

STUART M. BERNSTEIN
United States Bankruptcy Judge:

At all relevant times, the debtor, a Delaware corporation, purchased telecommunications services and resold those services to third parties. It filed a chapter 11 petition in this Court on January 29, 2007 (the “Petition Date”). The Court dismissed the case on November 25, 2009, but retained jurisdiction to hear and determine all applications for professional compensation. (Order Dismissing Case, dated Nov. 25, 2009) (ECF Doc. # 259).) The matter presently before the Court concerns the final fee applications filed by the debtor’s former general bankruptcy counsel, Robinson Brog Leinwand Greene Genovese & Gluck, P.C. (“Robinson Brog”), and the debtor’s former special telecommunications and litigation counsel, Wiley Rein, LLP (“Wiley Rein” and together with Robinson Brog, the “Law Firms”). Disputes between the firms and Dean Vlahos (“Vlahos”), the Debtor’s sole shareholder, officer and director, led to their withdrawal, and Vlahos has filed a substantial objection to their fee applications. (Objection of Equity Security Holder Dean Vlahos to the Application and Supplemental Application of Robinson Brog Leinwand Greene Genovese & Gluck P.C. as and for its Second Interim Award of Compensation, and to Wiley Rein's Final Application for Allowance of Fees and Costs and Request For Appointment of Fee Examiner or Alternatively for Evidentiary Hearing, dated May 18, 2009 (“Vlahos Objection”) (ECF Doc. # 175).)

For the reasons stated below his objections are granted in part and denied in part. Robinson Brog is allowed final fees in the sum of \$571,592.50 and reimbursed expenses in the sum of \$20,175.28. Wiley Rein is allowed fees in the sum of \$1,008,166.50 and reimbursed expenses in the sum of \$47,141.74.

BACKGROUND

A. The Retention of Robinson Brog

This bankruptcy had its origins in a dispute between the debtor and Global Crossing Telecommunications, Inc. (“Global Crossing”). Global Crossing sold telecommunications services to the debtor that the debtor resold to third parties. The dispute between these parties was the subject of a prior opinion of this Court, see Global Crossing Telecommunications, Inc. v. CCT Communications, Inc. (In re CCT Telecommunications, Inc.), Adv. Pro. No. 07-1942, 2008 WL 2705471 (Bankr. S.D.N.Y. July 2, 2008), and I assume the reader’s familiarity with that decision.

The debtor retained Robinson Brog to file the chapter 11 petition, which it did on January 29, 2007. Ten days later, Robinson Brog filed its retention application for employment as attorneys for the debtor. In accordance with the general practice in this district, Robinson Brog simultaneously requested a “sign off” by the United States Trustee (“UST”), indicating that she had “no opposition” to the retention.

According to Robinson Brog, it contacted the UST to inquire into the status of the order after a period had elapsed and it had not been forwarded to the Court. The UST informed Robinson Brog that the order had apparently been lost. Robinson Brog resubmitted the order, (Robinson Brog Leinwand Greene Genovese & Gluck P.C.’s Response to Objection of Equity Security Holder Dean Vlahos to its Fee Application, dated June 22, 2009, at ¶ 4 (“Robinson Brog Response”)) (ECF Doc. # 196), the proposed order was “signed off” by the UST and forwarded to the Court, and the Court signed it on July 24, 2007. (Order for Retention of Attorneys for

_____, dated July 24, 2007 (ECF Doc. # 26.) The order did not provide for nunc pro tunc retention.

B. The Retention of Wiley Rein

Global Crossing commenced an adversary proceeding against the debtor on July 23, 2007, relating to the parties' dispute. (See Global Crossing Telecommunications, Inc. v. CCT Communications, Inc., Adv. Pro. No. 07-1942 (SMB) (the "Adversary Proceeding").) The litigation raised issues of telecommunications law prompting the debtor's need for specialized assistance. The debtor applied to retain Wiley Rein, a firm with expertise in the telecommunications area. The Court approved the retention of Wiley Rein "to assist in the defense of the adversary proceeding captioned: Global Crossing Telecommunications, Inc. v. CCT Communications, Inc., Adversary Proceeding No. 07-1942 (SMB) and to advise the Debtor with respect to federal telecommunications-related issues in connection with issues that may arise" (Order Authorizing Retention of Special Telecommunications Counsel to the Debtor, dated October 19, 2007) (ECF Doc. # 45.) Robinson Brog continued to serve as the debtor's lead litigation counsel.

In fact, Wiley Rein assumed the major laboring oar. In December 2007, the debtor filed a supplemental application to expand Wiley Rein's role, and make the firm the lead counsel in the litigation with Global Crossing. (Supplemental Application for Order Authorizing the Retention of Wiley Rein LLP as Special Litigation Counsel and Special Telecommunications Counsel for the Debtor, dated Dec. 7, 2007, ¶ 3) (ECF Doc. # 53.) The proposed order fixed the retention nunc pro tunc to July 23, 2007. The Court struck that provision, and approved Wiley Rein's expanded retention "as its special litigation counsel to defend the Debtor and prosecute the Debtor's counterclaims in the adversary proceeding captioned: Global Crossing

(SMB),” as of December 7, 2007. The order stated that it was “without prejudice to the Debtor’s right to seek the retention of Wiley Rein LLP nunc pro tunc to an earlier date.” (Order Authorizing Retention of Special Litigation Counsel and Special Telecommunications Counsel to the Debtor, dated Dec. 19, 2007) (ECF Doc. # 76.)

C. The Termination of the Retentions

Acrimony eventually developed between Vlahos on the one hand and the Law Firms on the other. In December 2008, Vlahos instructed Wiley Rein not to work on certain aspects of discovery in the Adversary Proceeding. On January 28, 2009, Wiley Rein filed a motion to withdraw as counsel. (Wiley Rein LLP’s Motion to Withdraw as Counsel, dated Jan. 28, 2009) (ECF Doc. # 133.) According to Wiley Rein’s final fee application, it was authorized to withdraw from its representation of the debtor by order dated February 18, 2009. (Wiley Rein LLP’s Final Application for Allowance of Fees and Costs, dated April 21, 2009, at ¶ 8) (ECF Doc. # 162.) The docket does not reflect any such order, but this was apparently an oversight. The Court authorized Wiley Rein’s withdrawal from the bench on February 10, 2009, (Transcript of Hearing, held Feb. 10, 2009, at 14) (ECF Doc. # 148), and the debtor submitted a proposed order on February 20, 2009, seeking authorization to retain Duane Morris LLP as special litigation counsel. (Notice of Settlement, dated Feb. 20, 2009) (ECF Doc. # 150.) Accordingly, the Court will treat February 18, 2009 as the termination date of Wiley Rein’s retention.

Robinson Brog lasted a bit longer. It moved to withdraw on April 24, 2009. (Motion to Withdraw as Counsel, dated Apr. 24, 2009) (ECF Doc. # 164.) Like Wiley Rein, it cited disagreements with Vlahos over strategy, his refusal to follow the firm’s advice and his interference with the firm’s service as debtor’s counsel. (Id. ¶ 6.) The Court granted the motion

on June 23, 2009. (Order Granting Motion to Withdraw as Counsel, dated June 23, 2009) (ECF Doc. # 198.)

