

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:	Chapter 11
FULCRUM BIOENERGY, INC., <i>et al.</i> , <sup>1</sup>	Case No. 24-12008 (TMH)
Debtors.	(Jointly Administered)
	Obj. Deadline: June 23, 2025 at 4:00 p.m. (ET) Hearing Date: August 4, 2025 at 10:00 a.m. (ET)

**SUMMARY OF COMBINED MONTHLY AND FINAL APPLICATION OF  
MORRIS JAMES LLP, AS COUNSEL TO THE OFFICIAL COMMITTEE OF  
UNSECURED CREDITORS, FOR ALLOWANCE OF COMPENSATION  
AND REIMBURSEMENT OF EXPENSES FOR THE (I) MONTHLY PERIOD  
FROM MARCH 1, 2025 THROUGH MAY 5, 2025 AND (II) FINAL PERIOD  
FROM SEPTEMBER 23, 2024 THROUGH MAY 5, 2025**

Name of Applicant	<u>Morris James LLP (“Morris James”)</u>
Authorized to provide professional services to:	<u>Official Committee of Unsecured Creditors of Fulcrum Bioenergy, Inc., <i>et al.</i></u>
Date of retention order:	<u>October 22, 2024 <i>nunc pro tunc</i> to September 23, 2024</u>
Monthly Period for which compensation and reimbursement sought:	<u>March 1, 2025 through May 5, 2025</u>
Compensation sought as actual, reasonable, and necessary:	<u>\$23,886.50</u>
Amount of Expense Reimbursement sought as actual, reasonable, and necessary:	<u>\$710.30</u>

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<sup>1</sup> The debtors and debtors in possession in these chapter 11 cases, along with each debtor’s federal tax identification numbers are: Fulcrum BioEnergy, Inc. (3733); Fulcrum Sierra BioFuels, LLC (1833); Fulcrum Sierra Finance Company, LLC (4287); and Fulcrum Sierra Holdings, LLC (8498). The location of the Debtors’ service address is: Fulcrum BioEnergy Inc., P.O. Box 220 Pleasanton, CA 94566.



Final Period for which compensation and reimbursement sought:

September 23, 2024 through May 5, 2025

Compensation sought as actual, reasonable, and necessary:

\$207,943.00

Estimated Amount of Compensation Sought as Actual, Reasonable, And Necessary Incurred from May 6, 2025 Through and Including the Date of the Hearing on the Final Fee Applications (“Post-Effective Date Period”)<sup>2</sup>

\$10,000.00

Amount of Final Compensation sought as actual, reasonable, and necessary:

\$217,943.00<sup>3,4</sup>

Amount of Final Expense Reimbursement sought as actual, reasonable, and necessary:

\$4,280.65

This is a(n):        X   monthly           interim        X   final

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<sup>2</sup> In addition to the fees incurred on previously filed monthly applications Morris James is estimating fees for the period from May 6, 2025 through and including the date of the final fee hearing. In connection with the preparation of fee applications for the Committees’ professionals, attendance at the final fee hearing and certain required case administration after the effective date, Morris James LLP estimates that it will incur approximately \$10,000.00 in fees during this period. Notwithstanding these estimates, Morris James will only seek payment from the Debtors for fees and expenses actually incurred by Morris James during this period.

<sup>3</sup> This amount includes an additional \$10,000.00 in estimated fees for the Post-Effective Date Period.

<sup>4</sup> Pursuant to an agreement between the Committee and the Debtors in connection with the Plan, Morris James agreed to defer twenty percent (20%) of its fees from February, 2025, through the effective date of the Plan. As administrative priority claims, these deferred fees will be paid prior to distributions to general unsecured creditors.

## Previous Applications:

<b>Monthly Fee Application Filing Date &amp; Docket No.</b>	<b>Period Covered</b>	<b>Total Fees Requested</b>	<b>Total Expenses Requested</b>	<b>CNO Filing Date &amp; Docket No.</b>	<b>Amount of Fees Authorized to be Paid</b>	<b>Amount of Expenses Authorized to be Paid</b>
11/22/2024 [D.I. 284]	September 23, 2024 – October 31, 2024	\$98,769.00	\$2,557.64	12/9/2024 [D.I. 307]	\$98,769.00	\$2,557.64
12/13/2024 [D.I. 313]	November 1, 2024 – November 30, 2024	\$28,247.50	\$357.70	12/30/2024 [D.I. 340]	\$28,247.50	\$357.70
2/24/2025 [D.I. 443]	December 1, 2024 – January 31, 2025	\$45,603.00	\$643.66	3/11/2025 [D.I. 466]	\$36,482.40	\$643.66
3/26/2025 [D.I. 500]	February 1, 2025 – February 28, 2025	\$11,437.00	\$11.35	4/11/2025 [D.I. 531]	\$9,149.60	\$11.35
<b>TOTALS</b>		<b>\$184,056.50</b>	<b>\$3,570.35</b>		<b>\$172,648.50</b>	<b>\$3,570.35</b>

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

FULCRUM BIOENERGY, INC., *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 24-12008 (TMH)

(Jointly Administered)

Obj. Deadline: June 23, 2025 at 4:00 p.m. (ET)

Hearing Date: August 4, 2025 at 10:00 a.m. (ET)

**COMBINED MONTHLY AND FINAL APPLICATION OF  
MORRIS JAMES LLP, AS COUNSEL TO THE OFFICIAL COMMITTEE OF  
UNSECURED CREDITORS, FOR ALLOWANCE OF COMPENSATION  
AND REIMBURSEMENT OF EXPENSES FOR THE (I) MONTHLY PERIOD  
FROM MARCH 1, 2025 THROUGH MAY 5, 2025 AND (II) FINAL PERIOD  
FROM SEPTEMBER 23, 2024 THROUGH MAY 5, 2025**

Morris James LLP (“Morris James”), counsel to the Official Committee of Unsecured Creditors (the “Committee”) of Fulcrum Bioenergy, Inc., *et al.*, the above-captioned Debtors (the “Debtors”), hereby submits its *Combined Monthly and Final Application of Morris James LLP, as Counsel to the Official Committee of Unsecured Creditors, for Allowance of Compensation and Reimbursement of Expenses for the (I) Monthly Period From March 1, 2025 Through May 5, 2025 and (II) Final Period From September 23, 2024 Through May 5, 2025* (the “Application”) for entry of an order pursuant to section 331 of title 11 of the United States Code, 11 U.S.C. §§101 et seq, as amended (the “Bankruptcy Code”) for (i) allowance of compensation in the amount of \$23,886.50 and reimbursement of expenses in the amount of \$710.30 for the period March 1, 2025 through May 5, 2025 (the “Monthly Compensation Period”) and (ii) allowance of compensation

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<sup>1</sup> The debtors and debtors in possession in these chapter 11 cases, along with each debtor’s federal tax identification numbers are: Fulcrum BioEnergy, Inc. (3733); Fulcrum Sierra BioFuels, LLC (1833); Fulcrum Sierra Finance Company, LLC (4287); and Fulcrum Sierra Holdings, LLC (8498). The location of the Debtors’ service address is: Fulcrum BioEnergy Inc., P.O. Box 220 Pleasanton, CA 94566.

in the amount of \$207,943.00<sup>2</sup> and reimbursement of expenses in the amount of \$4,280.65 for the period September 23, 2024 through May 5, 2025 (the “Final Compensation Period”), in support thereof, Morris James respectfully represents as follows:

### **JURISDICTION AND VENUE**

1. This Court has jurisdiction over this Application pursuant to 28 U.S.C. §1334. This is a core proceeding pursuant to 28 U.S.C. §157(b)(2)(A) and (B).

