

BAKER & HOSTETLER LLP
Robert A. Julian (admitted *pro hac vice*)
David J. Richardson (admitted *pro hac vice*)
Transamerica Pyramid Center
600 Montgomery Street, Suite 3100
San Francisco, CA 94111-2806
Telephone: 415.659.2600
Facsimile: 415.659.2601

Counsel for William A. Brandt, Jr., former Chapter 11 Trustee

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re: : **Chapter 11**
: :
CHINA FISHERIES GROUP LIMITED (CAYMAN), : **Case No.: 16-11895 (JLG)**
et al., : :
: **Debtors.¹** : **(Jointly Administered)**
: :

In re: : **Chapter 11**
: :
CFG PERU INVESTMENTS PTE. LIMITED : **Case No. 16-11914 (JLG)**
(SINGAPORE), : :
: **Debtor.** : **(Jointly Administered)**
: :

¹ The Debtors are China Fishery Group Limited (Cayman), Pacific Andes International Holdings Limited (Bermuda), N.S. Hong Investment (BVI) Limited, South Pacific Shipping Agency Limited (BVI), China Fisheries International Limited (Samoa), CFGL (Singapore) Private Limited, Chanery Investment Inc. (BVI), Champion Maritime Limited (BVI), Growing Management Limited (BVI), Target Shipping Limited (HK), Fortress Agents Limited (BVI), Ocean Expert International Limited (BVI), Protein Trading Limited (Samoa), CFG Peru Investments Pte. Limited (Singapore), Smart Group Limited (Cayman), Super Investment Limited (Cayman), Pacific Andes Resources Development Limited (Bermuda), Nouvelle Foods International Ltd., Golden Target Pacific Limited, Pacific Andes International Holdings (BVI) Limited, Zhonggang Fisheries Limited, Admired Agents Limited, Chiksano Management Limited, Clamford Holding Limited, Excel Concept Limited, Gain Star Management Limited, Grand Success Investment (Singapore) Private Limited, Hill Cosmos International Limited, Loyal Mark Holdings Limited, Metro Island International Limited, Mission Excel International Limited, Natprop Investments Limited, Pioneer Logistics Limited, Sea Capital International Limited, Shine Bright Management Limited, Superb Choice International Limited, Toyama Holdings Limited (BVI), and Pacific Andes Enterprises (Hong Kong) Limited.

NOTICE OF HEARING ON FIRST AND FINAL FEE APPLICATION OF FORMER CHAPTER 11 TRUSTEE WILLIAM A. BRANDT, JR., FOR COMPENSATION FOR SERVICES RENDERED AS CHAPTER 11 TRUSTEE FOR THE PERIOD FROM NOVEMBER 10, 2016 THROUGH AND INCLUDING JUNE 24, 2021, AND SECOND AND FINAL APPLICATION OF FORMER CHAPTER 11 TRUSTEE WILLIAM A. BRANDT, JR., FOR REIMBURSEMENT OF EXPENSES FOR THE PERIOD MARCH 1, 2020 THROUGH AND INCLUDING JUNE 24, 2021

PLEASE TAKE NOTICE that William A. Brandt, Jr., in his capacity as former chapter 11 trustee (the “Trustee”) of CFG Peru Investments Pte. Limited (Singapore) (“CFG Peru”) in the above-captioned chapter 11 cases, by his attorneys, Baker & Hostetler LLP, hereby files his: (i) First and Final Fee Application of Former Chapter 11 Trustee William A. Brandt, Jr., for Compensation for Services Rendered as Chapter 11 Trustee for the Period From November 10, 2016 Through and Including June 24, 2021; and (ii) Second and Final Application of Former Chapter 11 Trustee William A. Brandt, Jr., for Reimbursement of Expenses for the Period March 1, 2020 Through and Including June 24, 2021 (the “Fee Application”).

PLEASE TAKE FURTHER NOTICE that you are receiving this Notice pursuant to Federal Rule of Bankruptcy Procedure 2002(a). If you would like a complete copy of the Fee Application and its supporting documents, you may obtain a copy from the ECF docket for the above-captioned case, or by sending a request by electronic mail to dritchardson@bakerlaw.com.

