

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re:	)	
	)	Chapter 11
Philadelphia Newspapers, LLC, <i>et al.</i> , <sup>1</sup>	)	
	)	Case No. 09-11204 (JKF)
Debtors.	)	
	)	Jointly Administered

**SECOND AMENDED LOCAL RULE 2016-5 REQUEST FOR PAYMENT ON  
ACCOUNT FOR COMPENSATION AND REIMBURSEMENT OF EXPENSES  
OF ECKERT SEAMANS CHERIN & MELLOTT, LLC, CO-COUNSEL  
FOR OFFICIAL COMMITTEE OF UNSECURED CREDITORS, FOR  
THE PERIOD APRIL 1, 2009 THROUGH APRIL 30, 2009**

Eckert Seamans Cherin & Mellott, LLC (“ESCM”), counsel to the above-captioned Official Committee of Unsecured Creditors (collectively, the “Committee”), in accordance with Federal Rule of Bankruptcy Procedure 2016 and Local Bankruptcy Rule 2016-5, requests an award of compensation and reimbursement of actual, necessary expenses and represents:

**Part A – Preliminary Statement**

1. ESCM is counsel for the Committee.
2. All services rendered and incurred for which compensation or reimbursement is requested were performed or incurred for or on behalf of the Committee.
3. The services described in this request (the “Request”) are actual, necessary services and the compensation requested for those services is reasonable.
4. The expenses described in this Request are actual, necessary expenses.

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: PMH Acquisition, LLC (1299), Broad Street Video, LLC (4665), Philadelphia Newspapers, LLC (3870), Philadelphia Direct, LLC (4439), Philly Online, LLC (5185), PMH Holdings, LLC (1768), Broad Street Publishing, LLC (4574) and Philadelphia Media, LLC (0657).

5. ESCM makes this Request for compensation and reimbursement of expenses for the period April 1, 2009 through April 30, 2009 (the "Compensation Period").

**Part B – General Information**

6. **General Information**

- A. Date case filed: February 22, 2009.
- B. Date Application to Approve Employment filed: March 20, 2009.
- C. Date employment approved: April 9, 2009.
- D. First date services rendered in the case: March 2, 2009.

7. **Attorneys Billing for Compensation Period (April 1, 2009 through April 30, 2009)**

**CORE BANKRUPTCY TEAM**

<b><u>Name</u></b>	<b><u>Hours</u></b>	<b><u>Billing Rate</u></b>	<b><u>Total</u></b>
Gary Schildhorn	53.4	\$475	\$25,365.00
Ronald S. Gellert	14.9	385	5,736.50
Robert Graci	17.7	380	6,726.00
Robert Graci (non-working travel time)	4.0	190	760.00
Adam Shienvold	2.3	250	575.00
David Schertz	1.0	225	225.00
Brya M. Keilson	119.3	220	26,246.00

**PARALEGALS**

<b><u>Name</u></b>	<b><u>Hours</u></b>	<b><u>Billing Rate</u></b>	<b><u>Total</u></b>
Eduardo A. Texidor, Jr.	16.5	\$135	\$2,227.50

**TOTAL FEES : \$67,861.00**

8. Billing Rates

The billing rates set forth in this Request are the normal hourly rates charged by ESCM for the services rendered.

**Part C – Billing Summary**

9. Description of Services

Compensation and reimbursement for expenses is now sought for all reasonable and necessary activities performed in the case from April 1, 2009 through April 30, 2009 including, by categorical listing:

**Case Administration (00004)**  
(Fees: \$36,258.50 Total Hours: 139.80)

This category represents routine communications with the Committee and co-counsel regarding the status of the bankruptcy case and other issues arising from time to time. Further, it includes initial communications with counsel for the Debtor.

**Claims Administration and Objections (00005)**  
(Fees: \$231.00 Total Hours: 0.6)

This category represents discussions regarding hearings.

**Fee/Employment Application (00007)**  
(Fees: \$2,554.50 Total Hours: 9.8)

This category represents communication with co-counsel regarding various motions and orders regarding retention of professionals. In addition it represents drafting, editing and filing of applications for payment.

**Fee/Employment Objections (00008)**  
(Fees: \$115.50 Total Hours: 0.3)

This category represents review of objections to employment applications.

**Financing (00009)**

(Fees: \$6,317.50 Total Hours: 13.3)

This category represents preparation for hearing on cash collateral and communications regarding cash collateral issues.

**Litigation (00010)**

(Fees: \$10,143.50 Total Hours: 24.2)

This category represents communications with Debtors and counsel regarding investigation into unauthorized recording incident. It also represents meetings regarding unauthorized recording incident.

**Meeting of Creditors (00011)**

(Fees: \$4,067.50 Total Hours: 16.3)

This category represents communication between and among committee members and professionals.

**Relief from Stay Proceedings (00013)**

(Fees: \$462.00 Total Hours: 2.1)

This category represents review of relief related filings.

**Litigation Consulting (00018)**

(Fees: \$7,711.00 Total Hours: 22.7)

This category represents communication regarding bankruptcy investigation.

10. Detail of Hours Expended

Attached hereto as Exhibit A is a listing of categories of services rendered and the hours expended in each category.

