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Counsel for the Special Mediator

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

In re:

THE ROMAN CATHOLIC DIOCESE OF
ROCKVILLE CENTRE, NEW YORK,

Debtor.

Chapter 11

Case No.: 20-12345 (SCC)

**NOTICE OF FOURTH MONTHLY FEE STATEMENT
OF BINDER & SCHWARTZ LLP FOR COMPENSATION
FOR SERVICES RENDERED AND REIMBURSEMENT OF
EXPENSES INCURRED AS COUNSEL TO THE SPECIAL MEDIATOR
FOR THE PERIOD FROM SEPTEMBER 1, 2021 THROUGH SEPTEMBER 30, 2021**

Name of Applicant:	Binder & Schwartz LLP
Authorized to Provide Services to:	Arthur J. Gonzalez, as Special Mediator
Date of Retention:	Effective as of May 14, 2021 pursuant to Order entered July 1, 2021
Period for Which Compensation and Expense Reimbursement is Sought:	September 1, 2021 through September 30, 2021
Amount of Compensation Requested (after 10% discount):	\$5,373.00
Less 20% Holdback:	\$1,074.60
Net of Holdback:	\$4,298.40
Amount of Expense Reimbursement Requested:	None

**Total Compensation (Net of
Holdback) and Expense
Reimbursement Requested:**

\$4,298.40

This is a X Monthly Interim Final Fee Statement

Pursuant to the Order Authorizing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals, entered on November 4, 2020 [Docket No. 129] (the “Interim Compensation Order”), Binder & Schwartz LLP (“Binder & Schwartz”) hereby submits this fourth monthly fee statement (the “Monthly Fee Statement”), seeking compensation for services rendered and reimbursement of expenses incurred as counsel to Arthur J. Gonzalez, as Special Mediator (the “Special Mediator”), for the period from September 1, 2021 through September 30, 2021 (the “Monthly Fee Period”). By this Monthly Fee Statement, and after taking into account a 10% discount on all fees as disclosed in its retention application, Binder & Schwartz seeks payment in the amount of \$4,298.40, which is 80% of the total amount of compensation sought for actual and necessary services rendered during the Monthly Fee Period. No expenses were incurred in connection with such services during the Monthly Fee Period.

SERVICES RENDERED AND EXPENSES INCURRED

1. Attached hereto as **Exhibit A** is a summary of Binder & Schwartz professionals, setting forth the (a) name and title of each individual who provided services during the Monthly Fee Period, (b) aggregate hours spent by each individual, (c) hourly billing rate for each such

individual at Binder & Schwartz's then-current billing rates, (d) amount of fees earned by each Binder & Schwartz professional, and (e) year of bar admission for each attorney.

2. Attached hereto as **Exhibit B** is a summary of the services rendered and compensation sought, by project category, for the Monthly Fee Period.

3. No expenses were incurred in connection with the services rendered during the Monthly Fee Period.

4. Attached hereto as **Exhibit C** is a copy of Binder & Schwartz's invoice for the Monthly Fee Period.

NOTICE AND OBJECTION PROCEDURES

5. Notice of this Monthly Fee Statement shall be given to the following parties (collectively, the "Notice Parties"): (i) The Roman Catholic Diocese of Rockville Centre, 50 N. Park Avenue P.O. Box 9023, Rockville Centre, New York 11571-9023, Attn: Thomas Renker, Email: trenker@drvc.com; (ii) counsel to the Debtor, Jones Day, 250 Vesey Street, New York, New York 10281 Attn: Corinne Ball, Esq., Email: cball@jonesday.com, Benjamin Rosenblum, Esq., Email: brosenblum@jonesday.com, and Andrew Butler, Esq., Email: abutler@jonesday.com; (iii) counsel to the Committee: Pachulski Stang Ziehl and Jones LLP, 780 Third Avenue, 36th Floor, New York, New York, 10017, Attn: Ilan D. Scharf, Esq., Email: ischarf@pszjlaw.com, Karen B. Dine, Esq., Email: kdine@pszjlaw.com, and Brittany M. Michael, Esq., bmichael@pszjlaw.com; and (iv) the Office of the United States Trustee, U.S. Federal Office Building, 201 Varick Street, Suite 1006, New York, New York 10014, Attn: Greg Zipes, Email: Greg.Zipes@usdoj.gov, and Shara Cornell, Email: Shara.Cornell@usdoj.gov.

6. Pursuant to the Interim Compensation Order, objections to this Monthly Fee Statement, if any, must be served via electronic mail upon Binder & Schwartz, 366 Madison

Avenue, 6th Floor, New York, New York 10017, Attn: Eric B. Fisher, Email: efisher@binderschwartz.com, no later than **November 15, 2021** (the “Objection Deadline”), setting forth the nature of the objection and the specific amount of fees or expenses at issue.

7. If no objections to this Monthly Fee Statement are received by the Objection Deadline, the Debtor shall promptly pay Binder & Schwartz 80% of the fees and 100% of the expenses identified in this Monthly Fee Statement.