D. The Final Applications and Vlahos’s Objections

The following chart reflects the final fees and expenses sought by the applicants, and the amounts already awarded (and presumably paid) on an interim basis¹:

Applicant	Final Fee Request (\$)	Fees Previously Awarded and Paid (\$)	Final Expenses Sought and Already Paid (\$)
Robinson Brog	650,502.50	282,829.00	20,175.28
Wiley Rein	1,054,302.50	527,151.25	47,291.74

The Vlahos Objection challenged the fee applications on the following grounds:

Objection	Ground²
1	Robinson Brog and Wiley Rein’s Fee Applications Should be Closely Scrutinized by a Fee Examiner For Duplication Of Efforts, Etc.
2	Both Firms Applications Fail To Comply With Applicable Fee Guidelines And Thus Should Be Denied Without Prejudice To Refiling In Compliance.
3	Robinson Brog’s Application Should Be Disallowed To The Extent Of Services Rendered Before Entry Of The Order Authorizing Its Retention.
4	Wiley Rein’s Application Should Be Disallowed To The Extent Of Non-Telecommunications Services Rendered Prior To December 20, 2007.

¹ The source of this information is the schedule attached to the Order Granting Applications for Allowance of Compensation and Reimbursement of Expenses on an Interim Basis, dated June 30, 2009 (ECF Doc. # 202.)

² The “Ground” is taken verbatim from the Vlahos Objection.

5	Wiley Rein's Application Should Be Disallowed To The Extent Not Supported By Time Records.
6	Both Firms Fees Should Be Disallowed To The Extent Of "Review" And "Attention" Services.
7	Both Firms Fees Should Be Disallowed To The Extent Of Other Vague Entries.
8	Both Firms Fees Should Be Disallowed To The Extent Of Time Expended To Review And Edit Time Entries.
9	Both Firms Fees Should Be Disallowed To The Extent Of Other Clerical, Ministerial, Or Administrative Tasks.
10	Both Firms Fees Should Be Disallowed To The Extent Of Defending Fee Applications.
11	Both Firms' Fees Should Be Disallowed To The Extent Of Too Many Internal Conferences With Too Many Lawyers.
12	Both Firms Fees Should Be Disallowed To The Extent Of Multiple Lawyers At Depositions, Hearings, Or Trial Who Did Not Participate In Or Contribute To The Proceedings.
13	Both Firms' Fees Should Be Disallowed To The Extent Of "Lumping" / Block Billing Entries Over Thirty Minutes.
14	Both Firms' Fees Should Be Disallowed To The Extent Of Preparing Their Employment Applications.
15	Wiley Rein's Travel Time Should Be Disallowed Or Alternatively Reduced To 50%

DISCUSSION

A. Introduction

Bankruptcy Code § 330 authorizes a bankruptcy court to award reasonable compensation to a fee applicant based on the actual, necessary services, and to reimburse him for his actual, necessary expenses. 11 U.S.C. § 330(a)(1). The relevant criteria include the following:

- (A) the time spent on such services;
- (B) the rates charged for such services;

(C) whether the services were necessary to the administration of, or beneficial at the time at which the service was rendered toward the completion of, a case under this title;

(D) whether the services were performed within a reasonable amount of time commensurate with the complexity, importance, and nature of the problem, issue, or task addressed; and

(E) whether the compensation is reasonable based on the customary compensation charged by comparably skilled practitioners in cases other than cases under this title.

11 U.S.C. § 330(a)(3).

The fee applicant bears the burden of proof on his claim for compensation. Howard & Zukin Capital v. High River Ltd. P'ship, No. 05 Civ. 5726 (BSJ), 2007 WL 1217268, at *2 (S.D.N.Y. Apr. 24, 2007); Zeisler & Zeisler, P.C. v. Prudential Ins. Co. of Am. (In re JLM, Inc.), 210 B.R. 19, 24 (B.A.P. 2d Cir. 1997); In re Keene Corp., 205 B.R. 690, 695 (Bankr. S.D.N.Y. 1997). Even in the absence of an objection, the Court has an independent duty to scrutinize the fee request. In re Busy Beaver Bldg. Ctrs., Inc., 19 F.3d 833, 841 (3d Cir. 1994). The applicant must submit contemporaneous time records, although a computerized printout summary, in lieu of the original time slips, will suffice. Masterwear Corp. v. Angel & Frankel, P.C. (In re Masterwear Corp.), 233 B.R. 266, 278 & n. 14 (Bankr. S.D.N.Y. 1999). The standards for time records are contained in this Court's Fee Guidelines, as amended, and the guidelines issued by the Executive Office of United States Trustees. See 28 C.F.R., pt. 58, App. A (2010) ("UST Guidelines"). Generally, fee applications, standing alone, must contain sufficient detail to demonstrate compliance with § 330. UST Guidelines, (b). Any uncertainties due to poor record keeping are resolved against the applicant. In re Poseidon Pools of America, 216 B.R. 98, 100–101 (E.D.N.Y. 1997).

Time records must be broken down by project. UST Guidelines, (b)(4)(i). Entries concerning communications (e.g., telephone calls, letters) should identify the parties and the nature of the communication. Id., (b)(4)(v). Entries relating to conferences or hearings should identify the subject of the hearing, and explain, where appropriate, why more than one professional from the applicant participated. Id. Finally, multiple project services rendered on the same day should be listed in separate entries unless the aggregate daily time does not exceed one half hour. Id. Alternatively, and consistent with the practice followed here prior to the adoption of the UST Guidelines, the applicant may “lump” his daily project entries provided he indicates parenthetically the amount of time spent on each activity.

A court does not determine “reasonableness” through hindsight. In re Brous, 370 B.R. 563, 570 (Bankr. S.D.N.Y. 2007). A decision reasonable at first may turn out wrong in the end. The test is an objective one, and considers “what services a reasonable lawyer or legal firm would have performed in the same circumstances.” In re Ames Dep’t Stores, Inc., 76 F.3d 66, 72 (2d Cir.1996) (citing In re Taxman Clothing Co., 49 F.3d 310, 315 (7th Cir.1995)(Posner, J.); accord In re Angelika Films 57th, Inc., 227 B.R. 29, 42 (Bankr. S.D.N.Y. 1998); In re Keene Corp., 205 B.R. at 696; In re Drexel Burnham Lambert Group, Inc., 133 B.R. 13, 23 (Bankr. S.D.N.Y. 1991).

As an initial matter, Vlahos’s request to appoint a fee examiner is denied. Vlahos has conducted a meticulous and thorough review of the applicants’ time records, and has attached marked up versions of the time records that key his objections to specific entries. The Court has also reviewed the time records. Under the circumstances, the appointment of a fee examiner would be an unnecessary expense.