2. Venue of this proceeding and this Application is proper in this District pursuant to 28 U.S.C. §§1408 and 1409.

3. The statutory predicate for the relief sought herein is section 330 and 331 of the Bankruptcy Code, Bankruptcy Rule 2016, and Local Rule 2016-1.

### **BACKGROUND**

4. On September 9, 2024, (the “Petition Date”), the Debtors filed voluntary petitions for relief under chapter 11 of the Bankruptcy Code (collectively the “Chapter 11 Cases”). The Chapter 11 Cases are being jointly administered for procedural purposes only pursuant to Bankruptcy Rule 1015(b).

5. The Debtors have continued in the possession of its property and has continued to operate and manage its business as Debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code. No trustee or examiner has been appointed in the Chapter 11 Cases.

6. On September 19, 2024, the Office of the United States Trustee for the District of Delaware (the “United States Trustee”) filed its *Notice of Appointment* [Docket No. 74] of the five

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<sup>2</sup> Pursuant to an agreement between the Committee and the Debtors in connection with the Plan, Morris James agreed to defer twenty percent (20%) of its fees from February, 2025, through the effective date of the Plan. As administrative priority claims, these deferred fees will be paid prior to distributions to general unsecured creditors.

(5) member Committee pursuant to section 1102(a)(1) of the Bankruptcy Code.<sup>3</sup> On September 21, 2024, the Committee selected Eversheds to serve as counsel to the Committee and Dundon Advisors, LLC (“Dundon”) to serve as its financial advisor. On September 23, 2024, the Committee selected Morris James LLP (“Morris James”) to serve as its co-counsel.

7. On September 24, 2024, the Debtors filed a *Motion for Entry of an Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Retained Professionals* (the “Interim Compensation Motion”) [Docket No. 90], and on October 15, 2024 the Court entered an Order approving the Interim Compensation Motion (the “Interim Compensation Order”) [Docket No. 170].

8. On October 4, 2024, the Committee filed an *Application for Entry of an Order Authorizing the Retention and Employment of Morris James LLP as Counsel to the Official Committee of Unsecured Creditors Nunc Pro Tunc to September 23, 2024* (the “Retention Application”) [Docket No. 107]. On October 15, 2024, the Court entered an order approving the Retention Application, *Nunc Pro Tunc* to September 23, 2024 [Docket No. 187].

9. On April 14, 2025, the Court entered the *Findings of Fact, Conclusions of Law, and Order Confirming the Debtors’ Second Amended Joint Chapter 11 Plan of Liquidation* (the “Plan”) [Docket No. 550], which confirmed the Second Amended Joint Chapter 11 Plan [Docket No. 548-1] (amended, supplemented, or otherwise modified, the “Plan”).

10. On May 5, 2025, the Plan went into effect in accordance with its terms. *See Notice of (I) Entry of Order Confirming Debtors’ Second Amended Joint Chapter 11 Plan of Liquidation and (II) Occurrence of Effective Date* [Docket No. 575].

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<sup>3</sup> The Committee members are the following: (1) Linde Inc.; (2) Johnson Matthey Davy Technologies Ltd.; (3) Washington Mills Electro Minerals Corporation; (4) Aquatech International, LLC; and (5) Apex Grading and Paving.

**SERVICES PROVIDED BY MORRIS JAMES**

11. Since its retention, Morris James, in its capacity as Counsel to the Committee, undertook, the following:

- Provided legal advice and assistance to the Committee in its consultation with the Debtors relative to the Debtors' administration of its reorganization and the Chapter 11 Cases;
- Reviewed and analyzed all applications, motions, orders, statements of operations, and schedules filed with the Court by the Debtors or third parties, advised the Committee as to their propriety, and after consultation with the Committee, took appropriate action;
- Prepared necessary applications, motions, responses, answers, orders, reports, and other legal papers on behalf of the Committee;
- Represented the Committee at hearings held before the Court and communicated with the Committee regarding the issues raised, as well as the decisions of the Court; and
- Performed such other legal services to the Committee in connection with the prosecution of the Chapter 11 Cases as are necessary and appropriate.

**MONTHLY APPLICATIONS**

12. On February 24, 2025, Morris James filed its combined third monthly application for compensation and reimbursement of expenses [Docket No. 443] (the "Third Monthly Application"). By the Third Monthly Application, Morris James sought approval of compensation of \$45,603.00 and reimbursement of expenses in the amount of \$643.66 for the period of December 1, 2024 through January 31, 2025. On March 11, 2025, Morris James filed a certificate of no objection regarding the Third Monthly Application [Docket No. 466].

13. On March 26, 2025, Morris James filed its fourth monthly application for compensation and reimbursement of expenses [Docket No. 500] (the "Fourth Monthly Application"). By the Fourth Monthly Application, Morris James sought approval of

compensation of \$11,437.00 and reimbursement of expenses in the amount of \$11.35 for the period of February 1, 2025 through February 28, 2025. On April 11, 2025, Morris James filed a certificate of no objection regarding the Fourth Monthly Application [Docket No. 531].

14. Included in this application Morris James files its fifth monthly application for compensation and reimbursement of expenses seeking approval of compensation of \$23,886.50 and reimbursement of expenses in the amount of \$710.30 for the period of March 1, 2025 through May 5, 2025.

15. The total sum due to Morris James for professional services rendered on behalf Committee during for the Monthly Compensation Period is \$23,886.50. A chart detailing the fees, by professional and by category and a full and detailed statement describing the services rendered during the Monthly Compensation Period, by each professional and paraprofessional at Morris James are both attached as **Exhibit A**. Morris James submits that the professional services it rendered on behalf of the Committee during this time were both reasonable and necessary.

16. The total sum due to Morris James for professional services rendered on behalf Committee during for the Final Compensation Period is \$207,943.00. A chart detailing the fees in each of the applications during the Final Compensation Period, by professional and by category is attached as **Exhibit B**. Morris James submits that the professional services it rendered on behalf of the Committee during this time were both reasonable and necessary.

17. Morris James incurred \$710.30 of expenses during the Monthly Compensation Period \$4,280.65 of expenses during the Final Compensation Period. A chart detailing the specific disbursements is attached hereto as **Exhibit C**.



18. In accordance with the United States Trustee Large Case Fee Guidelines (“Fee Guidelines”), Morris James has attached the Answers to Questions C.5 of the Fee Guidelines, Customary and Comparable Compensation Disclosures and the Budget and Staffing Plan as **Exhibit D**.

19. The undersigned hereby attests that he has reviewed the requirements of Local Rule 2016-1 and this Application conforms to such requirements, including that travel time was not billed at more than half rate and copying charges were only \$0.10 per page.

