charleston, WV 25301 US 25301-1632
acc	+ John Lantzy, Smith, Elliott, Kearns & Company, LLC, 19405 Emerald Square, Suite 1400, Hagerstown, MD 21742-3666
acc	+ Kelly T. Smith, Smith, Elliot, Kearns & Company, LLC, 19405 Emerald Square, Suite 1400, Hagerstown, MD 21742-3666
cr	Panthera Training, LLC, 2506 Fish Pond Road, Old Fields, WV 26845
cr	+ SMI, LLC, 123 East Main Street, 5th Floor, Charlottesville, VA 22902-6800
cr	+ West Virginia Economic Development Authority, 180 Association DR, Charleston, WV 25311-1217
cr	+ West Virginia Paving, Inc., c/o Stephen L. Thompson, Barth & Thompson, P. O. Box 129, Charleston, WV 25321 UNITED STATES 25321-0129
cr	West Virginia State Tax Department, Bankruptcy Unit, P.O. Box 766, Charleston, WV 25323-0766

TOTAL: 10

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
aty	+ Email/Text: kburkley@bernsteinlaw.com	Apr 01 2021 19:26:00	Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Pittsburgh, PA 15219-1945
cr	+ Email/Text: brapp@wtplaw.com	Apr 01 2021 19:26:00	PJSC Aviation Company Ukrainian Helicopters, c/o Brandy M. Rapp, Esq., Whiteford, Taylor & Preston LLP, 10 S. Jefferson Street, Suite 1110, Roanoke, VA 24011-1314

TOTAL: 2

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Anthony McIntyre
cr		Bruce Hardy
cr		Rob Duncan, Manager/Duncan Development Group, LLC
cr		Rob Duncan, Manager/TR&L, LLC., a Virginia Limited Liability Company, Successor to SMI, LLC., a Virginia Limited Liability Company
cr		Stacie Hardy
cr		Timothy Miller

TOTAL: 6 Undeliverable, 0 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 03, 2021 Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 1, 2021 at the address(es) listed below:

Name	Email Address
Aaron C. Amore	on behalf of Defendant Panthera Enterprises LLC amorewvt@gmail.com, aca@trustesolutions.net;jackiewvt@gmail.com;annwvt@gmail.com
Aaron C. Amore	amorewvt@gmail.com aca@trustesolutions.net;jackiewvt@gmail.com;annwvt@gmail.com
Aaron C. Amore	on behalf of Plaintiff Aaron Amore Trustee amorewvt@gmail.com, aca@trustesolutions.net;jackiewvt@gmail.com;annwvt@gmail.com
Aaron C. Amore	on behalf of Counter-Defendant Panthera Enterprises LLC amorewvt@gmail.com, aca@trustesolutions.net;jackiewvt@gmail.com;annwvt@gmail.com
Aaron C. Amore	on behalf of Trustee Aaron C. Amore amorewvt@gmail.com aca@trustesolutions.net;jackiewvt@gmail.com;annwvt@gmail.com
Aaron C. Amore	on behalf of Counter-Claimant Panthera Enterprises LLC amorewvt@gmail.com, aca@trustesolutions.net;jackiewvt@gmail.com;annwvt@gmail.com
Aaron C. Amore	on behalf of Plaintiff Panthera Enterprises LLC amorewvt@gmail.com, aca@trustesolutions.net;jackiewvt@gmail.com;annwvt@gmail.com
Anita M. Swaton	Anita_Swaton@wvnb.uscourts.gov
Brandy M. Rapp	on behalf of Creditor PJSC Aviation Company Ukrainian Helicopters brapp@wtplaw.com twhitt@wtplaw.com
Debra Lee Allen	on behalf of Plaintiff West Virginia Economic Development Authority dallen@spilmanlaw.com
Debra Lee Allen	on behalf of Defendant West Virginia Economic Development Authority dallen@spilmanlaw.com
Debra Lee Allen	on behalf of Creditor West Virginia Economic Development Authority dallen@spilmanlaw.com
Douglas Kahle	on behalf of Creditor Panthera Training LLC dkahle@basnightkinser.com
Douglas Kahle	on behalf of Plaintiff Panthera Training LLC dkahle@basnightkinser.com
Douglas Kahle	on behalf of Defendant Panthera Training LLC dkahle@basnightkinser.com
Douglas Kahle	on behalf of Counter-Claimant Panthera Training LLC dkahle@basnightkinser.com
Elizabeth B. Carroll	elizabeth_carroll@vawb.uscourts.gov
Eric Michael Wilson	on behalf of Creditor West Virginia State Tax Department eric.m.wilson@wv.gov lora.l.rutledge@wv.gov
Gary O. Kinder	on behalf of U.S. Trustee United States Trustee gary.o.kinder@usdoj.gov
John J. Richardson	on behalf of Debtor Panthera Enterprises LLC jrichardson@bernsteinlaw.com

John J. Richardson
on behalf of Attorney Bernstein-Burkley P.C. jrichardson@bernsteinlaw.com

Julia A. Chincheck
on behalf of Counter-Claimant Panthera Training LLC jchincheck@bowlesrice.com

Julia A. Chincheck
on behalf of Plaintiff Panthera Training LLC jchincheck@bowlesrice.com

Julia A. Chincheck
on behalf of Creditor Panthera Training LLC jchincheck@bowlesrice.com

Julia A. Chincheck
on behalf of Defendant Panthera Training LLC jchincheck@bowlesrice.com

Michael R. Proctor
on behalf of Plaintiff Panthera Training LLC mproctor@bowlesrice.com, lcrown@bowlesrice.com

Robert S. Bernstein, Esq
on behalf of Debtor Panthera Enterprises LLC rbernstein@bernsteinlaw.com,
cwirick@bernsteinlaw.com;cwirick@ecf.courtdrive.com;rbernstein@ecf.courtdrive.com

Sabrina B. Lee
sabrina_lee@vawb.uscourts.gov

Salene Rae Mazur Kraemer
on behalf of Debtor Panthera Enterprises LLC skraemer@bernsteinlaw.com, salene@ecf.courtdrive.com,

Spencer D. Elliott
on behalf of Creditor Darrick and Emily Gust selliot@lgcr.com

Stephen L. Thompson
on behalf of Creditor West Virginia Paving Inc. sthompson@barth-thompson.com,
office@barth-thompson.com;chris@barth-thompson.com

Travis Alan Knobbe
on behalf of Creditor West Virginia Economic Development Authority tknobbe@spilmanlaw.com dambrose@spilmanlaw.com

United States Trustee
ustpregion04.ct.ecf@usdoj.gov

William J. Leon
on behalf of Counter-Defendant Bill V. Neff Sr. jayleon@comcast.net

William J. Leon
on behalf of Creditor SMI LLC jayleon@comcast.net

William J. Leon
on behalf of Plaintiff Bill V. Neff Sr. jayleon@comcast.net

Zachary James Rosencrance
on behalf of Plaintiff Panthera Training LLC zrosencrance@bowlesrice.com, ajones@bowlesrice.com

Zachary James Rosencrance
on behalf of Defendant Panthera Training LLC zrosencrance@bowlesrice.com, ajones@bowlesrice.com

Zachary James Rosencrance
on behalf of Creditor Panthera Training LLC zrosencrance@bowlesrice.com, ajones@bowlesrice.com

Zachary James Rosencrance
on behalf of Counter-Claimant Panthera Training LLC zrosencrance@bowlesrice.com, ajones@bowlesrice.com

TOTAL: 40