B. The Dates of Retention

The beginning dates of each firm's authorized retention are the subject of dispute. As noted, Robinson Brog filed its retention application ten days after the petition date, and immediately sent it to the UST for her "sign off." The application and proposed order languished at the UST's office, and the retention was not signed until July 24, 2007, nearly six months after the commencement of the case. When the debtor sought to expand Wiley Rein's retention as special litigation counsel nunc pro tunc to July 23, 2007, the Court authorized the retention as of December 7, 2009, without prejudice to its right to seek nunc pro tunc retention to the earlier date. Vlahos argues that neither firm should be compensated for services or expenses incurred prior to their retention dates.

Sections 327(a) and 327(e) of the Bankruptcy Code provide that a debtor may retain professionals only with court approval. No service performed by professionals is compensable until the court approves such retention. In re Robotics Resources R2, Inc., 117 B.R. 61, 62 (Bankr. D. Conn. 1990); In re Brown, 40 B.R. 728, 730 (Bankr. D. Conn. 1984); In re Sapolin Paints Inc., 38 B.R. 807, 817 (Bankr. E.D.N.Y. 1984). In the Second Circuit, there is a per se prohibition against compensating professionals for services rendered prior to a retention order. See, e.g., Futuronic Corp. v. Arutt, Nachamie & Benjamin (In re Futuronic Corp.), 655 F.2d 463, 469 (2d Cir. 1981), cert. denied, 455 U.S. 941 (1982); Smith v. Winthrop, Stimson, Putnam & Roberts (In re Sapphire Steamship Lines, Inc.), 509 F.2d 1242, 1245-46 (2d Cir. 1975); In re 245 Assocs., LLC., 188 B.R. 743, 749 (Bankr. S.D.N.Y. 1995). "Nunc pro tunc approval should only be granted in narrow situations and requires that (i) if the application had been timely, the court would have authorized the appointment, and (ii) the delay in seeking court approval resulted from extraordinary circumstances." In re Keren Ltd. P'ship, 189 F.3d 86, 87 (2d Cir.

1999). “‘Simple neglect’ on the part of a debtor in failing to take timely action does not constitute the ‘extraordinary circumstances’ necessary to justify nunc pro tunc relief.” In re Aquatic Dev. Group, Inc., 352 F.3d 671, 679 (2d Cir. 2003) (quoting Land v. First Nat’l Bank of Alamosa (In re Land), 943 F.2d 1265, 1268 (10th Cir. 1991)); accord In re Carpenter, 392 B.R. 97, 105 (Bankr. D. Vt. 2008).

Robinson Brog satisfies the Keren standards, and is deemed to have been retained nunc pro tunc to the petition date. First, the Court authorized its retention when presented with the proposed order. Second, the delay in the execution of the retention order was due to extraordinary circumstances. Robinson Brog dutifully forwarded its application and proposed order to the UST within ten days of the petition date. Finding that the order had not been signed, it contacted the UST regarding its status. The UST advised Robinson Brog that the proposed order had been lost, and Robinson Brog submitted another copy. The UST eventually indicated its “no objection,” forwarded the proposed order to the Court, and the Court signed the order on July 24, 2007. Robinson Brog proceeded diligently, and the delay in the execution of the order was due to circumstances beyond its control.

I reach a different conclusion regarding Wiley Rein. Although it also satisfies the first prong of the Keren test, it fails the second. Unlike the Robinson Brog order, the December 2007 Wiley Rein retention order struck the proposed provision that would have authorized the retention nunc pro tunc to July 2007, and indicated that a separate application for nunc pro tunc retention must be made. Despite being on notice, the firm did not take further action.

It does not follow, however, that all of the services rendered by Wiley Rein prior to December 7, 2007 should be disallowed. The original retention order authorized Wiley Rein to

“assist in the defense of the adversary proceeding” with Global Crossing and “to advise the Debtor with respect to federal telecommunications-related issues in connection with issues that may arise in the Bankruptcy Court and any other court of competent jurisdiction in connection with anticipated litigation matters” Thus, the initial retention was broad, and overlapped with many of the services one might expect lead litigation counsel to perform. I note, in this regard, that Vlahos’s objection on this score is a general one. Although he meticulously reviewed and identified perceived deficiencies with the applicants’ time records in other areas, he did not identify any specific pre-retention time entry that should be disallowed. (See Vlahos Objection ¶ 13; pp. 24–25.)

The Court has nonetheless examined Wiley Rein’s pre-December 7, 2007 services, and concludes that one specific area of services aggregating \$7,936.50 in billed time should be disallowed. Wiley Rein lawyers apparently performed legal research and drafted a memorandum relating to the election of remedies or other state law issues under New York law. Some of these services are lumped with otherwise compensable services, making it impossible to allocate the time. Accordingly, the services depicted in the following table are disallowed:

Date	Timekeeper	Service	Time Billed	Amount Disallowed (\$)
9/16/07	BLR	Draft memo concerning statutory and contract research issues (1.1); email to B. Butler regarding same (.2); email to client regarding FRN / red light status (.2).	1.50	817.50
9/18/07	KBM	Research elements of cause of action for breach of contract under sample amended answer and counterclaim pleading format and review various documents in preparation for drafting of counterclaims (1.4).	1.40	497.00
10/26/07	CMH	Research re election of remedies in New York.	3.0	975.00
10/29/07	CMH	Research re election of remedies in New	3.0	975.00

		York.		
10/30/07	CMH	Research re election of remedies in New York; draft memo re same.	5.50	1,787.50
10/31/07	CMH	Edit memo re election of remedies in New York (.7); calls re same (.3).	1.0	325.00
10/31/07	BLR	Review and revise memo from C. Hilke regarding election of remedies; review email from D. Vlahos; research service terms and conditions; email to L. Schwartz and F. Ringel regarding same; conference with B. Butler regarding same; call from F. Ringel regarding service terms and conditions; review draft discovery responses.	3.8	2,071.00
11/01/07	CMH	Edit memo re election of remedies in New York	1.0	325.00
11/01/07	BLR	Revise election of remedies memo; conference with C. Hilke.	.30	163.50
				7,936.50

C. Lumping

As Vlahos correctly observes, the Law Firms are guilty of lumping, i.e., aggregating time entries of more than 30 minutes that involve two or more distinct services but fail to identify the amount of time spent on each service. Where lumping exists, and subject to other possible objections, the Court has allowed 30 minutes of time, and disallowed the balance.

Schedule A identifies Robinson Brog's lumped entries. These entries reflect \$115,077.51 of billed time, and \$78,610.50 is disallowed.

Schedule B identifies Wiley Rein's lumped entries. These entries reflect \$16,681.00 of billed time, and \$14,131.00 is disallowed.

C. Absence of Time Records

The Vlahos Objection accurately notes that “[a]ccording to ECF,” the Wiley Rein final application did not include detailed time entries for the services rendered on and after January 1, 2009. Instead, it was limited to a one page summary sheet listing fees and expenses totaling \$99,459.32. (Vlahos Objection pp. 25–26.) Wiley Rein responds that it did serve complete billing records for this period with the copies of the application delivered to the parties and the Court, including Vlahos, in April 2009. (Response of Wiley Rein LLP to Objections of Equity Security Holder Dean Vlahos to Wiley Rein’s Final Application for Allowance of Fees and Costs, dated June 19, 2009 (“Wiley Rein Response”), at 9–10) (ECF Doc. # 195.) As represented, the chambers copy includes these records. Furthermore, Vlahos never stated that he did not receive the 2009 time records; he only observed that they were not filed on ECF. While I do not condone Wiley Rein’s failure to file time records that it obviously included in its final application and provided to the parties and the Court,³ it would be unduly harsh to deny all of the fees on this basis.

