

NIXON PEABODY LLP
Christopher M. Desiderio
55 W. 46th Street
New York, New York 10036
Telephone: (212) 940-3000
Facsimile: (212) 940-3111
cdesiderio@nixonpeabody.com

Special Counsel for the Debtor

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

In re:	:	Chapter 11
	:	
THE ROMAN CATHOLIC DIOCESE OF	:	Case No. 20-12345 (MG)
ROCKVILLE CENTRE, NEW YORK,	:	
	:	
Debtor. ¹	:	

**NOTICE OF FORTY-SEVENTH MONTHLY FEE STATEMENT
OF NIXON PEABODY LLP FOR COMPENSATION
FOR SERVICES RENDERED AND REIMBURSEMENT
OF EXPENSES INCURRED AS COUNSEL TO THE DEBTOR
FOR THE PERIOD FROM SEPTEMBER 1, 2024, THROUGH SEPTEMBER 30, 2024**

Name of Applicant:	Nixon Peabody LLP
Authorized to Provide Services to:	The Roman Catholic Diocese of Rockville Centre, New York
Date of Retention:	December 10, 2020, <i>nunc pro tunc</i> to October 1, 2020
Period for Which Compensation and Expense Reimbursement is Sought:	September 1, 2024, through September 30, 2024

¹ The Debtor in this chapter 11 case is The Roman Catholic Diocese of Rockville Centre, New York, the last four digits of its federal tax identification number are 7437, and its mailing address is 50 North Park Avenue, P.O. Box 9023, Rockville Centre, NY 11571-9023.

Amount of Compensation Requested: \$8,716.50

Less 50% Holdback: \$4,358.25

Net of Holdback: \$4,358.25

Amount of Expense Reimbursement Requested: \$273.87

**Total Compensation (Net of Holdback) and
Expense Reimbursement Requested:** **\$4,632.12**

This is a **X** Monthly Interim Final Fee Statement.

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In accordance with 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”),² Nixon Peabody LLP (“Nixon Peabody”) hereby submits this forty-seventh monthly fee statement (the “Forty-seventh Monthly Fee Statement”), seeking compensation for services rendered and reimbursement of expenses incurred as special counsel to the Debtor, for the period from September 1, 2024, through September 30, 2024 (the “Forty-seventh Monthly Fee Period”). By this Forty-seventh Monthly Fee Statement, Nixon Peabody seeks payment in the amount of \$4,632.12, which comprises (i) 50% of the total amount of compensation sought for actual and necessary services rendered during the Forty-seventh Monthly Fee Period and (ii) 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 Nixon Peabody professionals by individual, setting forth the (a) name and title of each individual who provided services during the Forty-seventh Monthly Fee Period, (b) aggregate hours spent by each individual, (c) hourly billing rate for each such individual at Nixon Peabody’s then-current billing rates, (d) amount of fees earned by each Nixon Peabody 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 Forty-seventh Monthly Fee Period.

3. Attached hereto as **Exhibit C** is a summary of expenses incurred and reimbursement sought, by expense type, for the Forty-seventh Monthly Fee Period.

² Capitalized terms not otherwise defined herein shall have the meanings ascribed to such terms in the Interim Compensation Order.

4. Attached hereto as **Exhibit D** is a copy of the Nixon Peabody invoices for the Forty-seventh Monthly Fee Period.

NOTICE AND OBJECTION PROCEDURES

5. Notice of this Forty-seventh 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, NY 11571-9023 Attn: Thomas Renker, Email: trenker@drvc.com; (ii) counsel to the Debtor, Jones Day, 250 Vesey Street, New York, NY 10281 Attn: Corinne Ball, Esq., Email: cball@jonesday.com, Benjamin Rosenblum, Esq., Email: brosenblum@jonesday.com, and Andrew M. Butler, Esq., Email: abutler@jonesday.com; (iii) counsel to the Committee: Pachulski Stang Ziehl and Jones LLP, 780 Third Avenue, 36th Floor, New York, NY, 10017, Attn: Ilan D. Scharf, Esq., Email: ischarf@pszjlaw.com, Karen B. Dine, Esq., Email: kdine@pszjlaw.com, and Brittany M. Michael, Esq., Email: bmichael@pszjlaw.com; and (iv) the Office of the United States Trustee, U.S. Federal Office Building, 201 Varick Street, Suite 1006, New York, NY 10014, Attn: Greg Zipes, Email: Greg.Zipes@usdoj.gov, and Shara Cornell, Email: Shara.Cornell@usdoj.gov.

