

1 SHELTON L. FREEMAN (AZ #009687)
2 **DECONCINI McDONALD YETWIN & LACY, P.C.**
3 6909 East Main Street
4 Scottsdale, Arizona 85251

4 Ph: (480) 398-3100
5 Fax: (480) 398-3101
6 E-mail: tfreeman@lawdmyl.com

6 Counsel to Radical Bunny, L.L.C.

7
8 **IN THE UNITED STATES BANKRUPTCY COURT**
9 **FOR THE DISTRICT OF ARIZONA**

10 In re:

11 MORTGAGES LTD.,

14 Debtor.

Chapter 11

Case No. 2:08-bk-07465-RJH

**SUPPLEMENTAL APPLICATION
PURSUANT TO 11 U.S.C.
§ 503(b)(3)(D) AND (4) FOR
ALLOWANCE AND PAYMENT OF
ADMINISTRATIVE CLAIM OF
CREDITOR RADICAL BUNNY**

Hearing Date: N/A
Hearing Time: N/A
Location: N/A

Related Docket Nos. 1888, 2014, 2027, 2088,
2395, 2398, 2407, 2514, 2521, 2529, 2595, 2982,
3009 & 3018

22 Creditor RADICAL BUNNY, L.L.C. ("RBLLC"), by and through its duly
23 authorized attorneys, pursuant to 11 U.S.C. § 503(b)(3)(D) and (4), and the
24 "Findings of Fact and Conclusions of Law and Amended Order Granting Radical
25 Bunny's Administrative Claim For Substantial Contribution" entered by the Court in
26 this case on December 21, 2010, at Docket No. 3018 ("Amended Order"), hereby
27 submits its Supplemental Application for reasonable compensation for
28

1 professional services rendered by RBLLC's attorneys, DeConcini McDonald
2 Yetwin & Lacy, P.C. ("DMYL"). Compensation is requested in connection with:

- 3 (1) preparing RBLLC's "Application Pursuant to 11 U.S.C. § 503(B)(3)(D) and
4 (4) for Allowance and Payment of Administrative Claim", DE 1888
5 ("Administrative Claim Application"), and in connection with the hearing on
6 the Application that led to the granting of the Administrative Claim
7 Application pursuant to this Court's "Order Granting Radical Bunny's
8 Administrative Claim for Substantial Contribution" dated December 17, 2009
9 (Docket No. 2514), and the "Order Approving Allowance & Payment Of
10 Substantial Contribution Claim Pursuant To 11 U.S.C. § 503(b)(3)(D) And
11 (4)" entered by the Court in this case on December 21, 2009, at Docket No.
12 2521 including efforts to compel payment, for a stay and to amend the Initial
13 Order (collectively, "Initial Orders");
14
15 (2) the appeal filed by Kevin T. O'Halloran, Trustee of the Liquidating Trust of
16 Mortgages, Ltd. ("Liquidating Trust") to the Initial Order in the United States
17 Bankruptcy Panel of the Ninth Circuit in BAP NO. AZ-09-1412-KiJuMk
18 ("BAP Appeal") DE 2529; and
19
20 (3) preparing additional filings and in connection with the hearing on remand
21 from the BAP Appeal, which resulted in the Amended Order.

21 RBLLC hereby requests that the Court award it the supplemental amount of
22 \$126,712.00 in attorneys' fees, and \$2,051.50 in costs devoted to securing the
23 award of the Substantial Contribution Claim based on the Administrative Claim
24 Application, the Initial Orders, the BAP Appeal and the Amended Order.

25 This Supplemental Application is further supported by: (1) **Exhibit "A"**
26 which provides detailed information on the attorneys fees incurred by DMYL in
27 connection with the Substantial Contribution Claim; (2) **Exhibit "B"** which
28 provides detailed information on the costs incurred by DMYL in connection with

1 the Substantial Contribution Claim; and (3) the “Declaration of Shelton L.
2 Freeman” attached hereto as **Exhibit “C”** and incorporated herein by this
3 reference (the “Freeman Declaration”) in which Mr. Freeman has verified the
4 statements made throughout this Supplemental Application.

5 The total hours expended and dollars billed for each professional and
6 paraprofessional are as follows:

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8

	Hours	Value
Heidi A. Cooling	17.8	1964
Kara G. Schrader	63.7	9775.5
Nancy J. March	16.2	4779
Sara J. Vance	91.8	25478
Shelton L. Freeman	188.0	84715.50
TOTAL HOURS	378	
TOTAL VALUE		\$126,712.00
BLENDED HOURLY RATE		\$335.22

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18 **A. Fees Incurred Are Recoverable Under Ninth Circuit Precedent**

19 RBLLC filed its Administrative Claim Application and was initially awarded
20 the amount requested pursuant to the Initial Orders. This Supplemental
21 Application requests an award of \$71,234.00 in attorneys’ fees, and \$161.37 in
22 costs incurred in connection with obtaining the Initial Orders.

23 The Liquidating Trust appealed the Initial Orders, and RBLLC incurred
24 additional attorneys fees and costs in the BAP Appeal. This Supplemental
25 Application requests an award of \$23,065.00 in attorneys’ fees, and \$1,575.80 in
26 costs incurred in connection with the BAP Appeal.

27 Pursuant to the Amended Order, on remand, this Court again granted
28 RBLLC’s requested Substantial Contribution Claim. This Supplemental

1 Application requests an award of \$32,413 in attorneys' fees, and \$314.31 in costs
2 incurred in connection with additional proceedings on remand from the BAP
3 Appeal.

4 Fees and costs incurred in preparing and in litigating RBLLC's
5 Administrative Claim Application are recoverable. In *North Sports, Inc. v. Knupfer*
6 (*In re Wind N' Wave*), 509 F.3d 938, 943-944 (9th Cir. 2007), the Ninth Circuit
7 Court of Appeals ruled that where a creditor is entitled to attorneys' fees under
8 Section 503(b)(4), the time and expenses devoted to securing the attorneys' fee
9 award are also compensable. The decision relied upon Ninth Circuit precedent,
10 including *In re Nucorp Energy*, 764 F.2d 655, 657 (9th Cir.1985). See also *In re*
11 *Catalina Spa & R.V. Resort, Ltd.*, 97 B.R. 13, 21(Bankr. S.D. Cal. 1989) ("As an
12 attorney seeking fees under § 503(b) must apply to the court in the same manner
13 as an attorney under § 330, this court cannot reasonably justify a different
14 treatment for purposes of compensation for fee applications").

15
16 The Ninth Circuit Court of Appeals has determined that attorneys' fees
17 incurred in litigating claims for attorneys' fees are recoverable because attorneys
18 are entitled to recover for the time they reasonably spend in establishing their
19 rightful claim to fees. See, e.g., *In re Southern California Sunbelt Developers, Inc.*,
20 608 F.3d 456, 463 (9th Cir. 2010). Such attorneys fees are compensable where
21 they are "necessary". See *North Sports, Inc. v. Knupfer (In re Wind N' Wave)*,
22 509 F.3d at 943-944 [citing *In re Smith*, 317 F.3d 918, 928 (9th Cir. 2002)].
23 Recoverable attorneys fees include attorneys fees incurred for appellate work to
24 secure fees. See, e.g., *Kinney v. International Broth. of Elec. Workers*, 939 F.2d
25 690, 695 (9th Cir. 1991). Such an award of attorneys fees is recognized to ensure
26 that an award of fees is not otherwise dissipated through appeals.

27 In this case, RBLLC was required to incur attorneys fees in initial
28 preparation of the Administrative Claim Application and responding to the

1 Liquidating Trust's objections. After the filing of the initial application and several
2 rounds of objections and hearings, the parties agreed upon a procedure for
3 proceeding to a final hearing based upon the record and stipulated facts.