I have nonetheless reviewed the time records, which consist of twelve pages and aggregate \$96,102.00 in billed time, and conclude that \$15,984.75 should be disallowed. First, many of the entries are inadequate in that they refer to telephone calls and emails, but fail to identify the subject matter of the call or email. See In re Citrone Development Corp., 16 B.R. 359 (Bankr. S.D.N.Y. 1989) (“[t]he failure to provide sufficient details to allow the court to perform its task of determining the nature and value of the time spent by the attorney for the debtor while engaged in those telephone calls compels a conclusion that they are not compensable.”); In re Hudson, 364 B.R. 875, 880 (Bankr. N.D.N.Y. 2007) (“[T]ime entries

³ Nor has Wiley Rein explained why it did not file the missing records after the omission was brought to its attention.

contain[ing] vague and inadequate description[s] [such as] references to telephone calls that do not make clear who the calls were with or the substance of the call . . . [or] references to a ‘memo of law’ without any indication as [to whether] time is sought for researching and/or drafting of the memorandum nor the legal issues involved . . . make a fair evaluation of the work done and the reasonableness and necessity for the work extremely difficult, if not impossible.”) The following table summarizes these inadequate entries, and the amount that is disallowed:

Date of Service	Timekeeper	Reason for Disallowance	Amount Disallowed (\$)
01/06/09	HJG	The entry fails to describe the subject of the conference call with the client.	342.50
01/06/09	SJO	The conference call with B. Ross, the client and local counsel fails to identify the subject of the call.	620.50
01/09/09	BLR	The telephone call from M. Greene, the conference with B. Rein and the telephone call with D’Ercole fail to describe the subject matter of these communications.	625.00
01/13/09	BLR	The telephone calls with D’Ercole and Schwartz fail to identify the subject matter of the calls.	312.50
01/14/09	BLR	The telephone call with J. D’Ercole fails to identify the subject matter of the call.	187.50
01/22/09	BLR	The telephone calls from Vlahos (0.3), D’Ercole, Schwartz and Trache fail to identify the subject matter of the calls.	437.50
01/23/09	HJG	The entry fails to identify the other party to the conference.	342.50
01/23/09	BLR	The calls from D’Ercole and Greene and the conference call with Brandt fail to identify the subject matter of the calls. (The entry is also lumped).	625.00

01.25/09	BLR	The entry fails to identify the subject matter of the draft letter to Brandt and the email to D'Ercole. (The entry is also lumped).	1,000.00
01/26/09	DGT	"Attention" to Vlahos's request does not adequately describe the service, and only 50% of the time charged is allowed.	72.75
01/27/09	RWO	The description "Work on Fee Application" is vague, and only 50% of the time charged is allowed.	40.00
01/28/09	RWO	The description "Work on Fee Application" is vague, and only 50% of the time charged is allowed.	200.00
01/28/09	BLR	The draft letter to the Court (0.4) fails to identify the subject matter of the letter, and is disallowed. The subsequent entry (0.8) is lumped, and only 30 minutes is allowed.	437.50
01/29/09	RWO	The description "Work on Fee Application" is vague, and only 50% of the time charged is allowed.	100.00
02/06/09	HJG	"Attention" to the fee application does not adequately describe the service, and only 50% of the time charge is allowed.	342.50
02/10/10	HJG, BLR	Each applicant traveled to, attended and returned from a Court hearing. Each billed 8.5 hours, which include seven hours of travel time. The application fails to explain why two attorneys had to travel an aggregate of fourteen hours to attend a hearing particularly where one or more attorneys could be made available by telephone to answer any questions. The total billed by the attorneys is \$11,135.00, and 50% of that amount is allowed.	5,567.50
Total			11,253.25

Second, the following entries are reduced based upon lumping:

Date of Service	Timekeeper	Reason for Disallowance	Amount Disallowed (\$)
01/08/09	SJO	The first entry (3.4 hrs.) is lumped, and only 30 minutes is allowed.	1,160.50
01/14/09	SJO	The entry is lumped, and only 30 minutes is allowed.	109.50
01/22/09 (First Entry)	NEG	The entry is lumped, and only 30 minutes is allowed.	280.00
01/22/09 (Second Entry)	NEG	The entry is lumped, and only 30 minutes is allowed.	70.00
01/22/09	BEP	The entry is lumped, and only 30 minutes is allowed.	105.00
01/26/09	NEG	The entry is lumped, and only 30 minutes is allowed.	112.00
01/26/09	DJM	The entry is lumped, and only 30 minutes is allowed.	39.00
01/27/09	DGT	The entry is lumped, and only 30 minutes is allowed.	485.00
01/28/09	BLR	The entry is lumped, and only 30 minutes is allowed.	1,687.50
02/05/09	DGT	The entry is lumped, and only 30 minutes is allowed.	242.50
02/06/09	RWO	The entry is lumped, and only 30 minutes is allowed.	200.00
02/12/09	JLS	The entry is lumped, and only 30 minutes is allowed.	58.50
01/23/09	NEG	The entry is lumped, and only 30 minutes is allowed.	182.00
Total			4,731.50

Vlahos also contends that other time records submitted by the Law Firms suffer from defects involving vagueness and inadequate descriptions. (Vlahos Objection pp. 26–28.) As noted, Vlahos submitted marked up versions of the time records. It appears that he objects to every time record in which the verb “review” appears, contending that the word “review” is inherently vague. It obviously means “read” which is perfectly clear.⁴

Vlahos’s criticism of “attention to” some document or task is on firmer ground. It is impossible to determine the nature of the service or activity that “attention” purports to describe. The Robinson Brog records do not contain such entries, but the Wiley Rein records include a few.⁵ These entries aggregate \$1,167.50, and 50% of these charges, or \$583.75, will be disallowed.

D. Preparing and Defending Fee Applications

While the cost of preparing a fee application is compensable, the cost of defending one may not be. The Bankruptcy Code expressly covers the former. See 11 U.S.C. § 330(a)(6) (“Any compensation awarded for the preparation of a fee application shall be based on the level and skill reasonably required to prepare the application.”). Moreover, the professional must prepare and submit an application in order to get paid. Boldt v. Crake (In re Riverside-Linden Inv. Co.), 945 F.2d 320, 323 (9th Cir. 1991).

There is no parallel statutory requirement to defend against an objection to a fee application, or to receive compensation for the legal fees incurred in that defense. Furthermore, fee litigants, like other litigants, must generally bear their own legal expenses under the

⁴ Many of the entries that Vlahos identified are parts of larger entries that have been substantially reduced based on lumping.

⁵ See HJG (12/27/07 - \$302.50); HJG (2/14/08 - \$325); HJG (4/25/08 - \$325); DGT (6/16/08 - \$215).