*[Remainder of Page Intentionally Left Blank]*

WHEREFORE, Morris James hereby requests pursuant to the procedures allowed in the Interim Compensation Order: (i) approval of allowance and payment on a monthly basis, of Morris James' compensation necessary and valuable professional services rendered to the Committee in the sum of \$23,886.50 and reimbursement of expenses in the sum of \$710.30 for the period March 1, 2025 through and including May 5, 2025; (ii) approval of allowance and payment on a final basis, of Morris James' compensation necessary and valuable professional services rendered to the Committee in the sum of \$217,943.00<sup>4</sup> and reimbursement of expenses in the sum of \$4,280.65 for the period September 23, 2024 through and including May 5, 2025; (iii) payment of any 20% holdback that was withheld from payment under the monthly fee application; and (iv) such other and further relief as is just and proper.

Dated: June 3, 2025

**MORRIS JAMES LLP**

/s/ Eric J. Monzo

Jeffrey R. Waxman (DE Bar No. 4159)

Eric J. Monzo (DE Bar No. 5214)

Christopher M. Donnelly (DE Bar No. 7149)

500 Delaware Avenue, Suite 1500

Wilmington, DE 19801

Telephone: (302) 888-6800

jwaxman@morrisjames.com

emonzo@morrisjames.com

cdonnelly@morrisjames.com

*Counsel to the Official Committee of  
Unsecured Creditors*

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<sup>4</sup> This amount includes an additional \$10,000.00 in estimated fees for the Post-Effective Date Period.

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

FULCRUM BIOENERGY, INC., *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 24-12008 (TMH)

(Jointly Administered)

Obj. Deadline: June 23, 2025 at 4:00 p.m. (ET)

Hearing Date: August 4, 2025 at 10:00 a.m. (ET)

**NOTICE OF COMBINED MONTHLY AND FINAL APPLICATION OF  
MORRIS JAMES LLP, AS COUNSEL TO THE OFFICIAL COMMITTEE OF  
UNSECURED CREDITORS, FOR ALLOWANCE OF COMPENSATION  
AND REIMBURSEMENT OF EXPENSES FOR THE (I) MONTHLY PERIOD  
FROM MARCH 1, 2025 THROUGH MAY 5, 2025 AND (II) FINAL PERIOD  
FROM SEPTEMBER 23, 2024 THROUGH MAY 5, 2025**

**PLEASE TAKE NOTICE** that on June 3, 2025, Morris James LLP (“Morris James”), counsel to the Official Committee of Unsecured Creditors appointed in the above-referenced bankruptcy cases (the “Committee”), pursuant to the *Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Retained Professionals* [Docket No. 170] and the *Findings of Fact, Conclusions of Law, and Order Confirming the Debtors’ Second Amended Joint Chapter 11 Plan of Liquidation* [Docket No. 550] filed its combined monthly and final fee application (“Application”) seeking (i) allowance of fees in the amount of \$23,886.50 and reimbursement of expenses in the amount of \$710.30 for the period of March 1, 2025 through May 5, 2025 and (ii) allowance of fees in the amount of \$207,943.00 and reimbursement of expenses in the amount of \$4,280.65 for the period of September 23, 2024 through May 5, 2025 the United States Bankruptcy Court for the District of Delaware (the “Court”).

**PLEASE TAKE FURTHER NOTICE** if you object to the relief sought by the Application, you are required to file a response to the Application, on or before **June 23, 2025 at 4:00 p.m. (ET)**. At the same time, you must also serve a copy of the response upon undersigned counsel to the Committee.

**PLEASE TAKE FURTHER NOTICE** that a hearing to consider the Application is scheduled for **August 4, 2025 at 10:00 a.m. (ET)** before the Honorable Thomas M. Horan, United States Bankruptcy Court for the District of Delaware, 824 Market Street, 3<sup>rd</sup> Floor, Courtroom #7 Wilmington, Delaware 19801.

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<sup>1</sup> The debtors and debtors in possession in these chapter 11 cases, along with each debtor’s federal tax identification numbers are: Fulcrum BioEnergy, Inc. (3733); Fulcrum Sierra BioFuels, LLC (1833); Fulcrum Sierra Finance Company, LLC (4287); and Fulcrum Sierra Holdings, LLC (8498). The location of the Debtors’ service address is: Fulcrum BioEnergy Inc., P.O. Box 220 Pleasanton, CA 94566.

**PLEASE TAKE FURTHER NOTICE THAT IF NO OBJECTIONS ARE FILED AND SERVED IN ACCORDANCE WITH THE ABOVE PROCEDURES, THEN ALL FEES AND EXPENSES REQUESTED IN THE APPLICATION, INCLUDING ANY 20% HOLDBACK, MAY BE PAID PURSUANT TO THE INTERIM COMPENSATION ORDER WITHOUT FURTHER HEARING OR ORDER OF THE COURT.**

Dated: June 3, 2025

**MORRIS JAMES LLP**

/s/ Eric J. Monzo

Jeffrey R. Waxman (DE Bar No. 4159)  
Eric J. Monzo (DE Bar No. 5214)  
Christopher M. Donnelly (DE Bar No. 7149)  
500 Delaware Avenue, Suite 1500  
Wilmington, DE 19801  
Telephone: (302) 888-6800  
jwaxman@morrisjames.com  
emonzo@morrisjames.com  
cdonnelly@morrisjames.com

-and-

Todd C. Meyers, Esq. (admitted *pro hac vice*)  
**EVERSHEDS SUTHERLAND (US) LLP**  
999 Peachtree Street NW  
Suite 2300  
Atlanta, Georgia 30309  
Telephone: (404) 868-6645  
ToddMeyers@eversheds-sutherland.com

-and-

Todd C. Meyers, Esq. (admitted *pro hac vice*)  
Jennifer B. Kimble, Esq. (admitted *pro hac vice*)  
Sameer M. Alifarag, Esq. (admitted *pro hac vice*)  
**EVERSHEDS SUTHERLAND (US) LLP**  
The Grace Building, 40th Floor  
1114 Avenue of the Americas  
New York, New York 10036  
Telephone: (212) 389-5000  
ToddMeyers@eversheds-sutherland.com  
JenniferKimble@eversheds-sutherland.com  
SameerAlifarag@eversheds-sutherland.com

*Counsel to the Official Committee of Unsecured Creditors*

# **EXHIBIT A**

## **Compensation By Category – Monthly Compensation Period**

<b>Project Category</b>	<b>Total Hours</b>	<b>Total Fees</b>
B110 Case Administration	13.40	\$6,759.00
B120 Asset Analysis and Recovery	0.40	\$364.00
B150 Meetings/Communications with Committee and/or Creditors	2.30	\$1,801.00
B170 Fee Applications (MJ)	4.30	\$2,233.00
B175 Fee Applications (Others)	7.00	\$3,454.00
B320 Plan and Disclosure Statement	11.90	\$9,275.50
<b>Totals</b>	<b>39.30</b>	<b>\$23,886.50</b>

**Timekeeper Summary – Monthly Compensation Period**

<b>Timekeeper</b>	<b>Position</b>	<b>Rate</b>	<b>Hours</b>	<b>Amount</b>
Jeffrey R. Waxman	Member of the Delaware Bar since 2001; Partner in Bankruptcy Department since 2009	\$910.00	12.80	\$11,648.00
Eric J. Monzo	Member of the Delaware Bar since 2008; Partner in Bankruptcy Department since 2014	\$905.00	3.40	\$3,077.00
Christopher M. Donnelly	Member of the Delaware Bar since 2023; Associate in Bankruptcy Department since 2023	\$425.00	6.70	\$2,847.50
Stephanie A. Lisko	Paralegal in Bankruptcy Department since 2020	\$385.00	3.10	\$1,193.50
Douglas J. Depta	Paralegal in Bankruptcy Department since 2020	\$385.00	9.90	\$3,811.50
Maria E. Whalen	Paralegal in Bankruptcy Department since 2025	\$385.00	3.40	\$1,309.00
<b>Totals</b>			<b>39.30</b>	<b>\$23,886.50</b>
<b>Blended Rate \$607.80</b>				

