

Eric B. Fisher
BINDER & SCHWARTZ LLP
366 Madison Avenue, 6th Floor
New York, New York 10017
Telephone: (212) 510-7008
Facsimile: (212) 510-7299

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 (MG)

**NOTICE OF TWELFTH 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 DECEMBER 1, 2022 THROUGH DECEMBER 31, 2022**

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:	December 1, 2022 through December 31, 2022
Amount of Compensation Requested (after 10% discount):	\$2,151.00
Less 20% Holdback:	\$430.20
Net of Holdback:	\$1,720.80
Amount of Expense Reimbursement Requested:	None

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

\$1,720.80

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 twelfth 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 December 1, 2022 through December 31, 2022 (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 \$1,720.80, which comprises 80% of the total amount of compensation sought for actual and necessary services rendered during the Monthly Fee Period and reimbursement of 100% of actual and necessary expenses incurred in connection with such services.

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

NOTICE AND OBJECTION PROCEDURES

4. 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.

5. 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 **February 14, 2023** (the “Objection Deadline”), setting forth the nature of the objection and the specific amount of fees or expenses at issue.

6. 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.

7. 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

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

Dated: January 30, 2023
New York, New York

BINDER & SCHWARTZ LLP

/s/ Eric B. Fisher
Eric B. Fisher
366 Madison Avenue, 6th Floor
New York, New York 10017
Telephone: (212) 510-7008
Facsimile: (212) 510-7299
Email: efisher@binderschwartz.com

Counsel for the Special Mediator

EXHIBIT A

PROFESSIONAL PERSON SUMMARY

December 1, 2022 – December 31, 2022

<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	2.2	\$2,068.00	\$1,861.20
TOTAL PARTNER:				\$2,068.00	\$1,861.20
<u>ASSOCIATE</u>					
Tessa B. Harvey	2013	\$610.00	0.2	\$122.00	\$109.80
TOTAL ASSOCIATE:				\$122.00	\$109.80
<u>PARALEGAL & STAFF</u>					
Afsana Hussain	N/A	\$250.00	0.8	\$200.00	\$180.00
TOTAL LEGAL SUPPORT:				\$200.00	\$180.00
TOTAL:				\$2,390.00	\$2,151.00

EXHIBIT B

COMPENSATION BY PROJECT CATEGORY

December 1, 2022 – December 31, 2022

PROJECT CATEGORY	TOTAL HOURS	TOTAL FEES	WITH 10% DISCOUNT
Mediation/Litigation	2.2	\$2,068.00	\$1,861.20
Fee Application	1	\$322.00	\$289.80
TOTAL	3.2	\$2,390.00	\$2,151.00

EXHIBIT C

TIME DETAIL

Invoice submitted to:

Invoice No. 11140

January 12, 2023

Tax ID Number: 46-2098729

Arthur J. Gonzalez

Re: Archdiocese of Rockville Centre

INVOICE SUMMARY

For professional services rendered through December 31, 2022

Total Fees	\$2,390.00	
Current Fees		\$2,390.00
Current Disbursements		\$0.00
10% Discount		(\$239.00)
Total Balance Due Upon Receipt		\$2,151.00

Wire Instructions

First Republic Bank
1230 Avenue of the Americas
New York, NY 10020ABA Code: 321081669
Account No: 80017782933Mailing 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>
12/7/2022	T. Harvey	Reviewed docket and filings in connection with fee applications and objection deadlines.	0.20	\$122.00
12/14/2022	A. Hussain	Drafted 11th Monthly Fee Application	0.80	\$200.00
12/16/2022	A. Hussain	Filed 10th Monthly Fee Application's Certificate of No Objection	0.20	NO CHARGE
12/16/2022	E. Fisher	Participate in fee app hearing before Judge Glenn	0.50	\$470.00
12/19/2022	E. Fisher	Email with Jones Day re letters concerning potential litigation; confer with Gonzalez re same	0.70	\$658.00
12/20/2022	E. Fisher	Review correspondence re potential commencement of litigation and advise AJG re same	0.50	\$470.00
12/20/2022	E. Fisher	Email with Jones Day re letters concerning potential litigation; confer with Gonzalez re same	0.50	\$470.00
12/27/2022	T. Harvey	Reviewed and revised eleventh monthly fee application.	0.20	NO CHARGE
12/29/2022	A. Hussain	Filed Certificate of Service for 11th Monthly Fee App	0.10	NO CHARGE
12/29/2022	A. Hussain	Drafted and filed Certificate of Service for 11th Monthly Fee App	0.20	NO CHARGE
Subtotal of charges				\$2,390.00
10% Discount				(\$239.00)
For professional services rendered			3.90	\$2,151.00

Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>
Afsana Hussain-Paralegal	0.80	\$250.00
Afsana Hussain-Paralegal	0.50	NO CHARGE
Eric B. Fisher-Partner	2.20	\$940.00
Tessa B. Harvey-Associate	0.20	\$610.00
Tessa B. Harvey-Associate	0.20	NO CHARGE