4 Through the hearings on August 18, 2009, RCLLC had incurred
5 approximately \$21,000 in fees.

6 Rather than conduct an evidentiary hearing, RBLLC instead relied upon the
7 significant records in these proceedings to support its Application. The efforts to
8 prepare both a set of stipulated facts with the Liquidating Trust and to present
9 other matters of record required exhaustive review of the record and the
10 corresponding citations to relevant provisions.

11 These efforts accounted for approximately \$40,000 in fees.

12 After the Court's initial ruling, RBLLC was forced to compel payment and a
13 resulting motion for stay pending appeal was filed and litigated.

14 Before the substantive appeal process began, RBLLC was forced to incur
15 approximately \$10,000 in fees to obtain a final order and security for the appeal.

16 Additional fees were required due to the BAP Appeal and on remand due to
17 the Liquidating Trust's appeal of the award of RBLLC's Administrative Claim
18 Application. Absent that appeal, and the subsequent proceedings on remand,
19 RBLLC would have incurred significantly less attorneys fees to establish its
20 Substantial Contribution Claim. RBLLC is entitled to payment of reasonable fees
21 and costs incurred in both initially preparing and litigating RBLLC's Administrative
22 Claim Application, and for fees and costs incurred in the BAP Appeal, and on
23 remand as well as the preparation of this Supplemental Application.

24
25 **B. Fees Requested to be Awarded Are Reasonable**

26 This Supplemental Application requests compensation and reimbursement
27 pursuant to 11 U.S.C. § 503(b)(3)(D) and (4) and pursuant to the legal standards
28

1 of 11 U.S.C. § 330. Section 330(a) of the Bankruptcy Code authorizes the Court
2 to award:

3 (1) (A) reasonable compensation for actual, necessary services
4 rendered . . . , and

5 (B) reimbursement for actual, necessary expenses.

6 . . .

7 (3) In determining the amount of reasonable compensation to be
8 awarded..., the court shall consider the nature, the extent, and the value of
9 such services, taking into account all relevant factors, including --

10 (A) the time spent on such services;

11 (B) the rates charged for such services;

12 (C) whether the services were necessary to the administration of,
13 or beneficial at the time at which the service was rendered toward the
14 completion of a case under this title;

15 (D) whether the services were performed within a reasonable
16 amount of time commensurate with the complexity, importance, and
17 nature of the problem, issue, or task addressed;

18 (E) with respect to a professional person, whether the person is
19 board certified or otherwise has demonstrated skill and experience in
20 the bankruptcy field, and

21 (F) whether the compensation is reasonable based on the
22 customary compensation charged by comparably skilled practitioners
23 in cases other than cases under this title.

24 11 U.S.C. §330(a).

25 The continued protests by the Liquidating Trust about a lack of record
26 required DMYL to conduct an extraordinary analysis of the entire Chapter 11
27 record to address those concerns. In light of the record established to support the
28 Amended Order, DMYL also has demonstrated that entitlement for the recovery of
the fees sought herein.

1 Application of the relevant standards establishes that this Supplemental
2 Application should be granted in its entirety. The compensation requested in
3 connection with services rendered by DMYL was calculated (as 11 U.S.C. §330 of
4 the Bankruptcy Code requires) in accordance with the standards used to calculate
5 charges for comparable services provided in nonbankruptcy matters. Specifically,
6 the requested amount of professional compensation was obtained by multiplying
7 the hourly rate of each shareholder, associate, and legal assistant by the time
8 spent by each such person on a particular task. This method of fee calculation is
9 consistent with the "lodestar" approach which has been approved by the United
10 States Supreme Court as the primary basis for evaluating compensation requests.
11 See, e.g., *Pennsylvania v. Delaware Valley Citizens Council For Clean Air*, 478
12 U.S. 546 (1986) and *In re Manoa Fin. Co., Inc.*, 853 F.2d 687, 690-91 (9th Cir.
13 1988).

14
15 The attorneys' fees charged by DMYL in establishing its Substantial
16 Contribution Claim are commensurate with the rates charged by Arizona law firms
17 for bankruptcy attorneys of similar training and experience, and they are
18 commensurate with the rates charged to DMLY's non-bankruptcy clients. DMYL's
19 attorneys performed the services within a reasonable amount of time
20 commensurate with the complexity, importance and nature of each task.
21 Therefore, the rates charged by DMYL attorneys are reasonable in light of the
22 complexity of the issues involved, the skill, experience, and reputation of those
23 attorneys, the quality of representation, and the results obtained. Considering the
24 standards and factors set forth above and considering the performance of DMYL
25 after application of those standards and factors, the requested professional
26 compensation is fair and reasonable.

1 Cathy L. Reece, Esq.
2 Fennemore Craig, P.C.
3 creece@fclaw.com
4 Attorneys for ML Manger, LLC

5 Richard M. Lorenzen, Esq.
6 Perkins Coie Brown & Bain P.A.
7 rlorenzen@perkinscoie.com
8 Attorneys for Official Unsecured Creditors Committee
9 of Radical Bunny, LLC