# Morris James<sup>L L P</sup>

500 Delaware Avenue, Suite 1500  
P. O. Box 2306  
Wilmington, Delaware 19899-2306  
(302) 888-6800  
Facsimile (302) 571-1750  
Federal Tax I.D. 51-0023480

Official Committee of Unsecured Creditors of Fulcrum BioEner  
Committee Chairperson: Ryan Berindean  
ryan@apexgp.net  
Apex Grading  
PO Box 1904  
Reno, NV 89511

June 2, 2025  
Invoice 615471

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Matter Name: Fulcrum BioEnergy, Inc.; Case No. 24-12008  
Matter Number: 144735-0001  
Attorney: Jeffrey R. Waxman

## For Professional Services through May 5, 2025

<b>Fees</b>	<b>\$23,886.50</b>
<b>Disbursements</b>	<b>\$710.30</b>
<b>Total Charges</b>	<b>\$24,596.80</b>

## Fee Recap

		<b>Hours</b>	<b>Rate/Hours</b>	<b>Amount</b>
Eric J. Monzo	Partner	3.40	905.00	3,077.00
Jeffrey R. Waxman	Partner	12.80	910.00	11,648.00
Christopher M. Donnelly	Associate	6.70	425.00	2,847.50
Douglas J. Depta	Paralegal	9.90	385.00	3,811.50
Stephanie A. Lisko	Paralegal	3.10	385.00	1,193.50
Maria E. Whalen	Paralegal	3.40	385.00	1,309.00
<b>Totals</b>		<b>39.30</b>		<b>23,886.50</b>

Matter Number: 144735-0001

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**Services by Task Code**

		<b>Hours</b>	<b>Amount</b>
B110	Case Administration	13.40	6,759.00
B120	Asset Analysis and Recovery	0.40	364.00
B150	Meetings/Communications with Committee and/or Creditors	2.30	1,801.00
B170	Fee Applications (MJ)	4.30	2,233.00
B175	Fee Applications (Others)	7.00	3,454.00
B320	Plan and Disclosure Statement	11.90	9,275.50
<b>Totals</b>		<b>39.30</b>	<b>\$23,886.50</b>

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**Fees**

<b>Date</b>	<b>Atty</b>	<b>Description</b>	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
<b>B110 Case Administration</b>					
03/04/25	SAL	Review relevant pleadings filed and update critical dates, case calendar, and folder.	0.20	385.00	77.00
03/06/25	SAL	Review agenda for March 10 hearing, email J. Waxman re same, and update case calendar.	0.10	385.00	38.50
03/06/25	JZW	Review agenda.	0.10	910.00	91.00
03/06/25	JZW	Review and respond to emails re hearing.	0.20	910.00	182.00
03/06/25	JZW	Review amended agenda.	0.10	910.00	91.00
03/07/25	MEW	Review current court docket report and update case files with recently filed pleadings.	0.30	385.00	115.50
03/07/25	SAL	Review amended agenda for March 11 hearing, email J. Waxman re same, and update case calendar.	0.10	385.00	38.50
03/10/25	MEW	Review current court docket report and amended agenda for March 10 hearing.	0.10	385.00	38.50
03/10/25	CMD	Emails with J. Waxman re status conference.	0.10	425.00	42.50
03/10/25	SAL	Review relevant pleadings filed and update critical dates, case calendar, and folder.	0.20	385.00	77.00
03/10/25	CMD	Hearing preparation re review order approving disclosure statement.	0.80	425.00	340.00
03/10/25	CMD	Attend hearing.	0.70	425.00	297.50
03/10/25	JZW	Email to and from C. Donnelly re hearing.	0.10	910.00	91.00
03/15/25	SAL	Review relevant pleadings filed and update critical dates, case calendar, and folder.	0.20	385.00	77.00
03/17/25	SAL	Review relevant pleadings filed and update case folder.	0.10	385.00	38.50
03/24/25	DJD	Review relevant pleadings and update case folder.	0.20	385.00	77.00
03/25/25	DJD	Review relevant pleadings and update case folder and calendar.	0.20	385.00	77.00
03/26/25	DJD	Review relevant pleadings and update case folder and calendar.	0.30	385.00	115.50
03/26/25	JZW	Review order to shorten.	0.10	910.00	91.00
04/01/25	SAL	Review relevant pleadings filed and update and reconcile critical dates, case calendar, and folder.	0.30	385.00	115.50
04/03/25	JZW	Review amended schedule.	0.10	910.00	91.00

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Matter Number: 144735-0001

06/02/25

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Date	Atty	Description	Hours	Rate	Amount
04/07/25	SAL	Review relevant pleadings filed and update critical dates, case calendar, and folder.	0.20	385.00	77.00
04/10/25	SAL	Review relevant pleadings filed and update case folder.	0.20	385.00	77.00
04/10/25	JZW	Email from and to J. Kimble and T. Meyers re hearing.	0.10	910.00	91.00
04/11/25	SAL	Review agenda for April 14 hearing, emails with D. Depta re materials for same, and update case calendar.	0.20	385.00	77.00
04/11/25	MEW	Various communications in firm regarding April 14 hearing and preparations (.4) review current hearing agenda and docket report to compile hearing binders (.6).	1.00	385.00	385.00
04/13/25	EJM	Review agenda and emails internally re handling hearing.	0.20	905.00	181.00
04/13/25	CMD	Emails with J. Waxman re April 14 confirmation hearing.	0.20	425.00	85.00
04/14/25	SAL	Review amended agenda for April 14 hearing and relevant pleadings filed and update case calendar and folder.	0.20	385.00	77.00
04/14/25	SAL	Emails with M. Whalen and E. Monzo re materials and logistics re April 14 hearing.	0.20	385.00	77.00
04/14/25	MEW	Various communications in firm regarding preparations for April 14 hearing.	0.40	385.00	154.00
04/14/25	MEW	Review and revise April 14 hearing binders.	1.60	385.00	616.00
04/14/25	EJM	Prepare for and attend sale and confirmation hearing.	1.60	905.00	1,448.00
04/14/25	DJD	Email transcriber re April 14 transcript, review transcript, circulate, and update case folder.	0.30	385.00	115.50
04/14/25	CMD	Emails with S. Lisko re April 14 confirmation hearing.	0.20	425.00	85.00
04/14/25	CMD	Attend confirmation hearing.	1.10	425.00	467.50
04/14/25	CMD	Summarize hearing notes.	0.40	425.00	170.00
04/22/25	SAL	Review relevant pleadings filed and update critical dates, case calendar, and folder.	0.20	385.00	77.00
04/24/25	SAL	Review agenda cancelling April 18 hearing and update critical dates, case calendar, and folder.	0.10	385.00	38.50
04/24/25	SAL	Review relevant pleadings filed and update critical dates, case calendar, and folder.	0.20	385.00	77.00
05/05/25	EJM	Internal emails re update and close out.	0.20	905.00	181.00
<b>Task Code Subtotal</b>			<b>13.40</b>		<b>6,759.00</b>
<b>B120 Asset Analysis and Recovery</b>					
03/06/25	JZW	Email from J. Kimble re abandonment.	0.10	910.00	91.00
03/25/25	JZW	Briefly review sale motion.	0.30	910.00	273.00
<b>Task Code Subtotal</b>			<b>0.40</b>		<b>364.00</b>
<b>B150 Meetings/Communications with Committee and/or Creditors</b>					
03/04/25	JZW	Email from S. Alifarag to OCUC re Committee statement and review same.	0.20	910.00	182.00
03/06/25	JZW	Emails re Committee call.	0.10	910.00	91.00
03/12/25	CMD	Committee call re general case updates on plan confirmation and solicitation.	0.30	425.00	127.50
03/20/25	JZW	Emails among Debtors and Committee professionals re LT agreement.	0.20	910.00	182.00
03/25/25	JZW	Review email to Committee.	0.10	910.00	91.00
04/09/25	JZW	Review agenda for Committee call (.1); attend Committee call (.4).	0.50	910.00	455.00

