

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF KENTUCKY
LEXINGTON DIVISION**

In re:) Chapter 11
)
Cambrian Holding Company, Inc., *et al.*,¹) Case No. 19-51200 (GRS)
)
) (Jointly Administered)
)
Debtors.)
) Honorable Gregory R. Schaaf

**NOTICE REGARDING REDUCTION OF AMOUNTS IN
REVISED ORDER GRANTING FINAL FEE APPLICATION OF FTI CONSULTING,
INC. FOR COMPENSATION EARNED AND EXPENSES INCURRED
FOR THE PERIOD FROM NOVEMBER 1, 2019 THROUGH JUNE 30, 2020**

PLEASE TAKE NOTICE that on October 14, 2020 and October 19, 2020, FTI Consulting, Inc. ("FTI Consulting") filed the *Final Fee Application of FTI Consulting, Inc. for Compensation Earned and Expenses Incurred from the Period From November 1, 2019 Through June 30, 2020* [Docket No. 1418] (the "Application") and the related proposed order [Docket No. 1422] (the "Proposed Order"), respectively.

PLEASE TAKE FURTHER NOTICE that on November 6, 2020, FTI Consulting and the Official Committee of Unsecured Creditors ("Committee") filed the *Agreed Order Regarding Revised Order Granting Final Fee Application of FTI Consulting, Inc. for Compensation Earned and Expenses Incurred for the Period From November 1, 2019 Through June 30, 2020* [Docket No. 1438] and a revised Proposed Order (the "Revised Proposed Order").

¹ The Debtors in these chapter 11 cases are (with the last four digits of their federal tax identification numbers in parentheses): Cambrian Holding Company, Inc. (8203), Cambrian Coal LLC (3394), Apex Energy, Inc. (3455), C.W. Augering, Inc. (2875), Marshall Resources, Inc. (9735), PLM Holding Company LLC (7427), Bear Branch Coal LLC (0674), Clintwood Elkhorn Mining LLC (6910), Gatliff Coal LLC (5768), Perry County Coal LLC (4382), Ray Coal LLC (0981), Whitaker Coal LLC (8270), Pike-Letcher Land LLC (8952), Premier Elkhorn Coal LLC (8951), Raven Rock Development LLC (1351), Rich Mountain Coal LLC (1974), S.T. & T. Leasing, Inc. (0340), T.C. Leasing, Inc. (7705), and Shelby Resources, LLC (5085).

PLEASE TAKE FURTHER NOTICE that on November 6, 2020, the Court entered the Revised Proposed Order [Docket No. 1439], which granted FTI Consulting allowed compensation on a final basis in the aggregate amount of \$643,449.77 for professional services and authorized and directed the Debtors to pay FTI Consulting \$280,705.59 concurrently with the Debtors' and Committee's other professionals' allowed fees and expenses.

PLEASE TAKE FURTHER NOTICE that upon further diligence by FTI Consulting, in the Application FTI Consulting inadvertently underrepresented the fees and expenses it had been paid on one interim fee application and therefore overrepresented the outstanding amount of compensation due to FTI Consulting in the Application.

PLEASE TAKE FURTHER NOTICE that the aggregate amount of fees and expenses in the Application should have been reduced by \$160,000 because on the date of filing the Application FTI Consulting had already been paid \$160,000 of its \$200,000 Completion Fee (as defined in FTI Consulting's retention application [Docket No. 175]).

PLEASE TAKE FURTHER NOTICE that in the Application the aggregate amount of allowed compensation earned by FTI Consulting is \$483,449.77 and that the Debtors' estates only need to pay FTI Consulting \$120,705.59 concurrently with the Debtors' and Committee's other professionals' allowed fees and expenses pursuant to Paragraph 4 of the Revised Proposed Order.

[Remainder of Page Intentionally Left Blank]

Respectfully Submitted,

SQUIRE PATTON BOGGS (US) LLP

/s/ Kyle F. Arendsen

F. Maximilian Czernin

Stephen D. Lerner (admitted *pro hac vice*)

Kyle F. Arendsen (admitted *pro hac vice*)

201 E. Fourth St., Suite 1900

Cincinnati, Ohio 45202

Telephone: 513.361.1200

Facsimile: 513.361.1201

max.czernin@squirepb.com

stephen.lerner@squirepb.com

kyle.arendsen@squirepb.com

Counsel to FTI Consulting, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served this 17th day of November, 2021, electronically in accordance with the method established under this Court's CM/ECF Administrative Procedures upon all parties in the electronic filing system in this case.

/s/ Kyle F. Arendsen
Attorney for FTI Consulting, Inc.