10 William Scott Jenkins, Esq.
11 Myers & Jenkins, P.C.
12 wsj@mjlegal.com
13 Attorneys for ML Liquidating Trust

14 By /s/ Heidi A. Cooling

EXHIBIT A

ORIGINAL APPLICATION

06/10/2009	Grant Lyon	RB Asset analysis & Recovery	SJV	1.6	424	Research administrative claim for attorneys fees based on substantial contribution
06/10/2009	Grant Lyon	RB Asset analysis & Recovery	SJV	1.1	291.5	Work on analysis for seeking payment of administrative claim for attorneys fees based on substantial contribution
06/11/2009	Grant Lyon	RB Asset analysis & Recovery	SJV	0.3	79.5	Finalize analysis for seeking payment of administrative claim for attorneys fees based on substantial contribution and email to J. Parker
06/16/2009	Grant Lyon	RB Asset analysis & Recovery	NJM	0.2	59	Conference With Firm Attorney/Staff K. Schrader re: substantial contribution fee application
06/16/2009	Grant Lyon	RB Litigation Matters	NJM	0.2	59	Gather data for substantial contribution fee application
06/17/2009	Grant Lyon	RB Asset analysis & Recovery	NJM	0.2	59	Work on substantial contribution fee application
06/17/2009	Grant Lyon	RB Asset analysis & Recovery	NJM	0.6	177	Work on substantial contribution issues for fee application
06/17/2009	Grant Lyon	RB Asset analysis & Recovery	NJM	0.3	88.5	Review research re: substantial contribution claims
06/18/2009	Grant Lyon	RB Asset analysis & Recovery	NJM	0.1	29.5	Review of additional billings for substantial contribution claim
06/18/2009	Grant Lyon	RB Asset analysis & Recovery	NJM	0.3	88.5	E-Mail Correspondence to team re: contents of substantial contribution fee application
06/20/2009	Grant Lyon	RB Asset analysis & Recovery	NJM	0.9	265.5	Work on fee application for substantial contribution claim; review case law re: same
06/22/2009	Grant Lyon	RB Asset analysis & Recovery	NJM	0.3	88.5	Work on substantial contribution fee application
06/30/2009	Grant Lyon	RB Asset analysis & Recovery	CLG	0.5	67.5	Conference Call regarding application for substantial contribution claim and assignments regarding the same.
06/30/2009	Grant Lyon	RB Asset analysis & Recovery	NJM	0.4	118	Work on attachments for substantial contribution claim
06/30/2009	Grant Lyon	RB Asset analysis & Recovery	NJM	0.6	177	Telephone conference with T. Freeman, S. Vance and K. Schrader re: application for substantial contribution
06/30/2009	Grant Lyon	RB Asset analysis & Recovery	SLF	1.2	540	Work on issues for application for substantial contribution claims.
07/01/2009	Grant Lyon	RB Asset Analysis & Recovery	NJM	2.8	826	Work on substantial contribution claim and exhibits
07/02/2009	Grant Lyon	RB Asset Analysis & Recovery	CLG	1	150	Review of substantial contribution claim and e-mail from N. March.
07/02/2009	Grant Lyon	RB Asset Analysis & Recovery	NJM	0.5	147.5	Work on Hirsch Declaration in support of substantial contribution claim
07/02/2009	Grant Lyon	RB Asset Analysis & Recovery	NJM	0.4	118	Telephone conference with T. Freeman, S. Vance and K. Schrader re: substantial Contribution claim
07/02/2009	Grant Lyon	RB Asset Analysis & Recovery	NJM	0.2	59	Work on procedure for substantial contribution claim
07/02/2009	Grant Lyon	RB Asset Analysis & Recovery	NJM	0.1	29.5	Work on Freeman Declaration in support of substantial contribution claim
07/02/2009	Grant Lyon	RB Asset Analysis & Recovery	NJM	2.1	619.5	Work on exhibits to substantial Contribution claim
07/02/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	4.5	2025	Work on claim for substantial contribution.
07/02/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	0.8	360	Work on declarations in support of application for substantial contribution.
07/03/2009	Grant Lyon	RB Asset Analysis & Recovery	CLG	0.6	90	Conference call regarding status of substantial contribution claim.
07/03/2009	Grant Lyon	RB Asset Analysis & Recovery	NJM	3.7	1091.5	Work on time entry exhibits to substantial Contribution claim
07/03/2009	Grant Lyon	RB Asset Analysis & Recovery	NJM	0.5	147.5	Telephone conference with T. Freeman, S. Vance, and K. Schrader re: substantial contribution claim
07/03/2009	Grant Lyon	RB Asset Analysis & Recovery	NJM	0.2	59	Work on substantial contribution application
07/03/2009	Grant Lyon	RB Asset Analysis & Recovery	NJM	0.8	236	Work on costs exhibit to substantial contribution claim
07/03/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	0.5	225	Conference call with team regarding preparation of claim for substantial contribution.
07/03/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	1.5	675	Work on application for substantial contribution.
07/03/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	0.5	225	Work on declarations in support of application for substantial contribution.
07/03/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	0.8	360	Review fees and costs related to claim for substantial contribution.
07/06/2009	Grant Lyon	RB Asset Analysis & Recovery	CLG	1.8	270	Finalize exhibits to substantial contribution claim; revise application notice and declarations.
07/06/2009	Grant Lyon	RB Asset Analysis & Recovery	NJM	0.8	236	Work on substantial contribution fee application

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07/06/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	1.2	540	Work on and finalize application for substantial contribution.
07/06/2009	Grant Lyon	RB Asset Analysis & Recovery	HAC	1.4	154	Review and edit exhibits for substantial contribution claim
07/27/2009	Grant Lyon	RB Asset Analysis & Recovery	SJV	0.5	137.5	Review Jennings Strouss' objection to Application for allowance of RBLLC substantial Contribution Claim
07/27/2009	Grant Lyon	RB Asset Analysis & Recovery	SJV	0.8	220	Research party in interest and standing issues re: Jennings Strouss' objection to Application or allowance of RBLLC substantial Contribution Claim
07/27/2009	Grant Lyon	RB Asset Analysis & Recovery	SJV	2.4	660	Work on draft Reply to J. Strouss' objection to Application for allowance of RBLLC substantial Contribution claim
07/27/2009	Grant Lyon	RB Asset Analysis & Recovery	SJV	0.8	220	Review Liquidating Trust's objection to Application for allowance of RBLLC substantial Contribution Claim
07/27/2009	Grant Lyon	RB Asset Analysis & Recovery	SJV	1.1	302.5	Work on draft Reply to Liquidating Trust's objection to Application for allowance of RBLLC substantial Contribution Claim
07/28/2009	Grant Lyon	RB Asset Analysis & Recovery	SJV	2.1	577.5	Work on draft Reply to Liquidating Trust's objection to Application for Allowance of RBLLC substantial Contribution Claim
07/28/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	1.2	540	Work on replies to objection to substantial contribution claims.
07/30/2009	Grant Lyon	RB Asset Analysis & Recovery	SJV	0.9	247.5	Initial research for Court's requested analysis on change of management/counsel re: "substantial contribution" claim in Mortgages Ltd. bankruptcy case
07/31/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	0.8	360	Outline strategy for resolution of substantial contribution claim.
08/03/2009	Grant Lyon	RB Asset analysis & Recovery	SJV	2.2	605	Work on initial overview of charge of management and asset protection arguments for Supplemental Memorandum requested by Court on substantial Contribution Claim of RBLLC
08/04/2009	Grant Lyon	RB Asset analysis & Recovery	SJV	1.2	330	Legal and factual research to support draft Supplemental Memorandum requested by Court on substantial Contribution Claim of RBLLC
08/04/2009	Grant Lyon	RB Asset analysis & Recovery	SJV	1.6	440	Work on asset protection and plan arguments for Supplemental memorandum requested by Court on substantial Contribution Claim of RBLLC
08/04/2009	Grant Lyon	RB Asset analysis & Recovery	SLF	0.6	270	Telephone conference with counsel for liquidating trustee regarding substantial contribution claim.
08/05/2009	Grant Lyon	RB Asset analysis & Recovery	SJV	0.4	110	Work on plan arguments for Supplemental Memorandum requested by Court on substantial Contribution Claim of Radical Bunny LLC
08/05/2009	Grant Lyon	RB Asset analysis & Recovery	SJV	1.9	522.5	Work on net benefit argument for Supplemental Memorandum requested by Court on substantial Contribution claim of Radical Bunny, LLC
08/10/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	0.8	360	Review issues on substantial contribution claim, objections.
08/12/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	1.8	810	Work on supplement to application for substantial contribution.
08/14/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	2.2	990	Work on supplemental brief on substantial contribution claim.
08/19/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	0.3	135	Telephone conference with counsel for Liquidating Trust regarding application for substantial contribution and potential for a resolution.
08/19/2009	Grant Lyon	RB Asset analysis & Recovery	SLF	4.7	2115	Prepare for and attend oral argument on objections to fee applications and hearing on application for substantial contribution claim.
08/22/2009	Grant Lyon	RB Asset Analysis & Recovery	HAC	0.7	77	Prepare chart depicting the difference between Radical Bunny fees application totals and the substantial contribution claim
08/23/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	1.1	495	Review issues regarding substantial contribution claim and strategy for presentation of claim.
08/23/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	1.5	675	Work on outline of evidence to support substantial contribution claim.
08/24/2009	Grant Lyon	RB Asset Analysis & Recovery	HAC	0.4	44	Continue work on charts, exhibits and spreadsheets for substantial contribution claim
08/29/2009	Grant Lyon	RB Asset Analysis & Recovery	HAC	2.5	275	Continue exhibit preparation and file review and analysis of substantial contribution as well as fees paid by and requested from the debtor
08/29/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	1.4	630	Outline issues for presentation on substantial contribution claim.
08/31/2009	Grant Lyon	RB Asset analysis & Recovery	SJV	1.4	385	Review emails re: exhibits to be prepared in support of substantial contribution claim in Mortgages Ltd. bankruptcy case and review record support for exhibit preparation