“American Rule.” In re St. Rita’s Assocs. Private Placement, L.P., 260 B.R. 650, 652 (Bankr. W.D.N.Y. 2001); In re DN Assocs., 165 B.R. 344, 349–50 (Bankr. D. Me. 1994); see Alyeska Pipeline Serv. Co. v. Wilderness Soc’y, 421 U.S. 240, 247 (1975) (“In the United States, the prevailing litigant is ordinarily not entitled to collect a reasonable attorneys' fee from the loser.”).

Nevertheless, some courts have awarded the litigation fees and expenses incurred by the successful applicant out of fear that the failure to do so would dilute the fee award, and encourage parties to file frivolous objections. E.g., Smith v. Edwards & Hale, Ltd. (In re Smith), 317 F.3d 918, 929 (9th Cir. 2002); Hennigan Bennett & Dorman LLP v. Goldin Assocs. (In re Worldwide Direct Inc.), 334 B.R. 108, 111 (D. Del. 2005); In re Ahead Commc’ns Sys., Inc., No. 02-30574, 2006 WL 2711752, at *5 (Bankr. D. Conn. Sept. 21, 2006). Conversely, other courts have declined to award the fees where the objection was filed in good faith and the objecting party prevailed. In re Teraforce Tech. Corp., 347 B.R. 838, 867 (Bankr. N.D. Tex. 2006); In re St. Rita’s Assocs., 260 B.R. at 652. At least one court has expressed the concern that allowing the losing applicant to recover its legal fees would encourage meritless fee requests because the applicant could earn more fees opposing objections to its frivolous request. See In re Riverside-Linden Inv. Co., 945 F.2d at 323.

Finally, Vlahos is correct that the review and editing of time records – as opposed to fee applications -- is not compensable. Outside of bankruptcy, lawyers presumably do not charge their clients for preparing time records.

Wiley Rein billed a total of \$8,011.50 to the preparation of its employment applications, and this amount is allowed. The firm also billed a total of \$35,264.00 to preparing and defending its fee applications, and this is a case in which it is appropriate to allow the defense costs to the

extent sought in the final application. Although Vlahos interposed his objections in good faith, Wiley Rein has substantially prevailed, and denial of the defense costs would dilute its award. Thus, the fees sought in the final application for defending the fee applications are allowed except to the extent they have been disallowed on other grounds.

The fees must be reduced, however, as the time records are replete with entries indicating that Wiley Rein professionals billed the estate for reviewing and editing time records.⁶ In fact, BLR charged the estate in excess of \$1,300.00 for these services just on June 12 and 13, 2008. Consequently, the Court will disallow \$7,500.00 connected with the preparation of the fee applications. Robinson Brog billed a combined total of \$22,794.50 under its first and second interim fee applications and its supplemental application in connection with its retention, fee applications and defense of its fee applications. Except in three instances,⁷ Robinson Brog did not charge the debtor for the preparation of its bills. These three instances result in a disallowance of \$300.00. The balance of the objection is overruled, and \$22,494.50 is allowed except to the extent that the corresponding time entries have been disallowed on other grounds.

E. Use of Multiple Lawyers

Vlahos objects to conferences involving two or more lawyers, each billing for his or her time. (Vlahos Objection pp. 29–30.) He contends that “more than half of the [Robinson Brog] entries are cursorily described internal conferences, or conferences with Wiley Rein,” that most of A. Mitchell Greene’s entries on the first thirteen pages of time sheets constitute conferences

⁶ Entries by RWO reflecting the review and editing of billing statements in 2008 include the following: February 6, 15, 22; March 27; April 2, 14, 15, 25; June 5, 6, 9, 10, 11, 13, 16, 18; September 25, 26, 30 and October 10. DGT billed similar services in 2008 on March 6 and 10, June 13 and September 22. Finally, BLR billed for reviewing and editing billing statements in 2008 on June 12 and 13 and December 24.

⁷ LS billed time for reviewing or editing bills in 2008 on April 18, June 9 and November 27. The aggregate time is 0.8 hours.

without any subsequent action by Greene, and that “[t]he entire application of Robinson Brog has ‘conference’ as its most predominate entry.” (*Id.* pp. 30.) He also contends that Wiley Rein’s application reflects many multi-lawyer internal conferences, and offers eight examples.

I do not take issue with the proposition that multiple lawyers billing for unnecessary conferences is unreasonable and should not be compensated. It does not follow, however, that two or more lawyers billing their time attending the same conference is per se unreasonable. In particular, the early stages of a chapter 11 case are often chaotic, require the performance of multiple tasks in a compressed time frame, and hence, necessitate frequent communication among lawyers in the same firm, between the lawyers and the client, and where required, between general and special counsel. Furthermore, lawyers inevitably meet and confer during the entire case regarding what must be done. The debtor decided to engage both general and special counsel in this case, and communication and coordination between the two sets of counsel is as necessary as it is inevitable.

That said, I disagree that a majority of the Robinson Brog time entries involve multiple conferences, or that conference entries “predominate” the firm’s time records. The statement is hyperbole. Moreover, while it is true that the first thirteen pages of time records include numerous conferences involving Greene, they are relatively brief. Furthermore, many of the conferences are between Greene and his partner Lori Schwartz, and the entry identifies the subject of the conference. It was certainly more efficient for Greene to meet briefly with Schwartz to discuss matters and give directions, than for the two to exchange streams of emails. Finally, the entries list several conferences between Greene only and Vlahos. These do not implicate multi-lawyer billing. My observations in this case convince me that Vlahos was

heavily involved in the strategy and execution of the strategy, and his involvement increased the number of conferences.

I have also reviewed the time records to determine if more than one lawyer unnecessarily attended depositions or court hearings. Except as noted above regarding the attendance of two lawyers involving the defense of the Wiley Rein final fee application, I have not found that either Robinson Brog or Wiley Rein overstaffed these specific matters.

F. Travel Time

According to Vlahos, Bennett Ross of Wiley Rein told him at the time the firm was retained that the estate would not be billed for travel time to and from Washington, D.C. According to Vlahos, this induced him to hire Wiley Rein. (Vlahos Objection 33.) Wiley Rein denies that any such agreement was made, and observes that the engagement letter does not refer to such an agreement. (Wiley Rein Response 14–15.) Nor for that matter does it appear in the retention application or order. As Wiley Rein has already reduced its travel time charges by 50%, (id. 15), no further reduction is warranted, and the objection is overruled.

G. Remaining Objections

Vlahos argues that the firms' applications lack the certification required by the UST Guidelines stating that the UST and the debtor have been provided with a statement of fees and disbursements twenty days after the end of each billing month. The failure to make the certification is harmless as Vlahos has had ample opportunity to review and comment on both firms' fees. Vlahos also contends that the time records are not broken down by project, although my examination of the records satisfies me that he is clearly mistaken; both firms used project billing.

Next, Vlahos contends that the Court should disallow time charges reflecting the performance of ministerial or clerical tasks. (Vlahos Objection pp. 28–29.) He identified a few entries that involved either the preparation of a file or correspondence concerning court reporter fees. The time was minimal. It is often more efficient for a lawyer to spend twelve or eighteen minutes preparing a file, than to spend more time explaining the task to a secretary or paralegal and thereafter checking to make sure it was done right. The same holds true for communicating with transcript vendors. This objection is overruled.

