

**UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA
HARRISBURG DIVISION**

In re:

ROMAN CATHOLIC DIOCESE OF
HARRISBURG,

Debtor.¹

Chapter 11

Case No. 1:20-bk-00599 (HWV)

**FIFTH MONTHLY FEE STATEMENT OF KLEINBARD, LLC, FOR ALLOWANCE OF
COMPENSATION FOR SERVICES RENDERED AND REIMBURSEMENT OF
EXPENSES AS SPECIAL COUNSEL TO THE DEBTOR FOR THE
PERIOD OF JULY 1, 2020 THROUGH JULY 31, 2020**

Name of Applicant	Kleinbard, LLC
Authorized to provide professional services to	Debtor and Debtor-in-Possession
Effective Date of Retention	March 12, 2020, <i>nunc pro tunc</i> to February 19, 2020 (the " <i>Petition Date</i> ")
Period for which compensation and reimbursement are sought	July 1, 2020 through July 31, 2020
Amount of Compensation sought as actual, reasonable and necessary	\$5,355.50
Amount of Expense Reimbursement sought as actual, reasonable and necessary	\$14,363.51
Total Amount Sought	\$19,719.01
Total Amount of Compensation (at 80%) and Expenses (at 100%) authorized to be paid per monthly fee applications	\$4,284.40
Blended Rate for all Attorneys	\$390.95
Blended Rate for all Timekeepers	\$374.51

¹ The last four digits of the Debtor's federal tax identification number are: 4791. The Debtor's principal place of business is located at 4800 Union Deposit Road, Harrisburg, Pennsylvania 17111.

1. Pursuant to sections 327, 330 and 331 of title 11 of the United States Code (the “**Bankruptcy Code**”), Rule 2016 of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”), the *Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Professionals* [D.I. 121] (the “**Interim Compensation Order**”), the law firm of Kleinbard, LLC (“**Kleinbard**”), special counsel to the Roman Catholic Diocese of Harrisburg, as debtor and debtor in possession (the “**Debtor**”), hereby files this monthly fee statement (the “**Monthly Fee Statement**”) for (a) compensation in the amount of \$4,284.40 for the reasonable and necessary legal services Kleinbard rendered to the Debtor from July 1, 2020 through and including July 31, 2020 (the “**Compensation Period**”) (80% of \$5,255.50) and (b) reimbursement for 100% of the actual and necessary expenses that Kleinbard incurred, in the amount of \$14,363.51 during the Compensation Period.

Services Rendered and Disbursements Incurred

2. Attached as **Exhibit A** is a billing summary of Kleinbard professionals and paraprofessionals by individual, setting forth the (a) name and title of each individual who performed services during the Compensation Period, (b) aggregate time expended by each such individual, (c) hourly billing rate for each such individual, and (d) amount of fees earned by each Kleinbard professional and paraprofessional.

3. Attached as **Exhibit B** is a summary of hours and fees by task code.

4. Attached as **Exhibit C** is a summary of reimbursement sought by expense type for all expenses for the Compensation Period incurred in connection with the performance of professional services.

5. Attached as **Exhibit D** is Kleinbard’s itemized time records of its professionals and paraprofessionals and itemized records of reimbursement sought for the Compensation Period.

4814-8043-4376.1

Reservations

6. This Monthly Fee Statement includes all the information and supporting detail regarding fees and expenses available to Kleinbard at the time of the filing of this Monthly Fee Statement. If additional information and supporting detail in connection with this Compensation Period should become available, as a result of delays in accounting processing or an inadvertence with respect to time entered in the accounting system, or any other valid reason, Kleinbard reserves the right to make an application to the Court for an allowance of such fees and expenses not included in this Monthly Statement.

Notice

7. Pursuant to the Interim Compensation Order, notice of this Monthly Fee Statement shall be served upon:

- a. the Debtor, the Roman Catholic Diocese of Harrisburg, Attn: Fr. David L. Danneker, 4800 Union Deposit Road, Harrisburg, PA 17111, frddanneker@hbgdiocese.org;
- b. counsel to the Debtor, Waller, Lansden, Dortch & Davis, LLP, Attn: Blake D. Roth, 511 Union Street, Suite 2700, Nashville, TN 37219, blake.roth@wallerlaw.com;
- c. counsel to the Official Committee of Tort Claimants, Stinson, LLP, Attn: Robert T. Kugler and Edwin H. Caldie, 50 South Sixth Street, Suite 2600, Minneapolis, MN 55402, robert.kugler@stinson.com and ed.caldie@stinson.com; and
- d. the Office of the United States Trustee, Attn: Troy Sellars and Gregory Schiller, 228 Walnut Street, Suite 1190, Harrisburg, PA 17101, d.troy.sellars@usdoj.gov and Gregory.b.schiller@usdoj.gov.