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08/31/2009	Grant Lyon	RB Asset analysis & Recovery	SJV	0.7	192.5	Prepare email to T. Freman and K. Schrader re: factual issues for exhibits to be prepared in support of substantial contribution claim Mortgages Ltd. bankruptcy case
08/31/2009	Grant Lyon	RB Asset analysis & Recovery	SJV	0.9	247.5	Prepare alternative draft exhibits related to DIP financing in support of substantial contribution claim in Mortgages Ltd. bankruptcy case
08/31/2009	Grant Lyon	RB Asset analysis & Recovery	SJV	0.7	192.5	Research additional legal support related to proposed exhibits for substantial contribution claim in Mortgages Ltd. bankruptcy case
09/01/2009	Grant Lyon	RB Asset Analysis & Recovery	SJV	0.4	110	Work on benefit comparison exhibit between RBLLC and investors to support substantial contribution claim in ML bankruptcy case
09/01/2009	Grant Lyon	RB Asset Analysis & Recovery	SJV	0.5	137.5	Work on cost to RBLLC exhibit to support substantial contribution claim in ML bankruptcy case
09/01/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	1.2	540	Review issues for presentation on substantial contribution claim.
09/03/2009	Grant Lyon	RB Asset Analysis & Recovery	KLK	1.2	180	Review of application and prepare exhibits for use at hearing regarding claim for substantial contribution fees.
09/08/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	0.6	270	Review information for substantial contribution claim and outline issues for presentation.
09/09/2009	Grant Lyon	RB Asset Analysis & Recovery	KLK	0.9	135	Draft exhibit for hearing re: substantial contribution claim.
09/11/2009	Grant Lyon	RB Asset Analysis & Recovery	KLK	1.2	180	Prepare for hearing re: substantial contribution.
09/11/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	0.4	180	Telephone conference with counsel for Liquidating Trust regarding substantial contribution claim.
09/11/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	0.3	135	Review pleadings regarding substantial contribution claim.
09/12/2009	Grant Lyon	RB Asset Analysis & Recovery	KLK	3.3	495	Preparation for hearing re: substantial contribution.
09/12/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	2.8	1260	Work on exhibits and facts to support substantial contribution claim.
09/13/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	3.1	1395	Review pleadings and case law regarding substantial contribution claim and outline strategy for hearing.
09/15/2009	Grant Lyon	RB Asset Analysis & Recovery	KLK	1.5	225	Prepare for hearing on substantial contribution claim.
09/15/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	0.5	225	Telephone conference with M. Dorval regarding substantial contribution claim, hearing regarding same, and structure for procedure to present for consideration.
09/17/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	0.2	90	Telephone conference with counsel for Liquidating Trust regarding substantial contribution claim, scheduling hearing regarding same.
09/17/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	0.5	225	Attend hearing and obtain continuance on substantial contribution claim.
10/07/2009	Grant Lyon	RB Asset Analysis & Recovery	KLK	0.8	120	Review of transcript and contact the Court regarding missing portions of transcript re: substantial contribution hearing.
10/07/2009	Grant Lyon	RB Asset Analysis & Recovery	KLK	0.6	90	Review of e-mails from S. Vance and review of entire file for supporting documents re: substantial contribution.
10/07/2009	Grant Lyon	RB Asset Analysis & Recovery	SJV	1.1	302.5	Work on joint statement of facts re: substantial contribution claim in ML bankruptcy case
10/08/2009	Grant Lyon	RB Asset Analysis & Recovery	SJV	2.1	577.5	Work on joint statement of facts re: substantial contribution claim in ML bankruptcy case
10/09/2009	Grant Lyon	RB Asset Analysis & Recovery	SJV	3.4	935	Work on joint statement of facts re: substantial contribution claim in ML bankruptcy case
10/12/2009	Grant Lyon	RB Asset Analysis & Recovery	SJV	1.9	522.5	Work on pre-hearing memorandum to support substantial contribution claim in ML case
10/21/2009	Grant Lyon	RB Asset Analysis & Recovery	KLK	0.4	60	Review of pending deadlines re: substantial contribution claim and draft e-mail to T. Freeman summarizing events.
10/21/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	2.8	1260	Work on joint statement of facts with regard to substantial contribution claim.
10/26/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	0.2	90	Receive and review memo regarding joint statement of facts on substantial contribution claim and respond to same.
11/03/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	3.5	1575	Work on facts for substantial contribution claim and presentation at hearing.
11/03/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	2.8	1260	Continue working on preparation for pre-hearing brief and oral argument on the substantial contribution claim.
11/03/2009	Grant Lyon	RB Asset analysis & Recovery	SJV	2.3	632.5	Review T. Freeman's proposed revisions and work on revisions to Joint Statement of material Facts for Radical Bunny LLC's substantial contribution claim

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11/04/2009	Grant Lyon	RB Asset Analysis & Recovery	SJV	1.8	495	Work on revisions to Joint Statement of Material Facts for Radical Bunny LLC's substantial contribution claim
11/04/2009	Grant Lyon	RB Asset Analysis & Recovery	SJV	0.3	82.5	Work on email to T. Freeman re: revisions to Joint Statement of Material Facts for Radical Bunny LLC's substantial contribution claim
11/04/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	0.8	360	Review issues for brief on substantial contribution claim.
11/05/2009	Grant Lyon	RB Asset Analysis & Recovery	KLK	1.1	165	Revise Joint Statement of Fact regarding RBLCC substantial Contribution Claim. Conference with T. Freeman regarding the same.
11/05/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	1.2	540	Review revised joint statement of facts on substantial contribution claim.
11/05/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	0.8	360	Telephone conference with M. Dorval regarding revisions to stipulated facts on substantial contribution claim and additional issues.
11/05/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	2.5	1125	Work on outline for pre-hearing memorandum and oral argument on substantial contribution claim.
11/05/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	1.2	540	Review revised joint statement of facts on substantial contribution claim.
11/05/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	0.8	360	Telephone conference with M. Dorval regarding revisions to stipulated facts on substantial contribution claim and additional issues.
11/05/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	2.5	1125	Work on outline for pre-hearing memorandum and oral argument on substantial contribution claim.
11/07/2009	Grant Lyon	RB Asset Analysis & Recovery	KLK	2.1	315	Prepare for hearing regarding substantial contribution.
11/10/2009	Grant Lyon	RB Asset Analysis & Recovery	KLK	4.8	720	Review of confirmed plan and draft comparison memo to first drafts of plan outline & plan of reorganization for argument at substantial contribution hearing.
11/10/2009	Grant Lyon	RB Asset Analysis & Recovery	KLK	0.2	30	Call to S. Vance and discuss substantial contribution hearing and strategy.
11/10/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	4.5	2025	Work on pre-hearing memorandum on substantial contribution claim.
11/11/2009	Grant Lyon	RB Asset Analysis & Recovery	KLK	2.5	375	Review and revise prehearing memorandum for substantial contribution claim.
11/11/2009	Grant Lyon	RB Asset Analysis & Recovery	KLK	1.2	180	Review of filed documents regarding subordination and protection of assets in ML bankruptcy estate in advance of substantial contribution hearing. Draft e-mail to T. Freeman regarding the same.
11/11/2009	Grant Lyon	RB Asset Analysis & Recovery	SJV	3.9	1072.5	Work on inserts to and revise Prehearing Memorandum for substantial Contribution Claim in Mortgages Ltd. Bk case
11/11/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	1.4	630	Work on pre-hearing memorandum regarding substantial contribution claim.
11/12/2009	Grant Lyon	RB Asset Analysis & Recovery	SJV	0.7	192.5	Work on final changes to Prehearing Memorandum for substantial Contribution Claim in Mortgages Ltd. Bk Case
11/13/2009	Grant Lyon	RB Asset Analysis & Recovery	KLK	1.1	165	Prepare research binder in advance of hearing on substantial contribution.
11/13/2009	Grant Lyon	RB Asset Analysis & Recovery	SJV	0.7	192.5	Prepare draft Supplement to Joint Statement of Material Facts for substantial Contribution Claim in Mortgages Ltd. bankruptcy case
11/13/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	0.8	360	Work on demonstrative exhibits for argument on substantial contribution claim.
11/15/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	4.5	2025	Work on outline for hearing on substantial contribution claim.
11/16/2009	Grant Lyon	RB Asset Analysis & Recovery	KLK	0.3	45	Review of Judge's calendar to determine availability of additional time to present substantial contribution. Draft e-mail to T. Freeman regarding the same.
11/16/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	4.5	2025	Review pleadings and prepare for hearing on substantial contribution claim.
11/17/2009	Grant Lyon	RB Asset Analysis & Recovery	HAC	0.5	55	Work on exhibits for substantial contribution hearing
11/17/2009	Grant Lyon	RB Asset Analysis & Recovery	KLK	8	1200	Final preparations for hearing on substantial contribution.
11/17/2009	Grant Lyon	RB Asset Analysis & Recovery	SJV	0.8	220	Review and respond to emails from T. Freeman re: plan terms for preparation for hearing on substantial contribution claim in ML bankruptcy case
11/17/2009	Grant Lyon	RB Asset Analysis & Recovery	SJV	2.7	742.5	Review cited substantial contribution cases and work on summary of same for T. Freeman for hearing on substantial contribution claim in ML BK case
11/17/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	4.5	2025	Work on outline for hearing on substantial contribution claim.
11/17/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	3.2	1440	Review substantial contribution case law and pleadings regarding assertion of claim.