Finally, to the extent not previously discussed, I conclude the balance of Vlahos Objection lacks merit and is overruled.

RECAPITULATION

The Court has disallowed a total of \$78,910.50 of the fees sought by Robinson Brog. Accordingly, Robinson Brog is allowed a final fee of \$571,592.00 in addition to reimbursed expenses in the amount of \$20,175.28. The Court has also disallowed \$46,136.00 of the fees requested by Wiley Rein, resulting in a final award of \$1,008,166.50 in fees and \$47,141.74 in expenses. The parties are directed to settle a proposed order that fixes the amount of the final fees and expenses, reflects the amounts that have been paid on an interim basis and sets forth the net amounts due.

The foregoing constitutes the Court's findings of fact and conclusions of law.

Dated: New York, New York
August 24, 2010

/s/ Stuart M. Bernstein
STUART M. BERNSTEIN
United States Bankruptcy Judge

Schedule A -- Robinson Brog Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
1/29/07	TELEPHONE CONFERENCE WITH DEAN 4X, CONF. SCHWARTZ, WORK ON CHAPTER 11 PETITION	AMG	1.8	\$450.00	\$810.00	\$585.00
1/29/07	TELEPHONE CONFERENCE WITH VLAHOS RE INFO FOR SCHEDULES 2X	LS	1.2	\$300.00	\$360.00	\$210.00
1/30/07	CONF WITH AMG; SETTLEMENT CONF CALL WITH GLOBAL CROSSING [B007]	DCB	1.6	\$415.00	\$664.00	\$456.50
1/31/07	TELEPHONE CONFERENC WITH VILAHOS; CONFER LS RE: SETTLEMENT AND PROPOSAL	AMG	1.2	\$450.00	\$540.00	\$315.00
2/1/07	CONF WITH AMG RE STATUS; RESEARCH RE LIMITATIONS ON LIABILITY; CONF WITH AMG	DCB	3.2	\$415.00	\$1,328.00	\$1,120.50
2/1/07	CONFERENCE WITH BURGER, T/C DEAN, REVIEW CASE LAW ON LIMITATION OF	AMG	1	\$450.00	\$450.00	\$225.00

Schedule A -- Robinson Brog Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
	DAMAGE					
2/2/07	CONF WITH AMG; REVIEWING AND RESEARCHING CASE LAW CITED BY DV	DCB	2.7	\$415.00	\$1,120.50	\$913.00
2/2/07	TELEPHONE CONFERENCE WITH DEAN 2X, LETTER GLOBAL, REVIEW CASE LAW	AMG	1	\$450.00	\$450.00	\$225.00
2/7/07	TELEPHONE CONFERENCE WITH DEAN 2X, SIMON, REVIEW ZONE LETTER	AMG	0.8	\$450.00	\$360.00	\$135.00
2/12/07	TELEPHONE CONFERENCE WITH DEAN 3X, SCHWARTZ RE: CH 11 ISSUE AND SCHEDULE	AMG	1	\$450.00	\$450.00	\$225.00
2/12/07	TELEPHONE CONFERENCE WITH VLAHOS 4X RE ZONE & AMENDING SCHEDULES	AMG	1.8	\$450.00	\$810.00	\$585.00

Schedule A -- Robinson Brog Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
2/13/07	TELEPHONE CONFERENCE WITH DEAN VLAHOS RE SCHEDULES 4X	AMG	1.1	\$450.00	\$495.00	\$270.00
3/15/07	CALL FROM DV; REVIEW ZONE LETTER; CONFERENCE WITH LS; CALL WITH DV.	DCB	1.2	\$415.00	\$498.00	\$290.50
3/16/07	CALL FROM DEAN; REVIEWING AGREEMENT AND CORRESPONDENCE	DCB	\$1.00	\$415.00	\$207.50	\$207.50
3/19/07	CALL FROM DV; PREPARING FOR AND ATTENDING CONFERENCE CALL.	DCB	2.6	\$415.00	\$1,079.00	\$871.50
3/21/07	REVIEWING DV DRAFT LETTER TO ZONE; CALL TO DV REGARDING REVISIONS TO LETTER.	DCB	1.6	\$415.00	\$664.00	\$456.50
4/9/07	TELEPHONE CONFERENCE WITH VLAHOS RE 341 MEETING; GLOBAL & ZONE 3X	LS	0.6	\$300.00	\$180.00	\$30.00

Schedule A -- Robinson Brog Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
8/27/07	CONFERENCE WITH DEAN, LORI, BURGER REVIEW AND REVISE ANSWER TO GLOBAL COMPLAINT	AMG	1.60	\$450.00	\$720.00	\$495.00
8/28/07	REVIEWING COMPLAINT & DRAFT ANSWER; CONF WITH LS & CB; CONF WITH AMG	DCB	1.40	\$415.00	\$581.00	\$373.50
9/19/07	TELEPHONE CONFERENCE WITH DEAN; TELEPHONE CONFERENCE WITH LORI & SPECIAL FEE COUNSEL REVIEW AWS V. CC	AMG	1.00	\$450.00	\$450.00	\$225.00
9/21/07	CONFERENCE WITH SCHWARTZ, TELEPHONE CONFERENCE WITH DEAN AND SCHWARTZ, WORK ON REPLY TO ADEQUATE PROTECTION MOTION, CONFERENCE WITH GLOBAL	AMG	1.00	\$450.00	\$450.00	\$225.00
9/24/07	TELEPHONE CONFERENCE WITH SCHWARTZ, REVIEW OPPOSITION PAPERS TO ADEQUATE ASSURANCE	AMG	1.00	\$450.00	\$450.00	\$225.00

Schedule A -- Robinson Brog Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
9/26/07	REVIEW OF REPLY, CONFERENCE SCHWARTZ RE GLOBAL HEARING	AMG	1.00	\$450.00	\$450.00	\$225.00
10/4/07	REVIEWING DRAFT DISCOVERY REQUEST; EMAILS TO LS RE REVISIONS	DCB	1.20	\$415.00	\$498.00	\$290.50
10/5/07	REVIEWING DRAFT DISCOVERY REQUESTS; EMAILS; CONF WITH LS	DCB	1.40	\$415.00	\$581.00	\$373.50
10/11/07	CONFERENCE WITH LAS REGARDING DEPOSITIONS AND SUBPOENAS FOR GLOBAL CROSSING EMPLOYEES IN THEIR INDIVIDUAL CAPACITY; REVIEW OF 30(B)(1) AND 30(B)(6) ISSUES	FBR	1.00	\$360.00	\$360.00	\$180.00
10/11/07	CALCULATING AMOUNTS FOR SUBPOENA FEES; REQUESTED CHECKS; PREPARE LETTER TO DLS FOR SERVICE OF DOCUMENTS; TRAVEL TO DLS TO HAND DELIVER PAPERWORK	JMB	1.80	\$130.00	\$234.00	\$169.00
10/11/07	CONFERENCE WITH DEAN AND BENNETT 2X RE GLOBAL LETTER,	AMG	1.50	\$450.00	\$675.00	\$450.00