PLEASE TAKE FURTHER NOTICE that a hearing on the Fee Application will be held before the Honorable James L. Garrity, United States Bankruptcy Judge for the Southern District of New York, in the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, Courtroom 601, New York, New York 10004 (the “Bankruptcy Court”), on **October 27, 2021, at 11:00 a.m. (prevailing Eastern Time)** (the “Hearing”), or as soon thereafter as counsel may be heard.

PLEASE TAKE FURTHER NOTICE, that the Hearing will be conducted through Zoom for Government. Any parties wishing to participate must do so through Zoom for Government by

registering at <https://www.nysb.uscourts.gov/content/judge-james-l-garrity-jr> by 4:00 p.m. (Prevailing Eastern Time) on October 25, 2021.

PLEASE TAKE FURTHER NOTICE that responses or objections to the Fee Application and the relief requested therein, if any, must be made in writing and (a) filed with the Bankruptcy Court no later than 4:00 p.m. (prevailing Eastern Time) on October 20, 2021 (the “Objection Deadline”) and (b) served so as to be actually received by the following parties by the Objection Deadline:

(i) counsel for William A. Brandt, Jr., the former Chapter 11 Trustee for the bankruptcy estate of CFG Peru Investments Pte. Ltd. (Singapore), Baker & Hostetler LLP, Transamerica Pyramid Center, 600 Montgomery Street, Suite 3100, San Francisco, CA 94111-2806, Attn: Robert A. Julian (rjulian@bakerlaw.com), and David J. Richardson (drichardson@bakerlaw.com).

(ii) counsel for Michael E. Foreman, the Plan Administrator for CFG Peru Investments Pte. Limited (Singapore), and former counsel for William A. Brandt, Jr., the Chapter 11 Trustee for the bankruptcy estate of CFG Peru Investments Pte. Limited (Singapore), Skadden, Arps, Slate, Meagher & Flom LLP, One Manhattan West, New York, New York 10001-8602, Attn: Lisa Laukitis (lisa.laukitis@skadden.com), and Clark Xue (clark.xue@skadden.com), and Skadden, Arps, Slate, Meagher & Flom LLP, 500 Boylston Street, Boston, Massachusetts 02116, Attn: Elizabeth Downing (liz.downing@skadden.com);

(iii) counsel for the other Debtors, Weil, Gotshal & Manges LLP, 767 Fifth Avenue, New York, NY 10153, Attn: Matthew S. Barr, Esq. (matt.barr@weil.com), Marcia Goldstein (marcia.goldstein@weil.com), and Gabriel A. Morgan (gabriel.morgan@weil.com), and Klestadt Winters Jureller Southard & Stevens, LLP, Attn: Tracy Klestadt (tklestadt@klestadt.com), and John Jureller, Jr. (jjureller@klestadt.com);

(iv) the Office of the United States Trustee, U.S. Federal Office Building, 201 Varick Street, Suite 1006, New York, NY 10014, Attn: Richard Morrissey (richard.morrissey@usdoj.gov);

(iv) the former Chapter 11 Trustee, 110 East 42nd Street, Suite 1818, New York, New York 10017, Attn: William A. Brandt, Jr. (bbrandt@dsiconsulting.com); and

(v) the Plan Administrator for CFG Peru Investments Pte. Limited (Singapore), 24 Talcott Road, Rye Brook, NY 10573, Attn: Michael E. Foreman (michael@foremanlawpllc.com).

PLEASE TAKE FURTHER NOTICE that unless a written objection to the Application, with proof of service, is filed with the Bankruptcy Court and a courtesy copy delivered to the Honorable James L. Garrity's Chambers by the Objection Deadline, the Trustee may, on or after the Objection Deadline, submit to the Bankruptcy Court orders substantially in the form of the [Proposed] Findings of Fact and Conclusions of Law attached to the Fee Application as Exhibit A, and [Proposed] Order attached to the Fee Application as Exhibit B, which orders may be entered with no further notice or opportunity to be heard.