EXHIBIT A

11/18/2009	Grant Lyon	RB Asset Analysis & Recovery	HAC	3.2	352	Hearing preparation for the substantial contribution claim: notebooks, exhibits, pleadings, updates to file
11/18/2009	Grant Lyon	RB Asset Analysis & Recovery	KLK	3.5	600	Final preparations for hearing on substantial contribution.
11/18/2009	Grant Lyon	RB Asset Analysis & Recovery	KLK	3.5	600	Prepare for and attend hearing regarding substantial contribution.
11/18/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	3.5	1575	Prepare for oral argument on substantial contribution claim.
11/18/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	3.5	1575	Prepare for and attend hearing on substantial contribution claim.
12/16/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	0.3	135	Receive and review order granting substantial contribution claim.
12/16/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	0.3	135	Work on form of order for substantial contribution claim.
12/21/2009	Grant Lyon	RB Asset Analysis & Recovery	HAC	0.8	88	Receive and review order re: substantial contribution and file notice of service and telephone conference with JA re: same, review bankruptcy rules 9022-1
12/28/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	0.2	90	Receive and review notice of appeal on substantial contribution claim.
12/29/2009	Grant Lyon	RB Asset Analysis & Recovery	SLF	1.5	675	Outline strategy for collection on claim for substantial contribution.
01/03/2010	Grant Lyon	RB Asset Analysis & Recovery	SLF	3.5	1575	Work on response to motion for stay regarding substantial contribution claim.
01/05/2010	Grant Lyon	RB Asset Analysis & Recovery	SJV	0.3	82.5	Review pleadings filed by FTI Consulting Inc. re: amending order granting RBLLC's substantial contribution claim in ML bankruptcy case and segregating funds for payment of FTI
01/05/2010	Grant Lyon	RB Asset Analysis & Recovery	SJV	0.9	247.5	Research legal issues raised by pleadings filed by FTI Consulting Inc. re: amending order granting RBLLC's substantial contribution claim in ML bankruptcy case and segregating funds for payment of FTI
01/05/2010	Grant Lyon	RB Asset Analysis & Recovery	SJV	2.2	605	Work on Response & Objection to pleadings filed by FTI Consulting Inc. re: amending order granting RBLLC's substantial contribution claim in ML bankruptcy case and segregating funds for payment of FTI
01/06/2010	Grant Lyon	RB Asset Analysis & Recovery	SJV	0.3	82.5	Revise draft Response and Objection to pleadings filed by FTI Consulting Inc. re: amending order granting RBLLC's substantial contribution claim in ML bankruptcy case and segregating funds for payment of FTI and prepare email to T. Freeman re: same
01/10/2010	Grant Lyon	RB Asset Analysis & Recovery	SLF	1.6	720	Work on reply regarding posting of bond on substantial contribution claim and motion to compel payment.
01/11/2010	Grant Lyon	RB Asset Analysis & Recovery	SLF	1.2	540	Work on reply regarding motion to compel payment of substantial contribution claim.
01/12/2010	Grant Lyon	RB Asset Analysis & Recovery	SJV	0.2	55	Revise form of order to compel payment as directed by Judge Haines in hearing on motion for substantial contribution in ML BK case and prepare email to T. Freeman re: same
01/12/2010	Grant Lyon	RB Asset Analysis & Recovery	SLF	2.4	1080	Review pleadings and case law and outline oral argument on motion to compel payment and motion for modified supersedeas regarding substantial contribution claim.
01/13/2010	Grant Lyon	RB Asset Analysis & Recovery	SLF	1.6	720	Work on reply regarding posting of bond for substantial contribution claim and motion to compel payment.
01/22/2010	Grant Lyon	RB Asset Analysis & Recovery	SLF	0.2	90	Review and execute final escrow agreement for supersedeas on substantial contribution claim.
01/26/2010	Grant Lyon	RB Asset Analysis & Recovery	KLK	1.1	165	Review of hearing notebook and final preparations for hearing regarding FTI's motion to alter or amend RBLLC's award for substantial contribution.
01/27/2010	Grant Lyon	RB Asset Analysis & Recovery	KLK	2.4	360	Prepare for and attend continued hearing re: motion to alter or amend judgment re: substantial contribution. Conference call with S. Vance and T. Freeman re: the same.
01/27/2010	Grant Lyon	RB Asset Analysis & Recovery	SLF	0.6	270	Review issues regarding motion to alter or amend on substantial contribution claim and outline resolution.
		SUBTOTAL		220	71234	

APPEAL

01/12/2010	Grant Lyon	RB Asset Analysis & Recovery	SJV	0.7	192.5	Review record of ML Bk case to identify additional designation of items for record on appeal of Liquidating Trust's appeal of grant of substantial contribution in ML BK case
01/21/2010	Grant Lyon	RB Asset Analysis & Recovery	KLK	1.6	240	Review of application for substantial contribution claim and responses/reply for all documents referred to in record to support arguments.