Schedule A -- Robinson Brog Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
	CHANGING BILL RATES AND STRATEGY					
10/11/07	CONFERENCE WITH DEAN AND BENNETT 2X RE GLOBAL LETTER, CHANGING BILL RATES AND STRATEGY	AMG	1.50	\$450.00	\$675.00	\$450.00
10/12/07	MEETING WITH LS REGARDING SUBPOENAS TO BE SERVED; PREPARED CHECK REQUESTS; EMAIL FROM LS THREE MORE SUBPOENAS TO BE PREPARED AND SENT BY MESSENGER FOR SERVICE.	JMB	1.60	\$130.00	\$208.00	\$143.00
10/12/07	CONFERENCE WITH SCHWARTZ RE SUBPOENAS TELEPHONE CONFERENCE WITH DEAN SCHWARTZ RE STRATEGY	AMG	1.00	\$450.00	\$450.00	\$225.00
10/15/07	TELEPHONE CONFERENCE WITH VLAHOS RE DEPOSITIONS, DISCOVERY, ADEQ ASSURANCE PAYMENT; GLOBAL 3X	LS	1.00	\$300.00	\$300.00	\$150.00

Schedule A -- Robinson Brog Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
10/18/07	REVIEW OF CONTRACTS AND FACTUAL MATERIAL RELATED TO CLAIMS; REVIEW OF MEMO ON APPLICABILITY OF PAROL EVIDENCE RULE	FBR	3.20	\$360.00	\$1,152.00	\$972.00
10/29/07	CONFERENCE WITH SCHWARTZ, BURGER, RINGEL, EMAIL DEAN, PREPARE CASE WITH GLOBAL, EMAIL DEAN	AMG	0.80	\$450.00	\$360.00	\$135.00
11/19/07	TELEPHONE CONFERENCE WITH LORI REGARDING DISCOVERY ISSUES, REPRODUCTION ISSUES, TELEPHONE CONFERENCE WITH DEAN	AMG	0.80	\$450.00	\$360.00	\$135.00
10/24/07	MEETING WITH LS REGARDING SUBPOENA AND NOTICE OF DEPOSITION TO BE SERVED; PREPARED LETTER TO DEMOVSKY LAWYER SERVICE; VERIFIED DOLLAR AMOUNT FOR NON-PARTY WITNESS FEE; REQUESTED CHECK AND SENT	JMB	1.30	\$130.00	\$169.00	\$104.00

Schedule A -- Robinson Brog Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
	DOCUMENTS VIA FEDERAL EXPRESS TO DLS					
11/2/07	PREPARATION OF DOCUMENT PRODUCTION; SUPERVISION OF REORGANIZATION OF CLIENT'S E-MAIL PRODUCTION	FBR	2.00	\$360.00	\$720.00	\$540.00
11/6/07	CONFERENCE WITH FR AND LS RE CCT ISSUES RE DISCOVERY ETC. AND READ AND RESPOND TO EMAILS RELATING TO SAME	JDD	0.80	\$360.00	\$288.00	\$108.00
11/7/07	CONFERENCE WITH FR RE LEGAL AND DOCUMENT ISSUES; TC AND EMAILS WITH PARICK MURPHY RE CONVERSION; MEETING WITH PATRICK MURPHY RE CONVERSION	JDD	1.20	\$360.00	\$432.00	\$252.00
11/15/07	REVIEW OF DEAN'S WEB SITE; REVIEW DOCUMENTS ON LINE; TEST SEARCH MECHANISM; E-MAIL TO AMG AND LS REGARDING PROBLEMS WITH SAME	FBR	1.00	\$360.00	\$360.00	\$180.00

Schedule A -- Robinson Brog Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
11/29/07	REVIEW OF LETTER FROM CHRISTMAS; CALL TO CHAMBERS REGARDING RESPONSE TO CHRISTMAS LETTER; CALL TO AMG REGARDING AVAILABILITY; REVIEW OF DISCOVERY AND RESPONSE TO BENNETT ROSS INQUIRIES REGARDING FACTUAL ISSUES	FBR	1.00	\$391.91	\$255.74	\$95.90
12/10/07	CONFERENCE WITH RINGEL AND LORI, TELEPHONE CONFERENCE WITH DEAN, PREPARE FOR COURT, REVIEW DEFAULT LETTER FROM GLOBAL	AMG	1.00	\$492.75	\$492.75	\$246.37
12/20/07	TELEPHONE CONFERENCE WITH DEAN, CONFERENCE WITH SCHWARTZ REGARDING PLAN AND 366/365 HEARINGS	AMG	0.80	\$492.75	\$394.20	\$147.82
12/26/07	TELEPHONE CONFERENCE WITH LORI 3X, BENNETT, BOB, REVIEW AND REVISE OPPOSITION PAPERS, REVIEW EMAILS	AMG	1.50	\$492.75	\$739.13	\$492.75

Schedule A -- Robinson Brog Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
6/9/08	TELEPHONE CONFERENCE WITH DEAN 3X, BENNETT 3X, REGARDING SETILEMENT, WILEY REPRESENTATION, DUANE MORRIS SUBSTITUTION	AMG	2.60	\$492.75	\$1281.15	\$1034.77
6/11/08	TELEPHONE CONFERENCE WITH BENNETT 2X, REVIEW EMAIL REGARDING SETTLEMENT, REVIEW GLOBAL 10K	AMG	1.20	\$492.75	\$591.30	\$344.92
6/23/08	TELEPHONE CONFERENCE WITH DEAN, REVIEW EMAILS REGARDING OPERATING REPORT AND REFUND OF SALE, TAX ISSUES WITH GLOBAL	AMG	0.60	\$492.75	\$295.65	\$49.27
7/3/08	TELEPHONE CONFERENCE WITH BENNETT 3X, DEAN, LORI 2X REVIEW DECISION	AMG	1.60	\$492.75	\$788.40	\$542.02
7/14/08	REVIEW OF AMENDED COMPLAINT, EMAIL DEAN REGARDNG CONFERENCE CALL	AMG	0.60	\$492.75	\$295.65	\$49.27
7/18/08	TELEPHONE CONFERENCE	AMG	0.60	\$492.75	\$295.65	\$49.27

Schedule A -- Robinson Brog Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
	WITH DEAN, REVIEW EMAILS REGARDING SPECIAL COUNSEL					
7/21/08	TELEPHONE CONFERENCE WITH BENNETT 2X, REVIEW EMAIL REGARDING SPECIAL COUNSEL ISSUES	AMG	0.60	\$492.75	\$295.65	\$49.27
7/23/08	TELEPHONE CONFERENCE WITH BENNETT, REVIEW EMAILS, TELEPHONE CONFERENCE WITH DEAN	AMG	0.60	\$492.75	\$295.65	\$49.27
7/24/08	CONFERENCE WITH FRED, TELEPHONE CONFERENCE WITH BENNETT, CONFERENCE WITH LORI, REGARDING 366 RETURNING DEPOSIT AND OPERATING REPORTS	AMG	0.60	\$492.75	\$295.65	\$49.27
7/29/08	CONFERENCE WITH LORI, BENNETT, REVIEW ANSWER	AMG	0.80	\$492.75	\$394.20	\$147.82
8/1/08	TELEPHONE CONFERENCE WITH LORI 3X, REVIEW ANSWER AND ISSUES	AMG	1.00	\$492.75	\$492.75	\$246.37
9/3/08	TELEPHONE CONFERENCE WITH BENNETT 2X, TELEPHONE	AMG	0.80	\$492.75	\$394.20	\$147.82