11. Request

Based on the above, ESCM seeks payment of interim compensation in the total amount of \$54,288.80.

**Part D – Expense Summary**

12. From April 1, 2009 through April 30, 2009, ESCM has expended \$1,530.97 for expenses in connection with the services provided to the Committee. Set forth in Exhibit B is a list that shows the type of expenses for which reimbursement is sought and the amount of reimbursement sought for each type for the Compensation Period.

13. The following expenses listed on Exhibit B are calculated using ESCM's in-house actual cost or the actual amount billed by a third party provider: Postage/Freight, Messenger/Courier Services, Court Filing Fees, Duplicating.

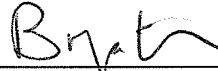
14. Copy charges are calculated at a discounted rate of \$.20 per page. Facsimile charges are calculated at \$1.00 per page.

15. On Exhibit B, the category titled Computer Assisted Legal Research includes charges for docket searches through Pacer, as well as online legal research through Westlaw or Lexis. Pacer charges are billed at actual cost. Westlaw and Lexis charges are customarily billed by ESCM at the standard rates that Westlaw and Lexis apply to online searches. Application of such rates would result in total Information Services charges of \$1,185.00.

WHEREFORE, ESCM seeks payment of interim compensation in the total amount of \$55,898.52 ("Interim Compensation"). The breakdown of this total is as follows: \$54,288.80 (80% of the fees for services rendered) and \$1,530.97 (100% of the expenses).

Dated: June 29, 2009

ECKERT SEAMANS CHERIN & MELLOTT, LLC



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Gary Schildhorn (Pa ID # 25770)

Ronald S. Gellert (Pa ID # 80783)

Brya M. Keilson (Pa ID # 94565)

Two Liberty Place

50 South 16<sup>th</sup> Street, 22<sup>nd</sup> Floor

Philadelphia, Pennsylvania 19102

(215) 851-8400

(215) 851-8383 (facsimile)

*Co-counsel for the Official Committee of  
Unsecured Creditors*

# **EXHIBIT A**

<u>Timekeeper</u>	<u>Hours</u>	<u>Rate</u>	<u>Value</u>
Gary Schildhorn	53.4	475.00	25,365.00
Ronald S. Gellert	14.9	385.00	5,736.50
Robert Graci	17.7	380.00	6,726.00
Robert Graci	4.0	190.00	760.00
Adam Shienvold	2.3	250.00	575.00
David Schertz	1.0	225.00	225.00
Brya M. Keilson	119.3	220.00	26,246.00
Eduardo A. Texidor, Jr.	16.5	135.00	2,227.50
		Current Fees:	\$67,861.00

**ECKERT SEAMANS CHERIN & MELLOTT, LLC**  
ATTORNEYS AT LAW

Philadelphia Newspapers, LLC

Client Number: 299230

Summary of Time Billed By Task:

		<u>Hours</u>	<u>Value</u>
0004	Case Administration	139.9	36,306.00
0005	Claims Administration and Objections	0.6	231.00
0007	Fee/Employment Application	9.8	2,554.50
0008	Fee/Employment Objections	0.3	115.50
0009	Financing	13.3	6,317.50
0010	Litigation	24.2	10,143.50
0011	Meetings of Creditors	16.3	4,067.50
0013	Relief From Stay Proceedings	2.1	462.00
0018	Litigation Consulting	22.7	7,711.00
	Totals:	167.3	\$67,861.00

Summary of Disbursements Billed By Task:

		<u>Value</u>
0001	Asset Analysis and Recovery	43.75
0004	Case Administration	1,481.45
0011	Meetings of Creditors	5.77
	Totals:	\$1,530.97

Total Balance Due Upon Receipt: \$69,391.97

# **EXHIBIT B**

For Costs Advanced and Expenses Incurred:

Document Reproduction	5.60
Postage	125.10
Delivery Service	3.00
Filing Fees – U.S. District Court – Pro Hac Vice Motions	80.00
Computer Assisted Legal Research	1,185.00
Telephone Charges	3.00
Transportation	5.77
Travel Expenses	123.50
Current Expenses:	\$1,530.97

**CERTIFICATE OF SERVICE**

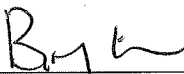
It is hereby certified that a true and correct copy of the foregoing *Second Amended Local Rule 2016-5 Request For Payment on Account For Compensation and Reimbursement of Expenses of Eckert Seamans Cherin & Mellott, LLC, Co-Counsel For Official Committee of Unsecured Creditors, For The Period April 1, 2009 Through April 30, 2009* was served this 29th day of June, 2009 on the parties listed below by electronic mail and by the Court's CM/ECF transmission:

Mark K. Thomas  
Proskauer Rose LLP  
Three First National Plaza  
70 W. Madison, Suite 3800  
Chicago, IL 60602  
Via Electronic Mail

Lawrence G. McMichael  
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Via Electronic Mail

David M. Klauder  
Office of the United States Trustee  
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Via Electronic Mail

Andrew J. Flame  
Drinker Biddle & Reath LLP  
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Philadelphia, PA 19103-6996  
Via Electronic Mail

  
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Brya M. Keilson