EXHIBIT A

01/21/2010	Grant Lyon	RB Asset Analysis & Recovery	SLF	0.9	405	Work on designation of record on appeal on substantial contribution claim.
03/09/2010	Grant Lyon	RB Asset Analysis & Recovery	SJV	0.7	192.5	Review Appellant's Opening Brief filed in BAP case for Liquidating Trust's appeal of substantial contribution determination in ML case
03/09/2010	Grant Lyon	RB Asset Analysis & Recovery	SJV	0.4	110	Work on initial minor sections of Appellee's Answering Brief for Liquidating Trust's appeal of substantial contribution determination in ML case
03/09/2010	Grant Lyon	RB Asset Analysis & Recovery	SJV	2.2	605	Work on Statement of the Case for Liquidating Trust's appeal of substantial contribution determination in ML case
03/09/2010	Grant Lyon	RB Asset Analysis & Recovery	SJV	0.6	165	Research current review standards for Liquidating Trust's appeal of substantial contribution determination in ML case
03/10/2010	Grant Lyon	RB Asset Analysis & Recovery	SJV	0.6	165	Review appendix and record on appeal from Liquidating Trust in appeal of substantial contribution determination in ML case to determine items required to support answering brief
03/10/2010	Grant Lyon	RB Asset Analysis & Recovery	SJV	0.5	137.5	Review transcript of oral argument for Liquidating Trust's appeal of substantial contribution determination in ML case
03/10/2010	Grant Lyon	RB Asset Analysis & Recovery	SJV	2.3	632.5	Work on Statement of the Case/Statement of Facts for Answering Brief in Liquidating Trust's appeal of substantial contribution determination in ML case
03/10/2010	Grant Lyon	RB Asset Analysis & Recovery	SJV	1.7	467.5	Work on Argument for Answering Brief in Liquidating Trust's appeal of substantial contribution determination in ML case
03/12/2010	Grant Lyon	RB Asset Analysis & Recovery	SJV	0.1	27.5	Research additional case cited by Brief in Liquidating Trust's appeal of substantial contribution determination in ML case
03/12/2010	Grant Lyon	RB Asset Analysis & Recovery	SJV	0.8	220	Review and revise Statement of the Case/Statement of Facts for Answering Brief in Liquidating Trust's appeal of substantial contribution determination in ML case
03/12/2010	Grant Lyon	RB Asset Analysis & Recovery	SJV	2.4	660	Review and revise Argument for Answering Brief in Liquidating Trust's appeal of substantial contribution determination in ML case
03/12/2010	Grant Lyon	RB Asset Analysis & Recovery	SJV	0.4	110	Work on email to T. Freeman re: draft Answering Brief (and appendix items) in Liquidating Trust's appeal of substantial contribution determination in ML case
03/17/2010	Grant Lyon	RB Asset Analysis & Recovery	KLK	2.8	420	Review of response brief and transcripts regarding statements on record regarding reasonableness of substantial contribution claim.
03/17/2010	Grant Lyon	RB Asset Analysis & Recovery	SLF	4.5	2025	Work on response brief on substantial contribution claim.
03/18/2010	Grant Lyon	RB Asset Analysis & Recovery	SLF	3.5	1575	Work on response brief on substantial claim.
03/19/2010	Grant Lyon	RB Asset Analysis & Recovery	SJV	0.8	220	Work on record support for Statement of Facts for Answering Brief in Liquidating Trust's appeal of substantial contribution determination in ML case
03/19/2010	Grant Lyon	RB Asset Analysis & Recovery	SJV	0.9	247.5	Review and revise Answering Brief in Liquidating Trust's appeal of substantial contribution determination in ML case
03/22/2010	Grant Lyon	RB Asset Analysis & Recovery	SJV	0.2	55	Prepare email to K. Schrader re: completing record support for Statement of Facts for Answering Brief in Liquidating Trust's appeal of substantial contribution determination in ML case
03/22/2010	Grant Lyon	RB Asset Analysis & Recovery	SJV	1.1	302.5	Research additional issue and make additional changes to Answering Brief in Liquidating Trust's appeal of substantial contribution determination in ML case
03/22/2010	Grant Lyon	RB Asset Analysis & Recovery	SLF	1.8	810	Work on revisions to response brief on substantial contribution claim.
03/24/2010	Grant Lyon	RB Asset Analysis & Recovery	SLF	0.8	360	Work on revisions to response brief on substantial contribution claim.
04/12/2010	Grant Lyon	RB Asset Analysis & Recovery	SLF	0.5	225	Receive and review reply brief on substantial contribution claim.
04/28/2010	Grant Lyon	RB Asset Analysis & Recovery	SLF	0.4	180	Review status of appeal on substantial contribution claim and scheduling for oral argument.
04/28/2010	Grant Lyon	RB Asset Analysis & Recovery	SLF	0.4	180	Review status of appeal on substantial contribution claim and scheduling for oral argument.
05/10/2010	Grant Lyon	RB Asset Analysis & Recovery	SLF	0.2	90	Receive and review notice of hearing on appeal on substantial contribution claim.
06/14/2010	Grant Lyon	RB Asset Analysis & Recovery	SLF	3.5	1575	Review appeal briefs and start review of cases for oral argument on substantial contribution claim.
06/15/2010	Grant Lyon	RB Asset Analysis & Recovery	KLK	0.9	135	Review of notes from hearing on substantial contribution.

EXHIBIT A

06/15/2010	Grant Lyon	RB Asset Analysis & Recovery	SLF	4.5	2025	Work on preparation for appellate argument on substantial contribution claim.
06/16/2010	Grant Lyon	RB Asset Analysis & Recovery	KLK	1	150	Preparation for Radical Bunny appeal on substantial contribution claim.
06/16/2010	Grant Lyon	RB Asset Analysis & Recovery	KLK	1	150	Continue to prepare for Radical Bunny appeal hearing on substantial contribution claim.
06/16/2010	Grant Lyon	RB Asset Analysis & Recovery	SLF	6.5	2925	Work on outline of argument on appeal on substantial contribution claim and review pleadings on case law.
06/17/2010	Grant Lyon	RB Asset Analysis & Recovery	SLF	6.5	2925	Work on outline for oral argument on appeal for substantial contribution claim, review for cases and pleadings and excerpts of record.
06/18/2010	Grant Lyon	RB Asset Analysis & Recovery	KLK	3	450	Attend BAP hearing regarding substantial contribution claim.
06/18/2010	Grant Lyon	RB Asset Analysis & Recovery	SLF	3.8	1710	Prepare for and attend oral argument on appeal on substantial contribution claim.
		SUBTOTAL		64.5	23065	
REMAND						
08/04/2010	Radical Bun	MLBK Post-Confirmation Issues	HAC	0.3	39	Receive and review BAP Decision Memo on DeConcini McDonald claim for substantial contribution.
09/09/2010	Radical Bun	MLBK Post-Confirmation Issues	SLF	0.6	279	Outline strategy for submission of findings and facts and brief on substantial contribution claim.
09/16/2010	Radical Bun	MLBK Post-Confirmation Issues	SLF	0.5	232.5	Telephone conference with M. Dorvall and K. O'Hallaran regarding substantial contribution claim, issues and potential for resolution.
09/21/2010	Radical Bun	MLBK Post-Confirmation Issues	KLK	3.3	528	Prepare for and attend status hearing on substantial contribution claim.
09/21/2010	Radical Bun	MLBK Post-Confirmation Issues	SLF	3.2	1488	Prepare for and attend status hearing regarding substantial contribution claim, remand on appeal and proposal for resolving claim.
09/28/2010	Radical Bun	MLBK Post-Confirmation Issues	SJV	0.6	171	Research case law cited in BAP decision for establishing substantial contribution by activity
09/28/2010	Radical Bun	MLBK Post-Confirmation Issues	SJV	1.4	399	Work on introduction and Section 1 of Memorandum Supporting substantial Contribution Claim after remand by BAP
09/28/2010	Radical Bun	MLBK Post-Confirmation Issues	SJV	1.1	313.5	Work on Section II of Memorandum Supporting substantial Contribution claim after remand by BAP
09/28/2010	Radical Bun	MLBK Post-Confirmation Issues	SLF	0.6	279	Work on analysis of claims and structure for brief and support of substantial contribution claim.
09/29/2010	Radical Bun	MLBK Post-Confirmation Issues	SJV	1.9	541.5	Work on Section II of Memorandum Supporting substantial Contribution claim after remand by BAP
09/29/2010	Radical Bun	MLBK Post-Confirmation Issues	SJV	1.8	513	Work on Section II of Memorandum Supporting substantial Contribution claim after remand by BAP
09/30/2010	Radical Bun	MLBK Post-Confirmation Issues	SJV	1.3	370.5	Work on Section 111 of memorandum Supporting substantial Contribution Claim after remand by BAP
09/30/2010	Radical Bun	MLBK Post-Confirmation Issues	SJV	0.2	57	Research record for support for Memorandum Supporting substantial Contribution claim after remand by BAP
10/01/2010	Radical Bun	MLBK Post-Confirmation Issues	SJV	0.4	114	Work on email to T. Freeman listing issues to be discussed or terms of Memorandum Supporting substantial Contribution Claim after remand by BAP
10/01/2010	Radical Bun	MLBK Post-Confirmation Issues	SJV	1.6	456	Work on Section III of Memorandum Supporting substantial Contribution Claim after remand by BAP
10/01/2010	Radical Bun	MLBK Post-Confirmation Issues	SJV	0.7	199.5	Revise Section II of Memorandum Supporting substantial Contribution Claim after remand by BAP
10/01/2010	Radical Bun	MLBK Post-Confirmation Issues	SJV	1.3	370.5	Work on draft findings of fact and conclusions of law for substantial Contribution Claim
10/01/2010	Radical Bun	MLBK Post-Confirmation Issues	SLF	1.5	697.5	Outline issues for brief on substantial contribution claim.
10/04/2010	Radical Bun	MLBK Post-Confirmation Issues	SJV	4.3	1225.5	Work on draft findings of fact and conclusions of law for substantial Contribution Claim
10/05/2010	Radical Bun	MLBK Post-Confirmation Issues	SJV	2.1	598.5	Review and revise Sections 1 through III of Memorandum Supporting substantial Contribution Claim after remand by BAP