Dated: October 1, 2021
New York, New York

Respectfully submitted,

BAKER & HOSTETLER LLP

By: /s/ David J. Richardson
Robert Julian (*admitted pro hac vice*)
rjulian@bakerlaw.com
David J. Richardson (*admitted pro hac vice*)
drichardson@bakerlaw.com
Transamerica Pyramid Center
600 Montgomery Street, Suite 3100
San Francisco, CA
Telephone: 415.659.2600
Facsimile: 415.659.2601

*Attorneys for William A. Brandt, Jr., former Chapter
11 Trustee*

BAKER & HOSTETLER LLP
Robert A. Julian (*admitted pro hac vice*)
David J. Richardson (*admitted pro hac vice*)
Transamerica Pyramid Center
600 Montgomery Street, Suite 3100
San Francisco, CA 94111-2806
Telephone: 415.659.2600
Facsimile: 415.659.2601

Counsel for William A. Brandt, Jr., former Chapter 11 Trustee

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re: : **Chapter 11**
: :
CHINA FISHERIES GROUP LIMITED (CAYMAN), : **Case No.: 16-11895 (JLG)**
et al., : :
: **Debtors.²** : **(Jointly Administered)**
: :

In re: : **Chapter 11**
: :
CFG PERU INVESTMENTS PTE. LIMITED : **Case No. 16-11914 (JLG)**
(SINGAPORE), : :
: **Debtor.** : **(Jointly Administered)**
: :

² The Debtors are China Fishery Group Limited (Cayman), Pacific Andes International Holdings Limited (Bermuda), N.S. Hong Investment (BVI) Limited, South Pacific Shipping Agency Limited (BVI), China Fisheries International Limited (Samoa), CFGL (Singapore) Private Limited, Chanery Investment Inc. (BVI), Champion Maritime Limited (BVI), Growing Management Limited (BVI), Target Shipping Limited (HK), Fortress Agents Limited (BVI), Ocean Expert International Limited (BVI), Protein Trading Limited (Samoa), CFG Peru Investments Pte. Limited (Singapore), Smart Group Limited (Cayman), Super Investment Limited (Cayman), Pacific Andes Resources Development Limited (Bermuda), Nouvelle Foods International Ltd., Golden Target Pacific Limited, Pacific Andes International Holdings (BVI) Limited, Zhonggang Fisheries Limited, Admired Agents Limited, Chiksano Management Limited, Clamford Holding Limited, Excel Concept Limited, Gain Star Management Limited, Grand Success Investment (Singapore) Private Limited, Hill Cosmos International Limited, Loyal Mark Holdings Limited, Metro Island International Limited, Mission Excel International Limited, Natprop Investments Limited, Pioneer Logistics Limited, Sea Capital International Limited, Shine Bright Management Limited, Superb Choice International Limited, Toyama Holdings Limited (BVI), and Pacific Andes Enterprises (Hong Kong) Limited.

SUMMARY OF FIRST AND FINAL FEE APPLICATION OF FORMER CHAPTER 11 TRUSTEE WILLIAM A. BRANDT, JR., FOR COMPENSATION FOR SERVICES RENDERED AS CHAPTER 11 TRUSTEE FOR THE PERIOD FROM NOVEMBER 10, 2016 THROUGH AND INCLUDING JUNE 24, 2021, AND SECOND AND FINAL APPLICATION OF FORMER CHAPTER 11 TRUSTEE WILLIAM A. BRANDT, JR., FOR REIMBURSEMENT OF EXPENSES FOR THE PERIOD MARCH 1, 2020 THROUGH AND INCLUDING JUNE 24, 2021

General Information

Name of Applicant:	William A. Brandt, Jr., solely in his capacity as former Chapter 11 Trustee of CFG Peru Investments Pte. Ltd. (Singapore)
Petition Date:	June 30, 2016
Date of Appointment:	November 10, 2016

Summary of Fees and Expenses Sought in the Application

This is a:	<input type="checkbox"/> monthly application <input type="checkbox"/> interim application <input checked="" type="checkbox"/> final application
Period for Which Fees are Sought:	November 10, 2016 through and including June 24, 2021 ³
Period for Which Expense Reimbursement is Sought:	March 1, 2020 through and including June 24, 2021 (the “ <u>Final Expense Period</u> ”), plus final approval of expenses previously approved on an interim basis for the period of November 10, 2016 through and including February 29, 2020
Amount of Compensation Requested as Reasonable, Actual, and Necessary:	\$25,000,000 ⁴
Amount of Expense Reimbursement Requested for Final Expense Period as Actual and Necessary:	\$409,382.02 ⁵

³ June 24, 2021 is the date of transition to the Plan Administrator’s term. Consistent with statements made to the Court, the Trustee has not sought fees for hours incurred after June 10, 2021.

⁴ The Trustee requests \$11,958,625.00 as the “lodestar,” and a 2.09 multiplier fee enhancement, for a total commission of \$25,000,000. The Trustee’s requested commission is a fraction of the statutory cap which, as detailed below, equals \$88,677,733.