WHEREFORE, Kleinbard, in connection with services rendered on behalf of the Debtor, respectfully requests (a) allowance of compensation and reimbursement in the amount of (i) \$4,284.40 for reasonable and necessary professional services rendered (80% of \$5,355.50) and (ii) \$14,363.51 for 100% of actual and necessary costs and expenses incurred during the Compensation Period, for a total of \$18,647.91 and (b) payment of the forgoing sums.

Dated: August 21, 2020
Nashville, Tennessee

Respectfully submitted,

WALLER LANSDEN DORTCH & DAVIS, LLP

/s/Blake D. Roth

Blake D. Roth (State Bar No. 306951)
Tyler N. Layne (admitted *pro hac vice*)
511 Union Street, Suite 2700
Nashville, TN 37219
Telephone: (615) 244-6380
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-and-

KLEINBARD, LLC

Matthew H. Haverstick (State Bar No. 85072)
Joshua J. Voss (State Bar No. 306853)
Three Logan Square
1717 Arch Street, 5th Floor
Philadelphia, Pennsylvania 19103
Telephone: (215) 568-2000
Facsimile: (215) 568-0140
Email: mhaverstick@kleinbard.com
jvoss@kleinbard.com

Attorneys for the Debtor and Debtor In Possession

EXHIBIT A

COMPENSATION BY PROFESSIONAL

Name	Position/Start Date/Bar Year	Effective Billing Rate	Bill Hours	Billed Amount
Haverstick, Matthew	Partner/2016/1996	\$425.00	1.5	\$637.50
Seiberling, Mark	Partner/2016/2003	—	—	—
Engelmyer, Steve	Partner/1998/1985	\$415.00	4.3	\$1,784.50
Schreiner, Eric	Partner/2000/1995	—	—	—
Voss, Joshua	Partner/2016/2009	\$400.00	5.2	\$2,080.00
Gagne, Paul	Of Counsel/2007/1984	—	—	—
Gorman, James	Associate/2019/2020	\$295.00	2.1	\$619.50
Vance, Shohin	Associate/2017/2017	—	—	—
Smalley, Jenna	Paralegal/2014	\$195.00	1.2	\$234.00
Bondiskey, Heidi	Paralegal/2018	—	—	—
		Totals	14.3	\$5,355.50

EXHIBIT B

COMPENSATION BY PROJECT CATEGORY

		Hours	Amount
A100	Activities	—	—
A107	Communicate (other outside counsel)	—	—
A108	Communicate (other external)	—	—
B100	Administration	—	—
B110	Case Administration	5.7	\$2,317.50
B120	Asset Analysis and Recovery	—	—
B130	Asset Disposition	—	—
B140	Relief from Stay/Adequate Projection Proceedings	—	—
B150	Meetings of and Communications with Creditors	—	—
B160	Fee/Employment Applications	—	—
B200	Operations	—	—
B210	Business Operations	0.1	\$40.00
B300	Claims and Plan	—	—
B310	Claims Administration and Objections	—	—
L100	Case Assessment, Development & Administration	—	—
L110	Fact Investigation/Development	1.1	\$214.50
L120	Analysis/Strategy	4.3	\$1,784.50
L140	Document/File Management	0.1	\$19.50
L160	Settlement/Non-Binding ADR	3.0	\$979.50
L190	Other Case Assessment, Development and Admin	—	—
L200	Pre-Trial Pleadings and Motions	—	—
L210	Pleadings	—	—
L250	Other Written Motions and Submissions	—	—
L300	Discovery	—	—
L310	Written Discovery	—	—
L320	Document Production	—	—
	Total	14.3	\$5,355.50