EXHIBIT A

10/05/2010	Radical Bun MLBK Post-Confirmation Issues	SLF	3.1	1441.5	Outline issues for brief and proposed findings of fact and conclusions of law on substantial contribution claim.
10/05/2010	Radical Bun MLBK Post-Confirmation Issues	SLF	1.4	651	Call with S. Vance and K. Schrader regarding review of proposed findings of facts, conclusions of law and strategy for brief on substantial contribution claim.
10/07/2010	Radical Bun MLBK Post-Confirmation Issues	SJV	0.7	199.5	Research potential interest accrual on substantial contribution claim
10/11/2010	Radical Bun MLBK Post-Confirmation Issues	SJV	0.8	228	Review and revise Sections I and II of memorandum supporting substantial Contribution claim after remand by BAP
10/11/2010	Radical Bun MLBK Post-Confirmation Issues	SJV	1.9	541.5	Review and revise Section III of Memorandum Supporting substantial Contribution Claim after remand by BAP
10/11/2010	Radical Bun MLBK Post-Confirmation Issues	SJV	1.4	399	Work on Section IV of Memorandum Supporting substantial Contribution Claim after remand by BAP
10/11/2010	Radical Bun MLBK Post-Confirmation Issues	SJV	0.2	57	Prepare email to T. Freeman and K. Schrader re: draft Memorandum Supporting substantial Contribution claim after remand by BAP
10/14/2010	Radical Bun MLBK Post-Confirmation Issues	SLF	1.8	837	Work on brief in support of substantial contribution claim.
10/15/2010	Radical Bun MLBK Post-Confirmation Issues	SLF	5.5	2557.5	Work on brief in support of substantial contribution claim.
10/16/2010	Radical Bun MLBK Post-Confirmation Issues	SLF	4.5	2092.5	Work on substantial contribution brief and proposed findings of facts and conclusions of law.
10/18/2010	Radical Bun MLBK Post-Confirmation Issues	SLF	4.5	2092.5	Finalize brief on substantial contribution claim and proposed findings of facts and conclusions of law.
11/15/2010	Radical Bun MLBK Post-Confirmation Issues	SLF	3.2	1488	Prepare for and attend mediation on substantial contribution claim.
11/18/2010	Radical Bun MLBK Post-Confirmation Issues	KLK	0.2	32	Call to T. Freeman regarding substantial contribution.
11/19/2010	Radical Bun MLBK Post-Confirmation Issues	KLK	1	160	Conference with T. Freeman re: fees and documentation regarding substantial contribution.
11/30/2010	Radical Bun MLBK Post-Confirmation Issues	SLF	0.8	372	Review issues regarding reply to response on substantial contribution claim and strategy.
12/01/2010	Radical Bun MLBK Post-Confirmation Issues	SLF	1.2	558	Work on reply regarding substantial contribution claim.
12/02/2010	Radical Bun MLBK Post-Confirmation Issues	SLF	4.5	2092.5	Work on reply regarding substantial contribution claim.
12/05/2010	Radical Bun MLBK Post-Confirmation Issues	SLF	5.2	2418	Outline argument and prepare for hearing on substantial contribution claim on remand.
12/06/2010	Radical Bun MLBK Post-Confirmation Issues	KLK	3.3	528	Prepare for and attend hearing regarding substantial contribution claim.
12/06/2010	Radical Bun MLBK Post-Confirmation Issues	SLF	3.8	1767	Prepare for and attend hearing on substantial contribution claim on remand.
12/22/2010	Radical Bun MLBK Post-Confirmation Issues	SLF	0.2	93	Receive and review order granting substantial contribution claim
12/22/2010	Radical Bun MLBK Post-Confirmation Issues	SLF	0.3	139.5	Outline issue in preparation for fee application
12/27/2010	Radical Bun MLBK Post-Confirmation Issues	SJV	0.8	228	Research additional legal support for Supplemental Application for Administrative Claim (for attorneys fees)
12/27/2010	Radical Bun MLBK Post-Confirmation Issues	SJV	1.6	456	Revise draft Supplemental Application for Administrative Claim (for attorneys fees) to address appeal and remand
12/27/2010	Radical Bun MLBK Post-Confirmation Issues	SJV	0.2	57	Work on email to T. Freeman re: revised draft Supplemental Application for Administrative Claim (for attorneys fees) to address appeal and remand
12/30/2010	Grant Lyon RB Asset Analysis & Recovery	HAC	2	220	Work on supplemental fee application (substantial contribution) and T. Freeman declaration
12/30/2010	Grant Lyon RB Asset Analysis & Recovery	HAC	4	440	Continue work on fee application (substantial contribution), fee breakdown, cost breakdown, declaration of T. Freeman, summary chart and meet with T. Freeman to review
12/27/2010	Grant Lyon RB Asset Analysis & Recovery	SLF	0.5	232.5	Outline strategy regarding supplemental fee application
12/28/2010	Grant Lyon RB Asset Analysis & Recovery	SLF	0.3	139.5	Outline issues for supplemental fee application
12/30/2010	Grant Lyon RB Asset Analysis & Recovery	SLF	0.5	232.5	Review outline of supplemental fee application and strategy for presentation of claim.
1/2/2010	Radical Bun MLBK Post-Confirmation Issues	HAC	2	220	Revise fee application for substantial contribution
1/2/2010	Radical Bun MLBK Post-Confirmation Issues	SLF	2.6	570	Revise fee application for substantial contribution and prepare exhibits

SUBTOTAL 92.7 32413

EXHIBIT A

ORIGINAL APPLICATION	220	71234
APPEAL	64.5	23065
REMAND	92.7	32413
GRAND TOTAL	378	126712

EXHIBIT B

COSTS

ORIGINAL APPLICATION

09/12/09	Computerized Research	11.76	JH0110-USBC, Az Copy Pages
11/13/09	Computerized Research	75.61	JX2193-USBC Az
11/17/09	Deposition/Transcript	74	JX5313-Copies
	SUBTOTAL	161.37	