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Date	Atty	Description	Hours	Rate	Amount
04/09/25	CMD	Committee call re case updates.	0.30	425.00	127.50
04/14/25	JZW	Review committee update and attend call re same.	0.30	910.00	273.00
04/27/25	EJM	Emails re final committee call and update in anticipation of plan effective date.	0.10	905.00	90.50
04/27/25	JZW	Emails re scheduling Committee call.	0.10	910.00	91.00
05/05/25	EJM	Emails with committee re closing of asset sale and plan effective date.	0.10	905.00	90.50
<b>Task Code Subtotal</b>			<b>2.30</b>		<b>1,801.00</b>
<b>B170 Fee Applications (MJ)</b>					
03/07/25	DJD	Draft CNO re third monthly application.	0.30	385.00	115.50
03/11/25	DJD	Review and update Feb invoice and emails internally re same.	0.30	385.00	115.50
03/11/25	DJD	File CNO re third monthly application, circulate, and update case folder.	0.30	385.00	115.50
03/11/25	JZW	Email from and to D. Depta re February fee application.	0.10	910.00	91.00
03/12/25	DJD	Update fourth monthly application and circulate for review.	0.50	385.00	192.50
03/12/25	JZW	Email from and to D. Depta re fee application.	0.10	910.00	91.00
03/19/25	DJD	Update fourth monthly application and emails with J. Waxman re same.	0.20	385.00	77.00
03/21/25	JZW	Telephone call with S. Alifarag and telephone call with J. Kimble re fee application.	0.20	910.00	182.00
03/22/25	JZW	Emails from and to E. Monzo re fee application.	0.10	910.00	91.00
03/24/25	JZW	Email from and to S. Alifarag re fee application.	0.10	910.00	91.00
03/26/25	DJD	Update and file fourth monthly application, emails with J. Waxman, email counsel for service, and update case folder and calendar.	0.50	385.00	192.50
03/26/25	JZW	Email from S. Alifarag re MJ fee application; review MJ fee app for filing and email to and from D. Depta re comments to same; review application for filing; emails to OCUC professionals re same.	0.20	910.00	182.00
03/27/25	DJD	Email UST re LEDES data.	0.10	385.00	38.50
03/27/25	JZW	Email from and to D. Depta re final fee applications.	0.10	910.00	91.00
04/02/25	DJD	Begin drafting fifth monthly application.	0.40	385.00	154.00
04/09/25	DJD	Draft CNO re fourth monthly application.	0.30	385.00	115.50
04/11/25	DJD	File CNO re fourth monthly application, circulate, and update case folder.	0.30	385.00	115.50
04/11/25	JZW	Review CNO for MJ fee application and docket and email to D. Depta re same.	0.10	910.00	91.00
04/24/25	JZW	Emails from and to T. Meyers re fees.	0.10	910.00	91.00
<b>Task Code Subtotal</b>			<b>4.30</b>		<b>2,233.00</b>
<b>B175 Fee Applications (Others)</b>					
03/07/25	DJD	Draft CNO re Eversheds third monthly application.	0.30	385.00	115.50
03/07/25	DJD	Draft CNO re Dundon third monthly application.	0.30	385.00	115.50
03/10/25	JZW	Email from and to J. Kimble re Eversheds fee application.	0.10	910.00	91.00
03/11/25	DJD	File CNO re Eversheds third monthly application, circulate, and update case folder.	0.30	385.00	115.50
03/11/25	DJD	File CNO re Dundon third monthly application, circulate, and update case folder.	0.30	385.00	115.50

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Date	Atty	Description	Hours	Rate	Amount
03/11/25	JZW	Review docket and CNOs for fee applications and email to and from D. Depta re same.	0.20	910.00	182.00
03/13/25	JZW	Emails from and to J. Kimble and D. Depta re CNOs.	0.20	910.00	182.00
03/13/25	DJD	Draft amended CNO re Eversheds third monthly application, review email, and circulate for review.	0.20	385.00	77.00
03/13/25	DJD	Draft amended CNO re Dundon third monthly application, review email, and circulate for review.	0.20	385.00	77.00
03/14/25	DJD	Update and file amended CNO re Eversheds third monthly application, email debtor's counsel and update case folder.	0.20	385.00	77.00
03/14/25	DJD	Update and file amended CNO re Dundon third monthly application, email debtor's counsel and update case folder.	0.20	385.00	77.00
03/14/25	JZW	Email from D. Depta re revised CNOs for Eversheds and Dundon fee applications and emails to and from D. Depta and J. Kimble re same.	0.20	910.00	182.00
03/19/25	JZW	Email from and to S. Alifarag re fee applications.	0.10	910.00	91.00
03/26/25	DJD	Update and file Eversheds fourth monthly application, circulate, email counsel for service, and update case folder and calendar.	0.90	385.00	346.50
03/26/25	DJD	Update and file Dundon fourth monthly application, circulate, email counsel for service, and update case folder and calendar.	0.90	385.00	346.50
03/26/25	JZW	Email from S. Alifarag re fee applications; review Eversheds and Dundon fee applications for filing and email to and from D. Depta re comments to same; review applications for filing; emails to OCUC professionals re same.	0.40	910.00	364.00
03/26/25	CMD	Review monthly fee applications.	0.60	425.00	255.00
04/09/25	DJD	Draft CNO re Eversheds fourth monthly application.	0.30	385.00	115.50
04/09/25	DJD	Draft CNO re Dundon fourth monthly application.	0.30	385.00	115.50
04/10/25	JZW	Emails from and to S. Alifarag and D. Depta re CNOs.	0.10	910.00	91.00
04/11/25	DJD	File CNO re Eversheds fourth monthly application, circulate, and update case folder.	0.30	385.00	115.50
04/11/25	DJD	File CNO re Dundon fourth monthly application, circulate, and update case folder.	0.30	385.00	115.50
04/11/25	JZW	Review CNO for Eversheds and Dundon fee applications and docket and email to D. Depta re same.	0.10	910.00	91.00
<b>Task Code Subtotal</b>			<b>7.00</b>		<b>3,454.00</b>
<b>B320 Plan and Disclosure Statement</b>					
03/04/25	CMD	Review Committee's statement in support of the debtors disclosure statement.	0.50	425.00	212.50
03/04/25	JZW	Email from and to J. Kimble re filing in support of DS.	0.20	910.00	182.00
03/04/25	JZW	Review C2C objection to DS.	0.10	910.00	91.00
03/05/25	CMD	Emails with E. Monzo re committee's statement of support for the disclosure statement.	0.10	425.00	42.50
03/05/25	DJD	Review and file statement re disclosure statement, draft COS, email counsel for service and update case folder.	0.70	385.00	269.50
03/05/25	JZW	Numerous emails among OCUC professionals re UST Initial comments to plan; Debtors' liquidation analysis and	0.80	910.00	728.00

