

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re:)

) Chapter 11

Philadelphia Newspapers, LLC, *et al.*,¹)

) 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 MAY 1, 2009 THROUGH MAY 31, 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.

¹ 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 May 1, 2009 through May 31, 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 (May 1, 2009 through May 31, 2009)

CORE BANKRUPTCY TEAM

<u>Name</u>	<u>Hours</u>	<u>Billing Rate</u>	<u>Total</u>
Gary Schildhorn	34.2	\$475	\$16,245.00
Carol Press	56.1	425	23,842.50
Ronald S. Gellert	23.9	385	9,201.50
Robert Graci	39.2	380	14,896.00
Robert Graci (non-working travel time)	8.5	190	1,615.00
Adam Shienvold	42.3	250	10,575.00
Adam Shienvold (non-working travel time)	4.0	125	500.00
Brya M. Keilson	144.4	220	31,768.00

PARALEGALS

<u>Name</u>	<u>Hours</u>	<u>Billing Rate</u>	<u>Total</u>
Bruce Campbell	0.9	\$150	\$135.00

Eduardo A. Texidor, Jr.	36.2	135	4,887.00
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TOTAL FEES : \$ 113,665.00

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 May 1, 2009 through May 31, 2009 including, by categorical listing:

Case Administration (00004)
(Fees: \$22,521.50 Total Hours: 92.00)

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. This category also represents review of the docket and relevant pleadings filed. Further, it includes initial communications with counsel for the Debtor.

Fee/Employment Application (00007)
(Fees: \$3,320.50 Total Hours: 18.2)

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.

Financing (00009)

(Fees: \$332.50 Total Hours: 0.7)

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

Litigation (00010)

(Fees: \$86,135.50 Total Hours: 274.10)

This category represents communications with Debtors and counsel regarding investigation into unauthorized recording incident. It also represents meetings regarding unauthorized recording incident. It also represents time spent drafting briefs for the appeal of the Bankruptcy Court's order regarding the retention of special counsel, as well as preparation for hearings in the District Court.

Meeting of Creditors (00011)

(Fees: \$1,355.00 Total Hours: 4.7)

This category represents communication between and among committee members and professionals regarding status of various outstanding issues..

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 \$90,932.00.

Part D – Expense Summary

12. From May 1, 2009 through May 31, 2009, ESCM has expended \$743.02 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 \$226.00

WHEREFORE, ESCM seeks payment of interim compensation in the total amount of \$91,675.02 ("Interim Compensation"). The breakdown of this total is as follows: \$90,932.00 (80% of the fees for services rendered) and \$743.02 (100% of the expenses).

Dated: June 29, 2009

ECKERT SEAMANS CHERIN & MELLOTT, LLC



Gary Schildhorn (Pa ID # 25770)

Ronald S. Gellert (Pa ID # 80783)

Brya M. Keilson (Pa ID # 94565)

Two Liberty Place

50 South 16th Street, 22nd 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	34.2	475.00	16,245.00
Carol Press	56.1	425.00	23,842.50
Ronald S. Gellert	23.9	385.00	9,201.50
Robert Graci	39.2	380.00	14,896.00
Robert Graci	8.5	190.00	1,615.00
Adam Shienvold	42.3	250.00	10,575.00
Adam Shienvold	4.0	125.00	500.00
Brya M. Keilson	144.4	220.00	31,768.00
Bruce Campbell	0.9	150.00	135.00
Eduardo A. Texidor, Jr.	36.2	135.00	4,887.00
		Current Fees:	\$113,665.00

ECKERT SEAMANS CHERIN & MELLOTT, LLC
ATTORNEYS AT LAW

Philadelphia Newspapers, LLC

Client Number: 299230

<u>Summary of Time Billed By Task:</u>		<u>Hours</u>	<u>Value</u>
0004	Case Administration	92.0	22,521.50
0007	Fee/Employment Application	18.2	3,320.50
0009	Financing	0.7	332.50
0010	Litigation	274.1	86,135.50
0011	Meetings of Creditors	4.7	1,355.00
	Totals:	389.7	\$113,665.00

<u>Summary of Disbursements Billed By Task:</u>		<u>Value</u>
0004	Case Administration	73.40
0007	Fee/Employment Application	0.80
0010	Litigation	668.82
	Totals:	\$743.02

Total Balance Due Upon Receipt: \$114,408.02

EXHIBIT B

For Costs Advanced and Expenses Incurred:

Document Reproduction	142.20
Computer Assisted Legal Research	226.00
Transportation	337.00
Travel Expenses	37.82
Current Expenses:	\$743.02

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 May 1, 2009 Through May 31, 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

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Andrew J. Flame
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Philadelphia, PA 19103-6996
Via Electronic Mail



Brya M. Keilson