EXHIBIT C

EXPENSE SUMMARY

Expense Category	Amount
Litigation Support Vendors	\$14,363.51
Total	\$14,363.51

EXHIBIT D

TIME DETAIL

4814-8043-4376.1



KLEINBARD LLC
3 LOGAN SQUARE
1717 ARCH STREET, 5TH FLOOR
PHILADELPHIA, PA 19103

August 07, 2020

DIOCESE OF HARRISBURG
VERY REV. DAVID L. DANNEKER
DIOCESE OF HARRISBURG
4800 UNION DEPOSIT ROAD
HARRISBURG, PA 17111

H10034-10014

BALANCE DUE FOR INVOICES PREVIOUSLY RENDERED	\$72,322.96
TOTAL FEES	----- \$5,355.50
TOTAL DISBURSEMENTS	\$14,363.51
TOTAL CURRENT CHARGES	\$19,719.01
TOTAL NOW DUE	\$92,041.97

KLEINBARD LLC
3 LOGAN SQUARE
1717 ARCH STREET, 5TH FLOOR
PHILADELPHIA, PA 19103

August 07, 2020

Billed through 07/31/20

Bill number 63567

DIOCESE OF HARRISBURG
VERY REV. DAVID L. DANNEKER
DIOCESE OF HARRISBURG
4800 UNION DEPOSIT ROAD
HARRISBURG, PA 17111

BANKRUPTCY II

H10034-10014

FOR PROFESSIONAL SERVICES RENDERED

07/02/20	JS	L110	A103	UPDATE INSURANCE CARRIER CLAIMANT CHART	0.20 hrs	\$39.00
07/02/20	JS	L110	A104	DOWNLOAD AND REVIEW RECENT POTENTIAL CLAIMANT FILE FROM WALLER DATA ROOM	0.10 hrs	\$19.50
07/02/20	JS	L110	A103	DRAFT SUMMARY INCLUDING INSURANCE POLICIES TRIGGERED REGARDING RECENT UPLOAD TO WALLER DATA ROOM	0.30 hrs	\$58.50
07/06/20	JJV	B110	A106	@ EMAIL TO CLIENT REGARDING [REDACTED]	0.10 hrs	\$40.00
07/06/20	JS	L140	A103	UPLOAD FILE INTO WALLER DATA ROOM	0.10 hrs	\$19.50
07/07/20	SJE	L120	A104	REVIEW EMAILS CONCERNING CARRIER REQUESTS	0.50 hrs	\$207.50
07/08/20	JJV	B110	A106	@ ATTENTION TO COMMUNICATIONS FROM CLIENT REGARDING PROPOSED [REDACTED]	0.20 hrs	\$80.00
07/08/20	JJV	B110	A108	@ ATTENTION TO COMMUNICATIONS REGARDING REQUEST FROM COUNSEL FOR CLAIMANT	0.10 hrs	\$40.00
07/08/20	JJV	B110	A107	@ TELEPHONE CALL WITH B. ROTH REGARDING CASE UPDATES AND ISSUES FOR CONFERENCE CALL WITH CLIENT	0.30 hrs	\$120.00
07/08/20	JJV	B110	A106	@ PREPARE FOR AND PARTICIPATE IN CONFERENCE CALL WITH CLIENT AND B. ROTH REGARDING [REDACTED]	1.00 hrs	\$400.00
07/10/20	JJV	B110	A104	@ REVIEW CORRESPONDENCE REGARDING CANONICAL APPEAL	0.20 hrs	\$80.00
07/13/20	JJV	L160	A107	@ ATTENTION TO VARIOUS COMMUNICATIONS AMONG COUNSEL	0.10 hrs	\$40.00