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Date	Atty	Description	Hours	Rate	Amount
		review same.			
03/05/25	JZW	Review statement in support of Disclosure Statement and email to D. Depta re same.	0.20	910.00	182.00
03/05/25	JZW	Review revised plan, disclosure statement and solicitation order.	1.00	910.00	910.00
03/05/25	JZW	Review numerous emails re Plan and hearing.	0.40	910.00	364.00
03/05/25	JZW	Review liquidation analysis.	0.10	910.00	91.00
03/06/25	EJM	Emails with co-counsel and internal emails with J. Waxman and case team re filing statement in connection with disclosure statement.	0.20	905.00	181.00
03/06/25	JZW	Emails among Committee counsel re forecasts.	0.20	910.00	182.00
03/06/25	JZW	Review revised DS/Solicitation order.	0.70	910.00	637.00
03/06/25	JZW	Review and forward order granting DS/Solicitation procedures.	0.10	910.00	91.00
03/07/25	SAL	Review order approving disclosure statement, circulate to J. Waxman, and update critical dates, case calendar, and folder.	0.20	385.00	77.00
03/11/25	JZW	Review Nevada objection to confirmation.	0.10	910.00	91.00
03/11/25	CMD	Review order approving disclosure statement and plan administration.	1.00	425.00	425.00
03/14/25	JZW	Review amended objection to confirmation.	0.10	910.00	91.00
03/17/25	JZW	Review and respond to group emails re Plan Trust.	0.20	910.00	182.00
03/18/25	EJM	Emails with co-counsel and J. Waxman re post effective date trust creation and inquiries on application of Delaware law.	0.40	905.00	362.00
03/18/25	JZW	Review comments to liquidation trust agreement.	0.10	910.00	91.00
03/21/25	EJM	Emails with counsel to debtors and co-counsel re trust administration under Plan.	0.30	905.00	271.50
03/24/25	JZW	Emails from Debtors and committee counsel re Trust Agreement.	0.20	910.00	182.00
03/24/25	JZW	Email from C. Miller and A. Meng re plan and trustee.	0.10	910.00	91.00
03/28/25	JZW	Emails from Debtors, Committee and Lenders re UST comments.	0.20	910.00	182.00
03/31/25	JZW	Review emails re confirmation order.	0.20	910.00	182.00
04/01/25	EJM	Review plan voting results.	0.20	905.00	181.00
04/01/25	JZW	Review voting record and related emails.	0.10	910.00	91.00
04/02/25	JZW	Review proposed changes to the Plan.	0.10	910.00	91.00
04/03/25	JZW	Review confirmation objection.	0.10	910.00	91.00
04/04/25	JZW	Review emails re bond fees.	0.10	910.00	91.00
04/04/25	JZW	Emails re bond fees.	0.10	910.00	91.00
04/07/25	JZW	Review emails re bonds.	0.10	910.00	91.00
04/07/25	JZW	Emails re bonds under LT Agreement.	0.10	910.00	91.00
04/07/25	JZW	Review revised plan and LT Agreement (.5); review related emails from T. Meyers, J. Kimble, and C. Miller (.1).	0.60	910.00	546.00
04/09/25	JZW	Review voting declaration and related email.	0.10	910.00	91.00
04/10/25	JZW	Email to E. Monzo re confirmation hearing.	0.10	910.00	91.00
04/11/25	JZW	Emails re Confirmation hearing.	0.20	910.00	182.00
04/13/25	JZW	Telephone call with E. Monzo and to and from C. Donnelly re confirmation hearing.	0.10	910.00	91.00
04/14/25	SAL	Emails with C. Donnelly re confirmation hearing.	0.20	385.00	77.00
04/15/25	JZW	Emails form J. Kimble and D. Buckley re CD.	0.10	910.00	91.00

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Date	Atty	Description	Hours	Rate	Amount
04/15/25	JZW	Review emails re bond documents.	0.10	910.00	91.00
04/16/25	CMD	Review court entered confirmation order.	0.40	425.00	170.00
04/16/25	JZW	Review emails re bond documents.	0.20	910.00	182.00
05/01/25	JZW	Email from S. Alifarag to Committee re effective date status.	0.10	910.00	91.00
05/03/25	JZW	Email to and from Eversheds re status of Plan effective date.	0.10	910.00	91.00
05/05/25	JZW	Email from S. Alifarag re effective date status.	0.10	910.00	91.00
05/05/25	EJM	Review notice of effective date.	0.10	905.00	90.50
05/05/25	JZW	Review notice of effective date.	0.10	910.00	91.00
<b>Task Code Subtotal</b>			<b>11.90</b>		<b>9,275.50</b>
<b>Sub-Total Fees:</b>					<b>23,886.50</b>

**For Disbursements through May 5, 2025****Disbursements**

Date	Description	Amount
	Reproduction	418.50
04/11/25	Pacer Research	28.20
04/11/25	Pacer Research	16.90
04/14/25	Delivery - Digital Legal	60.00
05/05/25	4/14/25 - Working Meal for hearing prep - Breakfast - Manhattan Bagel (T. Meyers, J. Kimble, J. Waxman, E. Monzo, C. Donnelly)	106.95
05/05/25	Reliable Wilmington - (Transcript) 4/14/25 Hearing Transcript	79.75
<b>Total Disbursements</b>		<b>710.30</b>

<b>Total Services and Disbursements this period</b>	<b>\$24,596.80</b>
<b>Balance Due</b>	<b>\$24,596.80</b>

**EXHIBIT B**

**Compensation By Category – Final Compensation Period**

	First Interim Application		Third Monthly Application		Fourth Monthly Application		Fifth Monthly Application		Total	
	Hours	Amount	Hours	Amount	Hours	Amount	Hours	Amount	Hours	Amount
B110 Case Administration	50.90	\$34,433.00	5.90	\$3,216.00	1.10	\$686.00	13.40	\$6,759.00	71.30	\$45,094.00
B120 Asset Analysis and Recovery	27.50	\$18,766.00	2.00	\$1,609.50	-	-	0.40	\$364.00	29.90	\$20,739.50
B140 Relief from Stay/Adequate Protection Proceedings	0.80	\$708.00	-	-	0.30	\$273.00	-	-	1.10	\$981.00
B150 Meetings/Communications with Committee and/or Creditors	20.10	\$13,372.50	2.50	\$1,897.50	1.60	\$1,310.50	2.30	\$1,801.00	26.50	\$18,381.50
B160 Retention Applications (MJ)	8.20	\$4,048.00	0.50	\$182.50	-	-	-	-	8.70	\$4,230.50
B165 Retention Applications (Others)	21.90	\$12,783.00	1.80	\$1,026.00	1.70	\$840.00	-	-	25.40	\$14,649.00
B170 Fee Applications (MJ)	6.80	\$3,678.00	12.20	\$7,096.50	4.10	\$2,471.00	4.30	\$2,233.00	27.40	\$15,478.50
B175 Fee Applications (Others)	8.00	\$5,839.50	21.30	\$13,130.50	3.90	\$2,131.50	7.00	\$3,454.00	40.20	\$24,555.50
B185 Assumption/Rejection of Leases and Contracts	-	-	0.20	\$177.00	0.60	\$283.50	-	-	0.80	\$460.50
B196 Litigation	29.60	\$20,032.00	-	-	-	-	-	-	29.60	\$20,032.00
B230 Financing/Cash Collateral	20.80	\$13,356.50	-	-	-	-	-	-	20.80	\$13,356.50
B310 Claims Administration and Objections	-	-	1.50	\$1,090.00	-	-	-	-	1.50	\$1,090.00
B320 Plan and Disclosure Statement	-	-	20.20	\$16,177.50	3.90	\$3,441.50	11.90	\$9,275.50	36.00	\$28,894.50
<b>Totals</b>	<b>194.60</b>	<b>\$127,016.50</b>	<b>68.10</b>	<b>\$45,603.00</b>	<b>17.20</b>	<b>\$11,437.00</b>	<b>39.30</b>	<b>\$23,886.50</b>	<b>319.20</b>	<b>\$207,943.00</b>