8. To the extent that an objection to the Monthly Fee Statement is received on or before the Objection Deadline, the Debtor shall withhold payment of that portion of this Monthly Fee Statement to which the objection is directed and promptly pay the remainder of the fees and expenses in the percentages set forth above. To the extent such an objection is not resolved, it shall be preserved and scheduled for consideration at the next interim fee application hearing

NO PRIOR REQUEST

9. No prior request for the relief sought in this Monthly Fee Statement has been made to this or any other court.

Dated: October 28, 2021
New York, New York

BINDER & SCHWARTZ LLP

/s/ Eric B. Fisher
Eric B. Fisher
366 Madison Avenue, 6th Floor
New York, New York 10017
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Email: efisher@binderschwartz.com

Counsel for the Special Mediator

EXHIBIT A

PROFESSIONAL PERSON SUMMARY

September 1, 2021 – September 30, 2021

<u>NAME</u>	<u>YEAR OF ADMISSION</u>	<u>RATE</u>	<u>HOURS</u>	<u>AMOUNT</u>	<u>WITH 10% DISCOUNT</u>
<u>PARTNER</u>					
Eric B. Fisher	1996	\$ 940.00	5.30	\$ 4,982.00	\$4,483.80
TOTAL PARTNER:			5.30		\$4,483.80
<u>ASSOCIATE</u>					
Tessa B. Harvey	2013	\$ 610.00	0.80	\$ 488.00	\$439.20
TOTAL ASSOCIATE:			0.80		\$439.20
<u>PARALEGAL & STAFF</u>					
Bridget Lee	N/A	\$ 250.00	2.00	\$ 500.00	\$450.00
TOTAL LEGAL SUPPORT:			2.00		\$450.00
TOTAL:			8.10	\$ 5,970.00	\$5,373.00

EXHIBIT B

COMPENSATION BY PROJECT CATEGORY

September 1, 2021 – September 30, 2021

PROJECT CATEGORY	TOTAL HOURS	TOTAL FEES	WITH 10% DISCOUNT
Fee Application	2.8	\$988.00	\$889.20
Mediation/Litigation	5.3	\$4,982.00	\$4,483.80
TOTAL	8.10	\$5,970.00	\$5,373.00

EXHIBIT C

TIME DETAIL

Invoice submitted to:

Invoice No. 10650

October 13, 2021

Tax ID Number: 46-2098729

Arthur J. Gonzalez

Re: Archdiocese of Rockville Centre

INVOICE SUMMARY

For professional services rendered through September 30, 2021

Total Fees	\$5,970.00	
Current Fees		\$5,970.00
Current Disbursements		\$0.00
10% Discount		(\$597.00)
Total Balance Due Upon Receipt		\$5,373.00

Wire Instructions

First Republic Bank
1230 Avenue of the Americas
New York, NY 10020ABA Code: 321081669
Account No: 80001430215Mailing Instructions
Send all payments to:Binder & Schwartz
Attn: Accounts Receivable
366 Madison Avenue, 6th Fl.
New York, NY 10017

(212) 510-7008

			<u>Hours</u>	<u>Amount</u>
9/2/2021	E. Fisher	Emails re settlement proposal and call to discuss same	0.20	\$188.00
9/9/2021	E. Fisher	Call with counsel group and debtors re Cemetery issues (.8); call with counsel group and debtors re Seminary (.9); call with special mediator re Cemetery and Seminary issues and next steps (.2)	1.90	\$1,786.00
9/10/2021	E. Fisher	Call with Pachulski re IAC report	0.30	\$282.00
9/14/2021	E. Fisher	Call with Jones Day and Pachulski re cemetery and seminary transfers and follow up with Gonzalez re same	0.80	\$752.00
9/14/2021	T. Harvey	Revised certificate of no objection.	0.10	\$61.00
9/16/2021	T. Harvey	Attended to finalizing and filing certificate of no objection to second fee application.	0.20	\$122.00
9/22/2021	B. Lee	Research policies regarding interim fee applications outlined in the Interim Compensation Order per T.Harvey	0.40	\$100.00
9/23/2021	B. Lee	Drafted and prepared exhibits for Third Monthly Fee Application for Compensation per T.Harvey	0.90	\$225.00
9/27/2021	E. Fisher	Emails re draft complaint	0.30	\$282.00
9/27/2021	T. Harvey	Revised fee application	0.20	\$122.00
9/28/2021	B. Lee	Finalize PDFa versions of fee application per T.Harvey	0.20	\$50.00
9/28/2021	B. Lee	Filing monthly fee application per T.Harvey	0.10	\$25.00
9/28/2021	T. Harvey	Reviewed, finalized, and filed third fee application.	0.30	\$183.00
9/29/2021	B. Lee	Filed Certificate of Service for the Third Monthly Fee application per T.Harvey	0.40	\$100.00
9/30/2021	E. Fisher	Review draft complaint and correspondence from UCC (.8); meet with Gonzalez to review same (.5); status call with Pachulski (.5)	1.80	\$1,692.00
Subtotal of charges				\$5,970.00
10% Discount				(\$597.00)
For professional services rendered			8.10	\$5,373.00

Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>
Bridget Lee	2.00	\$250.00
Eric B. Fisher-Partner	5.30	\$940.00
Tessa B. Harvey-Associate	0.80	\$610.00