REGARDING FORTHCOMING MEDIATION

07/13/20	JJV	B110	A106	@ ATTENTION TO COMMUNICATIONS FROM CLIENT REGARDING [REDACTED]	0.10 hrs	\$40.00
07/13/20	JS	L110	A104	DOWNLOAD AND REVIEW RECENT POTENTIAL CLAIMANT FILE FROM WALLER DATA ROOM	0.10 hrs	\$19.50
07/13/20	JS	L110	A103	DRAFT SUMMARY INCLUDING INSURANCE POLICIES TRIGGERED REGARDING RECENT UPLOAD TO WALLER DATA ROOM	0.30 hrs	\$58.50
07/13/20	JS	L110	A103	UPDATE INSURANCE CARRIER CLAIMANT CHART	0.10 hrs	\$19.50
07/13/20	SJE	L120	A104	REVIEW OF MEDIATION ORDER AND FOLLOW UP	1.00 hrs	\$415.00
07/14/20	JJV	B210	A106	@ COMMUNICATIONS WITH CLIENT REGARDING [REDACTED]	0.10 hrs	\$40.00
07/14/20	JJV	B110	A107	@ TELEPHONE CALL WITH B. ROTH REGARDING REQUEST FROM CREDITORS COMMITTEE	0.20 hrs	\$80.00
07/14/20	JJV	B110	A107	@ ATTENTION TO COMMUNICATION FROM B. ROTH REGARDING INQUIRY FROM CREDITORS COMMITTEE	0.30 hrs	\$120.00
07/14/20	JJV	B110	A106	@ COMMUNICATIONS WITH CLIENT REGARDING [REDACTED]	0.10 hrs	\$40.00
07/15/20	JJV	B110	A107	@ REVIEW AND RESPOND TO COMMUNICATION FROM B. ROTH REGARDING CREDITORS COMMITTEE REQUEST	0.20 hrs	\$80.00
07/15/20	SJE	L120	A104	REVIEW OF MATERIALS IN PREP FOR CALL CONCERNING MEDIATION	1.20 hrs	\$498.00
07/16/20	JJV	B110	A104	@ REVIEW AND ANALYZE CHART FROM CLIENT REGARDING AUDIT REPORTS	0.30 hrs	\$120.00
07/16/20	JJV	L160	A107	@ CONFERENCE CALL WITH INTERNAL COUNSEL AND EXTERNAL COUNSEL REGARDING PLAN FOR MEDIATION	0.40 hrs	\$160.00
07/16/20	SJE	L120	A104	PREP FOR AND PARTICIPATION IN CALL CONCERNING MEDIATION	1.10 hrs	\$456.50
07/26/20	MHH	B110	A106	TELEPHONE CALL TO WITH DAVE DANNEKER [REDACTED]	0.50 hrs	\$212.50
07/26/20	MHH	B110	A108	TELEPHONE CALL TO WITH MR. CAUBAUGH ABOUT COMPLAINT OF FATHER'S INCLUSION ON "LIST"	1.00 hrs	\$425.00
07/27/20	JGG	L160	A103	DRAFT COVERAGE TIMELINES	1.50 hrs	\$442.50
07/27/20	JJV	B110	A106			

	@ REVIEW AND RESPOND TO COMMUNICATIONS FROM CLIENT REGARDING		0.20 hrs	\$80.00
07/28/20	JJV B110 A106			
	@ COMMUNICATIONS WITH CLIENT REGARDING		0.20 hrs	\$80.00
07/28/20	JJV B110 A104			
	@ ATTENTION TO REPORT REGARDING POTENTIAL CLAIM		0.20 hrs	\$80.00
07/28/20	JJV L160 A107			
	@ TELEPHONE CALL AND FOLLOW UP WITH R. CONNAUGHTON REGARDING MEDIATION ISSUES		0.40 hrs	\$160.00
07/28/20	SJE L120 A104			
	REVIEW OF EMAILS AND FOLLOW UP		0.50 hrs	\$207.50
07/30/20	JGG L160 A103			
	DRAFT INSURANCE COVERAGE TIMELINE		0.60 hrs	\$177.00
07/30/20	JJV B110 A106			
	@ VARIOUS COMMUNICATIONS TO CLIENT REGARDING RECENT		0.10 hrs	\$40.00
07/31/20	JJV B110 A106			
	@ ATTENTION TO COMMUNICATIONS FROM CLIENT REGARDING		0.20 hrs	\$80.00
07/31/20	JJV B110 A104			
	@ REVIEW DRAFT CONFIDENTIALITY AGREEMENT FROM B. ROTH		0.20 hrs	\$80.00

Total fees for this matter ----- \$5,355.50

DISBURSEMENTS

07/14/20	LITIGATION SUPPORT VENDORS	\$59.05
07/14/20	LITIGATION SUPPORT VENDORS	\$7,014.62
07/15/20	LITIGATION SUPPORT VENDORS	\$7,289.84

Total disbursements for this matter ----- \$14,363.51

BILLING SUMMARY

GORMAN, JAMES G	2.10 hrs	\$619.50
VOSS, JOSH J	5.20 hrs	\$2,080.00
SMALLEY, JENNA	1.20 hrs	\$234.00
HAVERSTICK, MATTHEW H	1.50 hrs	\$637.50
ENGELMYER, STEVEN J.	4.30 hrs	\$1,784.50

TOTAL FEES ----- \$5,355.50

TOTAL DISBURSEMENTS \$14,363.51

TOTAL CURRENT CHARGES \$19,719.01