**Timekeeper Summary – Final Compensation Period**

		First Interim Application		Third Monthly Application		Fourth Monthly Application		Fifth Monthly Application		Total	
Timekeeper	Position	Hours	Amount	Hours	Amount	Hours	Amount	Hours	Amount	Hours	Amount
Jeffrey R. Waxman	Member of the Delaware Bar since 2001; Partner in Bankruptcy Department since 2009	101.50	\$89,827.00	37.10	\$33,371.00	8.60	\$7,826.00	12.80	\$11,648.00	160.00	\$142,672.00
Eric J. Monzo	Member of the Delaware Bar since 2008; Partner in Bankruptcy Department since 2014	4.50	\$3,712.50	0.90	\$814.50	0.50	\$452.50	3.40	\$3,077.00	9.30	\$8,056.50
Christopher M. Donnelly	Member of the Delaware Bar since 2023; Associate in Bankruptcy Department since 2023	45.50	\$17,745.00	6.20	\$2,586.00	1.00	\$425.00	6.70	\$2,847.50	59.40	\$23,603.50
Stephanie A. Lisko	Paralegal in Bankruptcy Department since 2020	7.00	\$2,555.00	3.70	\$1,396.50	0.70	\$269.50	3.10	\$1,193.50	14.50	\$5,414.50
Douglas J. Depta	Paralegal in Bankruptcy Department since 2020	36.10	\$13,176.50	20.20	\$7,435.00	6.40	\$2,464.00	9.90	\$3,811.50	72.60	\$26,887.00
Maria E. Whalen	Paralegal in Bankruptcy Department since 2025	-	-	-	-	-	-	3.40	\$1,309.00	3.40	\$1,309.00
Totals		194.60	\$127,016.50	68.10	\$45,603.00	17.20	\$11,437.00	39.30	\$23,886.50	319.20	\$207,943.00

# **EXHIBIT C**

## **Summary of Expenses – Final Compensation Period**

	<b>First Interim Application</b>	<b>Third Monthly Application</b>	<b>Fourth Monthly Application</b>	<b>Fifth Monthly Application</b>	<b>Total</b>
Postage	\$41.81	-	\$8.85	-	<b>\$50.66</b>
Reproduction	\$448.30	\$3.00	\$2.50	\$418.50	<b>\$872.30</b>
USDC (PHV Fees)	\$150.00	-	-	-	<b>\$150.00</b>
Digital Legal – Delivery	\$70.00	-	-	\$60.00	<b>\$130.00</b>
Pacer	\$34.30	\$113.60	-	\$45.10	<b>\$193.00</b>
Reliable (Production)	\$2,086.83	-	-	-	<b>\$2,086.83</b>
Reliable (Transcript)	\$84.10	\$38.50	-	\$79.75	<b>\$202.35</b>
Westlaw	-	\$213.61	-	-	<b>\$213.61</b>
Working Meals	-	\$274.95	-	\$106.95	<b>\$381.90</b>
<b>'TOTAL:</b>	<b>\$2,915.34</b>	<b>\$643.66</b>	<b>\$11.35</b>	<b>\$710.30</b>	<b>\$4,280.65</b>



**EXHIBIT D-1****BUDGET**

<b>PROJECT CATEGORY</b>	<b>ESTIMATED HOURS</b>	<b>ESTIMATED FEES</b>
Asset Analysis and Recovery		
Asset Disposition	35.0	\$30,000.00
Assumption and Rejection of Leases and Contracts	3.0	\$1,000.00
Avoidance Action Analysis		
Budgeting (Case)		
Business Operations		
Case Administration	75.0	\$50,000.00
Claims Administration and Objections	4.0	\$2,000.00
Corporate Governance and Board Matters		
Court Hearings: Attendance and Preparation		
Employee Benefits and Pensions		
Employment and Fee Applications	125.0	\$60,000.00
Employment and Fee Application Objections		
Financing and Cash Collateral	25.0	\$15,000.00
Litigation	40.0	\$30,000.00
Meetings and Communications with Creditors		
Non-Working Travel		
Other Contested Matters (excluding assumption/rejection motions)		
Plan and Disclosure Statement	40.0	\$35,000.00
Real Estate		
Relief from Stay and Adequate Protection	3.0	\$2,000.00
Reporting		
Tax		
Valuation		
<b>TOTAL</b>	350.0	\$225,000.00

**EXHIBIT D-2****STAFFING PLAN**

<b>CATEGORY OF TIMEKEEPER</b>	<b>NUMBER OF TIMEKEEPERS EXPECTED TO WORK ON THE MATTER DURING THE BUDGET PERIOD</b>	<b>AVERAGE HOURLY RATE</b>
Sr./Equity Partner/Shareholder	2	\$881.25
Jr./Non-equity/Income Partner		
Counsel		
Sr. Associate (7 or more years since first admission)		
Associate (4-6 years since first admission)		
Jr. Associate (1- 3 years since first admission)	1	\$407.50
Staff Attorney		
Contract Attorney		
Paralegal	3	\$377.00
Case Manager		

## ANSWERS TO QUESTIONS SET FORTH IN ¶ C.5 OF THE APPX. B GUIDELINES

<u>Question</u>	<u>Answer</u>
Did you agree to any variations from, or alternatives to, your standard or customary billing rates, fees or terms for services pertaining to this engagement that were provided during the application period? If so, please explain.	No.
If the fees sought in this fee application as compared to the fees budgeted for the time period covered by this fee application are higher by 10% or more, did you discuss the reasons for the variation with the client?	No.
Have any of the professionals included in this fee application varied their hourly rate based on the geographic location of the bankruptcy case?	No.
Does the fee application include time or fees related to reviewing or revising time records or preparing, reviewing, or revising invoices? (This is limited to work involved in preparing and editing billing records that would not be compensable outside of bankruptcy and does not include reasonable fees for preparing a fee application.). If so, please quantify by hours and fees.	No.
Does this fee application include time or fees for reviewing time records to redact any privileged or other confidential information? If so, please quantify by hours and fees.	No.
<p>If the fee application includes any rate increases since retention:</p> <ul style="list-style-type: none"> <li>i. Did your client review and approve those rate increases in advance?</li> <li>ii. Did your client agree when retaining the law firm to accept all future rate increases? If not, did you inform your client that they need not agree to modified rates or terms in order to have you continue the representation, consistent with ABA Formal Ethics Opinion 11-458?</li> </ul>	Yes. The Application includes the Morris James' standard yearly rate increases for 2025. Morris James' hourly rates are consistent with the rates charged by other firms rendering comparable services. Morris James filed the Notice of Annual Rate Increase of Morris James LLP with the Court [Docket No. 330].