⁵ The Trustee previously filed a *First Interim Application of the Chapter 11 Trustee, William A. Brandt, Jr., for Reimbursement of Expenses for the Period November 10, 2016 Through and Including February 29, 2020* (the “First Interim Expense Request”) [Dkt. 2231], which was granted by an Order of this Court entered December 20, 2020 [Dkt. 2272], allowing reimbursement of \$355,051.93 of expenses. No objections were filed to the First Interim Expense Request.

Amount of Expense Reimbursement
Approved and Paid on Interim Basis,
Requested for Final Approval: \$355,051.93

Total Compensation and Expense
Reimbursement Requested for Final Approval: \$25,764,433.95

Total Compensation and Expense
Reimbursement Requested for Payment: \$25,409,382.02

Summary of Fees, Professionals, and Rates

Fees Sought in This Application Already Sought Pursuant to Monthly Fee Application But Not Yet Allowed: \$0.00

Expenses Sought in This Application Already Sought Pursuant to Monthly Fee Applications But Not Yet Allowed: \$0.00

Current Hourly Rate of Professional \$875.00

Blended Rate of Professional \$790.00

Number of Professionals Included in this Application: 1

Increase in Rates At the time of his appointment as Chapter 11 Trustee, on November 10, 2016, the Trustee's hourly rate was \$695.00. His hourly rate has increased on January 1 of each year thereafter, as follows:

2017 - \$725

2018 - \$795

2019 - \$825

2020 - \$855

2021 - \$875

The Trustee's blended rate is \$790.00. However, as described below, the Trustee requests allowance of all fees at his current rate of \$875.00/hour to address the five-year delay in payment, pursuant to applicable law.

**TIME SUMMARY TO FINAL FEE APPLICATION OF
FORMER CHAPTER 11 TRUSTEE WILLIAM A. BRANDT, JR.**

YEAR OF SERVICES	HOURS	ORIGINAL RATE	CURRENT RATE	AMOUNT
2016	409.7	\$695.00	\$875.00	\$358,487.50
2017	3,272.8	\$725.00	\$875.00	\$2,863,700.00
2018	3,471.7	\$795.00	\$875.00	\$3,037,737.50
2019	3,426.5	\$825.00	\$875.00	\$2,998,187.50
2020	1,949.2	\$855.00	\$875.00	\$1,705,550.00
2021	1,137.1	\$875.00	\$875.00	\$994,962.50
TOTAL LODESTAR AMOUNT:	13,667.0		\$875.00	\$11,958,625.00
REQUESTED FEE ENHANCEMENT			2.09 multiplier	\$13,041,375.00
TOTAL REQUESTED COMMISSION				\$25,000,000.00

**SUMMARY OF EXPENSES INCURRED BY THE FORMER CHAPTER 11 TRUSTEE
FROM MARCH 1, 2020 THROUGH AND INCLUDING JUNE 24, 2021⁶**

CHARGES AND DISBURSEMENTS	AMOUNT
Airfare ⁷	\$2,357.44
Lodging	\$838.62
Travel Meals	\$119.66
Travel Meeting Expenses (cabs/limos)	\$214.00
Transportation (Parking, Gas, Tolls, etc.)	\$84.00
Long Distance Telephone	\$342.43

⁶ The Trustee's expenses also include the costs of preparing his Fee Application subsequent to June 24, 2021.

⁷ The Trustee's international airfare expenses reflect a voluntary 50 percent reduction in the amount of \$2,357.44.

Conference Calls	\$883.72
Courtcall Charges	\$910.00
Messenger/Delivery Service	\$724.95
Photocopies (@ \$0.10)	\$265.30
Postage	\$84.27
Pacer Charges	\$81.50
WiFi Charges	\$16.00
Outside Attorney's Fees/Costs related to Fee Application	\$286,127.50
Inhouse Attorney's Fees/Costs related to Fee Application	\$84,296.00
Document Review Services to Remove NDA/Confidential Information	\$32,036.63
TOTAL EXPENSES FOR SECOND EXPENSE PERIOD	\$409,382.02
EXPENSES PREVIOUSLY APPROVED ON AN INTERIM BASIS	\$355,051.93
TOTAL EXPENSES FOR FINAL APPROVAL	\$764,433.95