6. Objections to this Forty-seventh Monthly Fee Statement, if any, must be served via electronic mail upon the Notice Parties and Nixon Peabody LLP, 55 W. 46th Street, New York, NY 10036 Attn: Christopher M. Desiderio (cdesiderio@nixonpeabody.com) no later than 15 days after service and filing at 5:00 p.m. (prevailing Eastern Time) (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 Forty-seventh Monthly Fee Statement are received by the Objection Deadline, the Debtor shall promptly pay Nixon Peabody 50% of the fees and 100% of the expenses identified in this Forty-seventh Monthly Fee Statement.

8. To the extent that an objection to this Forty-seventh Monthly Fee Statement is received on or before the Objection Deadline, the Debtor shall withhold payment of that portion of this Forty-seventh 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 Forty-seventh Monthly Fee Statement has been made to this or any other court.

Dated: October 24, 2024
New York, NY

/s/ Christopher M. Desiderio
NIXON PEABODY LLP
Christopher M. Desiderio
55 W. 46th Street
New York, NY 10036
Telephone: (212) 940-3000
Facsimile: (212) 940-3111
Email: cdesiderio@nixonpeabody.com

Special Counsel to the Debtor

EXHIBIT A

PROFESSIONAL PERSON SUMMARY

SEPTEMBER 1, 2024 – SEPTEMBER 30, 2024

<u>NAME</u>	<u>YEAR OF ADMISSION</u>	<u>RATE</u>		<u>HOURS</u>	<u>AMOUNT</u>
<u>PARTNER</u>					
Lindsay Maleson	2003	\$925.00		6.4	\$6,048.00
Christopher Porzio	1997	\$925.00		1.2	\$1,110.00
TOTAL PARTNER:				7.6	\$7,158.00
<u>COUNSEL</u>					
Tracey Scarpello	2005	\$735.00		0.6	\$441.00
TOTAL COUNSEL:				0.6	\$441.00
<u>ASSOCIATE</u>					
Jack Murray	2020	\$810.00		0.5	\$405.00
TOTAL ASSOCIATE:				0.5	\$405.00
<u>LEGAL SUPPORT</u>					
Sharon Willier	n/a	\$375.00		1.9	\$712.50
TOTAL LEGAL SUPPORT:				1.9	\$712.50
TOTAL:				10.6	\$8,716.50

EXHIBIT B

COMPENSATION BY PROJECT CATEGORY³

SEPTEMBER 1, 2024 – SEPTEMBER 30, 2024

PROJECT CATEGORY	TOTAL HOURS	TOTAL FEES
000001	3.40	\$2,062.50
000011	0.30	\$283.50
000122	1.30	\$1,102.50
000133	5.60	\$5,268.00
TOTAL	10.60	\$8,716.50

³ Due to the confidential and sensitive nature of Nixon Peabody's engagement, only the matter numbers have been provided without the name of the applicable investigation or other matter.

EXHIBIT C

EXPENSE SUMMARY

SEPTEMBER 1, 2024 – SEPTEMBER 30, 2024

EXPENSE CATEGORY	TOTAL EXPENSES
Charges for Legal Research	\$273.87
TOTAL	\$273.87

EXHIBIT D

TIME DETAIL

[Please see attached.]



FEDERAL I.D. NO. 16-0764720

NIXON PEABODY
ATTORNEYS AT LAW

NIXONPEABODY.COM
@NIXONPEABODYLLP

1300 Clinton Square
Rochester, NY 14604
TEL: (585) 263-1000
FAX: (585) 263-1600

Christian Browne, Esq.
General Counsel
Diocese of Rockville Centre
992 North Village Avenue
PO Box 9023
Rockville Centre, NY 11570-9023

October 10, 2024
Invoice No. 10613611
Account: 002787
Terms: Due Upon Receipt

FOR PROFESSIONAL SERVICES RENDERED through September 30, 2024, including:

MATTER NO.: 000001 GENERAL

For Professional Fees:

Date	Timekeeper	Hours	Description of Services
GEN_ADV: General Advice			
09/12/24	L. Maleson	0.20	Review and revise draft supplemental declaration.
Task Total: General Advice		0.20	Task Fees: 189.00

PREP_FS: Preparation of Fee Statements

09/03/24	J. Murray	0.20	Attention to Certificate of No Objection.
09/11/24	S. Willier	0.90	Review and revise August 2024 time detail for privilege and confidentiality.
09/11/24	L. Maleson	0.30	Review and respond to questions about time detail in August time.
09/12/24	L. Maleson	0.40	Review and revise August time detail for confidentiality and privilege.
09/12/24	S. Willier	0.30	Review and revise August 2024 time detail for privilege and confidentiality.
09/17/24	S. Willier	0.70	Draft the 46th Monthly Fee Statement with Exhibits A-D.
09/18/24	L. Maleson	0.10	Send client time detail.
09/19/24	J. Murray	0.30	Attention to Monthly Fee Statement.
Task Total: Preparation of Fee Statements		3.20	Task Fees: 1,873.50

TOTAL HOURS: 3.40

TOTAL FEES: **\$2,062.50**

TIMEKEEPER SUMMARY

<u>Timekeeper</u>	<u>Rate</u>	<u>Hours</u>	<u>Fees</u>
<u>Partners</u>			
L. Maleson	945.00	1.00	945.00
<u>Associates</u>			
J. Murray	810.00	0.50	405.00
<u>Paralegals</u>			
S. Willier	375.00	1.90	712.50
Total All Timekeepers:		<u>3.40</u>	<u>\$2,062.50</u>

TOTAL FOR MATTER -- GENERAL: **\$2,062.50**

MATTER NO.: 000011

NOTIFICATIONS TO DISTRICT ATTORNEYS

For Professional Fees:

<u>Date</u>	<u>Timekeeper</u>	<u>Hours</u>	<u>Description of Services</u>
09/09/24	L. Maleson	0.20	E-mails with client regarding prior reporting matter.
09/11/24	L. Maleson	0.10	E-mail with client regarding whether there is a new report needed.

TOTAL HOURS: 0.30

TOTAL FEES: \$283.50

TIMEKEEPER SUMMARY

<u>Timekeeper</u>	<u>Rate</u>	<u>Hours</u>	<u>Fees</u>
<u>Partners</u>			
L. Maleson	945.00	0.30	283.50
Total All Timekeepers:		0.30	\$283.50

TOTAL FOR MATTER -- NOTIFICATIONS TO DISTRICT ATTORNEYS: \$283.50

MATTER NO.: 000122 ATTORNEY GENERAL INVESTIGATION

Client Reference: CL#DRC10021

For Professional Fees:

<u>Date</u>	<u>Timekeeper</u>	<u>Hours</u>	<u>Description of Services</u>
09/12/24	T. Scarpello	0.60	Participate in common interest call with other dioceses (0.5). Review notes of common interest telephone conference with diocesan counsel (0.1).
09/12/24	L. Maleson	0.50	Attend and prepare notes from first common interest call.
09/12/24	L. Maleson	0.20	Review common interest e-mail that followed telephone conference and send to client.

TOTAL HOURS: 1.30

TOTAL FEES: \$1,102.50

TIMEKEEPER SUMMARY

<u>Timekeeper</u>	<u>Rate</u>	<u>Hours</u>	<u>Fees</u>
<u>Partners</u>			
L. Maleson	945.00	0.70	661.50
<u>Counsel</u>			
T. Scarpello	735.00	0.60	441.00
Total All Timekeepers:		1.30	\$1,102.50

TOTAL FOR MATTER -- ATTORNEY GENERAL INVESTIGATION: \$1,102.50

MATTER NO.: 000133

PERSON # 65

For Professional Fees:

<u>Date</u>	<u>Timekeeper</u>	<u>Hours</u>	<u>Description of Services</u>
09/05/24	L. Maleson	1.50	Prepare investigation materials for review by Renaissance to determine approach with next steps.
09/06/24	C. Porzio	0.20	Review e-mails relating to additional information found by Renaissance and potential approach for next interview.
09/06/24	C. Porzio	0.20	E-mails with L. Maleson regarding next investigational steps based on new information.
09/06/24	L. Maleson	0.50	Telephone conference with Renaissance to strategize about investigative steps.
09/11/24	C. Porzio	0.10	Review e-mails regarding potential for phone contact with witness.
09/11/24	L. Maleson	1.00	Review Renaissance's analysis and suggest investigative steps (0.2). Draft e-mail to client outlining same and making recommendations (0.3). Further e-mails with client outlining same and making recommendations (0.2). Direct Renaissance regarding approved next steps (0.3).
09/13/24	C. Porzio	0.10	Review e-mail update regarding phone interview.
09/13/24	L. Maleson	0.30	Conference call with Renaissance regarding result from interview (0.2). Communicate summary of same to client (0.1).
09/19/24	L. Maleson	0.30	Receipt, review, and analysis of memorandum of interview of witness.
09/20/24	C. Porzio	0.30	Review e-mails relating to witness memorandum of interview and Person # 65 interview (0.2). Review L. Maleson's e-mail to counsel for Person # 65 (0.1).
09/20/24	L. Maleson	0.40	Send witness memorandum of interview to client team (0.1). E-mail client regarding next steps in the matter (0.1). E-mail attorney for accused (0.2).
09/23/24	C. Porzio	0.10	E-mails with L. Maleson regarding scheduling of Person # 65 interview.
09/23/24	L. Maleson	0.20	Review response from counsel for accused (0.1). Update client and schedule meeting (0.1).
09/24/24	C. Porzio	0.20	Confer with L. Maleson regarding preparation of interview.
09/24/24	L. Maleson	0.20	E-mails with client regarding preparation for interview.
TOTAL HOURS:		5.60	

TOTAL FEES: \$5,268.00

TIMEKEEPER SUMMARY

<u>Timekeeper</u>	<u>Rate</u>	<u>Hours</u>	<u>Fees</u>
<u>Partners</u>			
C. Porzio	925.00	1.20	1,110.00
L. Maleson	945.00	4.40	4,158.00
Partners Totals		5.60	5,268.00
Total All Timekeepers:		5.60	\$5,268.00

For Charges and Disbursements:

<u>Date</u>	<u>Description</u>	<u>Amount</u>
07/31/24	VENDOR: LexisNexis Background research regarding potential witnesses	43.19
07/31/24	VENDOR: LexisNexis Background research regarding potential witnesses	217.64
07/31/24	VENDOR: LexisNexis Background research regarding potential witnesses	13.04
TOTAL CHARGES AND DISBURSEMENTS		\$273.87
TOTAL FOR MATTER -- PERSON # 65:		\$5,541.87

Nixon Peabody LLP
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Total Fees.....	\$	8,716.50
Total Charges and Disbursements	\$	<u>273.87</u>
Total Time and Costs	\$	<u>8,990.37</u>
TOTAL FOR STATEMENT:		<u>\$8,990.37</u>

******Nixon Peabody LLP Remittance Information ******
FEDERAL I.D. NO. 16-0764720

Client: 002787	Diocese of Rockville Centre 992 North Village Avenue PO Box 9023 Rockville Centre, NY 11570-9023
Matters:	000001, 000011, 000122, 000133
Invoice Number:	10613611
Date of Invoice:	10/10/24
Terms:	Due Upon Receipt
Invoice Amount:	\$ 8,990.37

Nixon Peabody LLP is pleased to offer three payment options: check, electronic funds transfer, and credit card. **To ensure prompt application of your payment, please reference the invoice number(s) with your payment by returning this page with your check, or by including the invoice number in the addenda information of your electronic funds transfer.** Questions may be directed to 617-345-1100 or to ClientPayments@nixonpeabody.com. Thank you.

Check - mail to: **NIXON PEABODY LLP**
PO BOX 28012
NEW YORK, NY 10087-8012

Invoice(s)
Paid: _____

Electronic Payment: (Wire/ACH)

Bank Name:	JPMorgan Chase Bank 1 South Clinton Ave. Rochester, NY 14604
ABA Routing #:	021000021
Account Name:	Nixon Peabody LLP
Account #:	938761475
SWIFT Code:	CHASUS33
Invoice(s) Paid:	<i>Please include in electronic payment's addenda information.</i>

Credit Card: www.nixonpeabody.com/payment
Phone: (617) 345-1100