### CUSTOMARY AND COMPARABLE COMPENSATION DISCLOSURES

Morris James' hourly rates for bankruptcy services are comparable or less than the hourly rates charged in complex chapter 11 cases by comparably skilled bankruptcy attorneys. In addition, Morris James' hourly rates for bankruptcy services are comparable to the rates charged by the firm, and by comparably skilled practitioners in other firms, for complex corporate and litigation matters, whether in court or otherwise, regardless of whether a fee application is required.

<u>Category of Timekeeper</u> (as maintained by the Firm)	<u>Blended Hourly Rate<sup>1</sup></u>		
	Billed firm-wide other than for bankruptcy and personal injury for May 1, 2024 through April 30, 2025 <sup>2</sup>	Billed for Morris James' National Practices other than bankruptcy only for May 1, 2024 through April 30, 2025 <sup>3</sup>	Billed Through Final Period
Partner	\$786.98	\$823.51	\$890.30
Associate <sup>4</sup>	\$407.69	\$430.88	\$397.37
Paralegal	\$303.06	\$308.65	\$371.39
<b>Aggregate:</b>	<b>\$591.40</b>	<b>\$649.16</b>	<b>\$651.45</b>

<sup>1</sup> Consistent with ¶ C.3 of the Appendix B Guidelines, the blended hourly rates set forth herein are calculated by dividing the dollar value of hours billed by the number of hours billed for the relevant timekeepers during the applicable time period. The data for the "preceding year" is based on information from Morris James' financial information for the period of May 1, 2024 through April 30, 2025.

<sup>2</sup> Please note that this column does not include the rates of the firm's personal injury attorneys, each of whom bill on a contingency basis.

<sup>3</sup> This column does not include Morris James' "local practices" (e.g., labor law, matrimonial, medical malpractice, real estate, and tax and estates).

<sup>4</sup> The "associate" category of timekeepers also includes senior counsel.

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

FULCRUM BIOENERGY, INC., *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 24-12008 (TMH)

(Jointly Administered)

**DECLARATION OF ERIC J. MONZO REGARDING COMBINED MONTHLY AND  
FINAL APPLICATION OF MORRIS JAMES LLP, AS COUNSEL TO THE OFFICIAL  
COMMITTEE OF UNSECURED CREDITORS, FOR ALLOWANCE OF  
COMPENSATION AND REIMBURSEMENT OF EXPENSES FOR THE (I) MONTHLY  
PERIOD FROM MARCH 1, 2025 THROUGH MAY 5, 2025 AND (II) FINAL PERIOD  
FROM SEPTEMBER 23, 2024 THROUGH MAY 5, 2025**

STATE OF DELAWARE :  
: SS  
COUNTY OF NEW CASTLE :

I, Eric J. Monzo, after being sworn according to law, deposes and says:

1. I am a partner at the firm of Morris James LLP (“Morris James”), Delaware Counsel to the Official Committee of Unsecured Creditors (the “Committee”).

2. I have read the foregoing *Combined Monthly and Final Application of Morris James LLP, as Counsel to the Official Committee of Unsecured Creditors, for Allowance of Compensation and Reimbursement of Expenses for the (I) Monthly Period from March 1, 2025 Through May 5, 2025 and (II) Final Period From September 23, 2024 Through May 5, 2025* and know the contents thereof. The same contents are true to the best of my knowledge, except as to matters therein alleged to be upon information and belief, and as to those matters, I believe them to be true. I have personally performed many of the legal services rendered by Morris James and

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<sup>1</sup> The debtors and debtors in possession in these chapter 11 cases, along with each debtor’s federal tax identification numbers are: Fulcrum BioEnergy, Inc. (3733); Fulcrum Sierra BioFuels, LLC (1833); Fulcrum Sierra Finance Company, LLC (4287); and Fulcrum Sierra Holdings, LLC (8498). The location of the Debtors’ service address is: Fulcrum BioEnergy Inc., P.O. Box 220 Pleasanton, CA 94566.

am thoroughly familiar with all other work performed on behalf of the Committee by the attorneys and paraprofessionals in Morris James.

3. In accordance with Rule 2016(a) of the Federal Rules of Bankruptcy Procedure and Section 504 of the Title 11, United States Code, no agreement or understanding exists between Morris James and any other person for the sharing of compensation to be received in connection with the above-captioned case.

4. I have reviewed the requirements of Local Rule 2016-1 of the United States Bankruptcy Court for the District of Delaware, and to the best of my knowledge, information and belief, this Application complies with Local Rule 2016-1.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Dated: June 3, 2025

/s/ Eric J. Monzo

Eric J. Monzo (DE Bar No. 5214)

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

FULCRUM BIOENERGY, INC., *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 24-12008 (TMH)

(Jointly Administered)

**CERTIFICATE OF SERVICE**

I hereby certify that on this 3<sup>rd</sup> day of June, 2025, I caused to be filed with the Court electronically, and I caused to be served a true and correct copy of the *Combined Monthly and Final Application of Morris James LLP, as Counsel to the Official Committee of Unsecured Creditors, for Allowance of Compensation and Reimbursement of Expenses for the (I) Monthly Period From March 1, 2025 Through May 5, 2025 and (II) Final Period From September 23, 2024 Through May 5, 2025* upon the parties that are registered to receive notice via the Court's CM/ECF notification system and an additional service was competed via electronic mail on the parties listed on the attached service list.

/s/ Eric J. Monzo

Eric J. Monzo (DE Bar No. 5214)

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<sup>1</sup> The debtors and debtors in possession in these chapter 11 cases, along with each debtor's federal tax identification numbers are: Fulcrum BioEnergy, Inc. (3733); Fulcrum Sierra BioFuels, LLC (1833); Fulcrum Sierra Finance Company, LLC (4287); and Fulcrum Sierra Holdings, LLC (8498). The location of the Debtors' service address is: Fulcrum BioEnergy Inc., P.O. Box 220 Pleasanton, CA 94566.

**Service List**

Robert J. Dehney, Sr., Esq.  
Curtis S. Miller, Esq.  
Daniel B. Butz, Esq.  
Clint M. Carlisle, Esq.  
Avery Jue Meng, Esq.  
Morris, Nichols, Arsht & Tunnell LLP  
1201 North Market Street, 16th Floor  
Wilmington, DE 19801  
rdehney@morrisnichols.com  
cmiller@morrisnichols.com  
dbutz@morrisnichols.com  
ccarlisle@morrisnichols.com  
ameng@morrisnichols.com

*Counsel for the Debtors*

Rosa Sierra-Fox, Esq.  
Office of the United States Trustee  
for the District of Delaware  
Caleb Boggs Federal Building  
844 King Street, Suite 2207  
Lockbox 35  
Wilmington, DE 19801  
Rosa.Sierra-Fox@usdoj.gov

*United States Trustee*