APPEAL

02/03/10	Other Messenger	31	JR0599-Delivery to First American Title
02/15/10	Deposition/Transcript	131.2	JS0632-USBC Az Transcript
02/22/10	Other Travel Expense	16	JT1326-Parking 3/4/09
02/22/10	Other Travel Expense	12	JT1326-Parking 2/26/09
02/22/10	Other Travel Expense	3	JT1326-Parking 3/3/09
02/22/10	Other Travel Expense	12	JT1326-Parking 2/27/09
02/22/10	Other Travel Expense	12	JT1326-Parking 2/27/09
02/22/10	Other Travel Expense	12	JT1326-Parking 2/26/09
02/22/10	Other Travel Expense	4	JT1326-Parking 2/3/09
02/22/10	Other Travel Expense	4	JT1326-Parking 1/26/09
02/22/10	Other Travel Expense	12	JT1326-Parking 1/05/09
02/22/10	Meals	31.35	JT1326-Lunch 2/26/09
02/22/10	Other Travel Expense	4	JT1326-Parking 2/12/09
02/22/10	Other Travel Expense	8	JT1326-Parking 2/4/09
02/22/10	Other Travel Expense	8	JT1326-Parking 1/14/09
02/23/10	Other Travel Expense	5	JT1924-Parking 7/14/09
02/23/10	Other Travel Expense	8	JT1924-Parking 7/28/09
02/23/10	Other Travel Expense	3	JT1924-Parking 8/6/09
02/23/10	Other Travel Expense	9	JT1924-Parking 8/19/09
02/23/10	Other Travel Expense	4	JT1924-Parking 8/25/09
02/23/10	Other Travel Expense	5	JT1924-Parking 9/17/09
02/23/10	Other Travel Expense	6	JT1924-Parking 11/18/09
02/23/10	Other Travel Expense	3	JT1924-Parking 12/2/09
03/18/10	Deposition/Transcript	45.75	JW2189-USBC
03/18/10	Deposition/Transcript	45.75	JW2189-USBC
03/26/10	Deposition/Transcript	58	K30031-Mailing @ USPS 3/26
03/30/10	Outside Photocopies	969.72	KB1453-Parking 6/18
04/12/10	Other Travel Expense	3	JZ3950-Parking 1/27/10
04/12/10	Other Travel Expense	6	JZ3950-Parking 11/18
04/12/10	Other Travel Expense	3	JZ3950-Parking 12/2
04/12/10	Other Travel Expense	2	JZ3950-Parking 12/8
04/12/10	Other Travel Expense	3	JZ3950-Parking 1/12
05/06/10	Postage	96	KE7766-Metro Ticket 6/18
	SUBTOTAL	1575.8	

REMAND

09/27/10	Filing/Service Fee	26	KK8049-CD Hearomg
10/22/10	Other Messenger	30	KO0147-Us BK to DMYL 9/27
11/23/10	Computerized Research	217.91	
11/30/10	Photocopies	0.8	
12/03/10	Filing/Service Fee	39	KU0814-Filing @ US Bank Crt 11/9
12/13/10	Photocopies	0.6	
	SUBTOTAL	314.31	
	ORIGINAL APPLICATION	161.37	
	APPEAL	1575.8	
	REMAND	314.31	
	GRAND TOTAL	2051.5	

EXHIBIT C

1 SHELTON L. FREEMAN (AZ #009687)
2 **DECONCINI McDONALD YETWIN & LACY, P.C.**
3 6909 East Main Street
4 Scottsdale, Arizona 85251

4 Ph: (480) 398-3100
5 Fax: (480) 398-3101
6 E-mail: tfreeman@lawdmyl.com

6 Counsel to Radical Bunny, L.L.C.

7
8 **IN THE UNITED STATES BANKRUPTCY COURT**
9 **FOR THE DISTRICT OF ARIZONA**

10 In re:
11 MORTGAGES LTD.,
12
13
14 Debtor.

Chapter 11
Case No. 2:08-bk-07465-RJH

DECLARATION OF SHELTON L. FREEMAN IN SUPPORT OF SUPPLEMENTAL APPLICATION PURSUANT TO 11 U.S.C. § 503(b)(3)(D) AND (4) FOR ALLOWANCE AND PAYMENT OF ADMINISTRATIVE CLAIM OF CREDITOR RADICAL BUNNY

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20
21 I, Shelton L. Freeman, do hereby declare under penalty of perjury under the
22 laws of the United States as follows:

- 23 1. I am a resident of Maricopa County, Arizona.
24 2. I am an attorney duly licensed and in good standing to practice law
25 before all state and federal courts located in Arizona, where I have been licensed
26 to practice law since 1984.

1 3. I am a shareholder of DeConcini McDonald Yetwin & Lacy, P.C.
2 (“DeConcini McDonald”). My primary areas of practice are bankruptcy, real estate
3 and commercial litigation.

4 4. I have been actively and continuously involved in DeConcini
5 McDonald’s representation of RADICAL BUNNY, L.L.C. (“RBLLC”) in connection
6 with the above-captioned bankruptcy case (“Bankruptcy Case”) of Mortgages, Ltd.
7 (“Debtor”) from the Debtor’s default of its obligations to RBLLC in June, 2008,
8 through December 30, 2008, and I have been responsible for the staffing on this
9 matter. I have also been actively and continuously involved in DeConcini
10 McDonald’s representation of RBLLC and its prior Trustee in connection with
11 RBLLC’s requested relief for making a substantial contribution in this case. I am
12 duly authorized to make the statements set forth in this Declaration for DeConcini
13 McDonald with respect to the Application.

14 5. I am the attorney primarily responsible for the representation of
15 RBLLC in connection with the Substantial Contribution Claim.

16 6. I have reviewed the Supplemental Application Pursuant to 11 U.S.C.
17 § 503(B)(3)(D) And (4) For Allowance and Payment of Administrative Claim of
18 Creditor Radical Bunny (the “Supplemental Application”) and the Exhibits
19 attached thereto.

20 7. I hereby confirm that the contents of the Supplemental Application
21 and the Exhibits are true and correct to the best of my knowledge, information and
22 belief.

23 8. It is my opinion that the professional services provided by DeConcini
24 McDonald in its representation of RBLLC in connection with RBLLC’s Substantial
25 Contribution Claim are reasonable.

26 9. I reviewed the nature, the extent, and the value of the services
27 provided as described in the exhibits to the Supplemental Application. I made
28

1 adjustments to the entries included to limit the amounts sought for this
2 Supplemental Application to those directly tied to the Substantial Contribution
3 claim. The services provided required complex and sophisticated legal analysis. I
4 have been the responsible attorney for representation related to the Substantial
5 Contribution Claim, however, I also delegated responsibility for performing
6 necessary work in a manner that would avoid duplication of effort and would be
7 most economical. The professional services provided were performed by
8 attorneys and paraprofessionals with the requisite expertise and skill in the areas
9 in which they rendered services, and were actual and necessary.

10
11 10. Based on my experience for billings in bankruptcy cases, and my
12 knowledge of the fees and charges customarily charged by attorneys in this
13 community, the requested fees are reasonable in light of the compensation paid
14 for comparable services in reorganization cases, and consistent with the cost of
15 other comparable services in Arizona. For example, based on my years of
16 bankruptcy experience, my billing rate of \$450 per hour is less or comparable to
17 the hourly rate of Arizona attorneys with comparable experience, including
18 attorneys who have provided representation in this case at hourly rates ranging
19 from approximately \$425-\$525 per hour.

20 11. The costs identified in the Supplemental Application were the actual
21 and necessary costs incurred and advance by DMYL on behalf of RBLLC in this
22 matter and based upon my experience, are reasonable amounts in light of the
23 scope and duration of this matter.

24 12. In accordance with 11 U.S.C. § 504 and as required by Rule 2016,
25 Fed. R. Bank. P., I hereby expressly confirm that no agreement or understanding
26 exists between DeConcini McDonald and any other entity for the sharing of any
27 compensation for professional services rendered.
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1 DATED this 3rd day of January, 2010.
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3 By /s/ Shelton L. Freeman
4 Shelton L. Freeman
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DECONCINI McDONALD YETWIN & LACY, P.C.
6909 East Main Street
Scottsdale, Arizona 85251