Schedule A -- Robinson Brog Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
	CONFERENCE WITH DEAN REGARDING SETTLEMENT					
9/8/08	TELEPHONE CONFERENCE WITH BENNETT 2X, MCSHANE 2X, REGARDING SETTLEMENT	AMG	1.00	\$492.75	\$492.75	\$246.37
9/12/08	TELEPHONE CONFERENCE WITH BENNETT 2X, REVIEW EMAIL, TELEPHONE CONFERENCE WITH MCSHANE 2X	AMG	1.00	\$492.75	\$492.75	\$246.37
9/16/08	TELEPHONE CONFERENCE WITH LORI, BENNETT AND GLOBAL REGARDING SETTLEMENT, TELEPHONE CONFERENCE WITH BENNETT REGARDING SETTLEMENT	AMG	0.80	\$492.75	\$394.20	\$147.82
10/8/08	TELEPHONE CONFERENCE WITH BENNETT 3X, MCSHANE, REVIEW DAMAGE REPORT	AMG	2.50	\$492.75	\$1231.88	\$985.50
10/10/08	TELEPHONE CONFERENCE WITH DEAN 2X, BENNETT 4X, CONFERENCE WITH BENNETT AND MCSHANE	AMG	2.00	\$492.75	\$985.50	\$739.12

Schedule A -- Robinson Brog Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
10/13/08	REVIEW OF WORK ON DAMAGE REPORT, TELEPHONE CONFERENCE WITH BENNETT	AMG	1.00	\$492.75	\$492.75	\$246.37
10/16/08	TELEPHONE CONFERENCE WITH MCSHANE, REVIEW FINAL DAMAGE REPORT REGARDING SETTLEMENT, CONFERENCE WITH FRED AND LORI REGARDING SETTLEMENT, TELEPHONE CONFERENCE WITH BENNETT 2X REGARDING SETTLEMENT	AMG	2.00	\$492.75	\$985.50	\$739.12
10/30/08	TELEPHONE CONFERENCE WITH DEAN, LORI AND BENNETT REVIEW REPLY BRIEF TELEPHONE CONFERENCE WITH LORI 3X REGARDING FILING OF REPLY BRIEF	AMG	1.50	\$492.75	\$739.13	\$492.75
10/31/08	TELEPHONE CONFERENCE WITH BENNETT, CONFERENCE WITH LORI REGARDING SCHEDULING OF DISCOVERY	AMG	0.60	\$492.75	\$295.65	\$49.27
11/21/08	TELEPHONE CONFERENCE WITH DEAN 2X	AMG	0.80	\$492.75	\$394.20	\$147.82

Schedule A -- Robinson Brog Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
	AND BENNETT, TELEPHONE CONFERENCE WITH LORI					
11/25/08	TELEPHONE CONFERENCE WITH DEAN, BENNETT 2X, LORI REGARDING DISCOVERY, CONFERENCE WITH JOHN D. REGARDING DISCOVERY	AMG	1.00	\$492.75	\$492.75	\$246.37
12/3/08	TELEPHONE CONFERENCE WITH DEAN 2X, D'ERCOLE AND BENNETT, TELEPHONE CONFERENCE WITH J. BRANDT 3X REGARDING DISCOVERY AND SETTLEMENT ISSUES	AMG	2.00	\$492.75	\$985.50	\$739.12
12/4/08	TELEPHONE CONFERENCE WITH DEAN 3X, CONFERENCE WITH JOHN D'ERCOLE, REVIEW EMAILS, TELEPHONE CONFERENCE WITH BENNETT 2X, TELEPHONE CONFERENCE WITH ANDREWS, BENNETT REGARDING STRATEGY, REVIEW	AMG	2.40	\$492.75	\$1182.60	\$542.02

Schedule A -- Robinson Brog Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
	DISCOVERY MATERIAL TURNED OVER BY GLOBAL					
12/11/08	TELEPHONE CONFERENCE WITH JOHN, BENNETT LORI REVIEW EMAIL REGARDING FINANCIAL REPORTING TO US TRUSTEE AND NEW COUNSEL	AMG	1.00	\$492.75	\$492.75	\$246.37
12/12/08	TELEPHONE CONFERENCE WITH BENNETT 2X, JOHN D'ERCOLE 3X, BRANDT 2X REGARDING COUNSEL ISSUE, MEDIATION EXTEND DISCOVERY TIME FRAME	AMG	1.00	\$492.75	\$492.75	\$246.37
12/15/08	TELEPHONE CONFERENCE WITH BENNETT, CONFERENCE WITH LORI, TELEPHONE CONFERENCE WITH BRANDT 3X, REGARDING SETTLEMENT	AMG	1.20	\$492.75	\$591.30	\$344.92
12/16/08	TELEPHONE CONFERENCE WITH DEAN 3X, BRANDT, BENNETT, CONFERENCE WITH LORI AND	AMG	1.80	\$492.75	\$886.95	\$640.57

Schedule A -- Robinson Brog Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
	JOHN, REVIEW EMAIL REGARDING SETTLEMENT AND TRIAL PREPARATION					
12/17/08	TELEPHONE CONFERENCE CALL WITH DEAN, CONFERENCE WITH J. D'ERCOLE, BENNETT, REVIEW FILE REGARDING SETTLEMENT	AMG	1.80	\$492.75	\$886.95	\$640.57
12/18/08	TELEPHONE CONFERENCE WITH BRANDT, CONFERENCE WITH J. D'ERCOLE, NEW COUNSEL, DEAN REGARDING STRATEGY OF SETTLEMENT	AMG	1.50	\$492.75	\$739.13	\$492.75
12/19/08	REVIEW OF EMAILS, CONFERENCE WITH J D'ERCOLE REGARDING ADMISSION SERVING DEADLINE; REVIEW STIPULATION ADJOURNMENT ON ALL DISCOVERY AND MOTION 30 DAYS	AMG	1.10	\$492.75	\$542.03	\$295.65
1/6/09	TELEPHONE CONFERENCE WITH DEAN, LORI, JOHN D'ERCOLE BENNETT, CONFERENCE	AMG	1.60	\$492.75	\$788.40	\$542.02

Schedule A -- Robinson Brog Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
	WITH LORI, JOHN D. REGARDING AMENDED ANSWER, LEAD COUNSEL, BROADVOX DISPUTE, TELEPHONE CONFERENCE WITH BENNETT					
1/8/09	TELEPHONE CONFERENCE WITH BENNETT 3X, D'ERCOLE, LORI AND DUANE MORRIS MANISHIN, BRANDT; REVIEW OF DEAN EMAILS AND AMEND ANSWER, EMAILS REGARDING COUNSEL AND SETTLEMENT ISSUES	AMG	2.00	\$492.75	\$985.50	\$739.12
1/9/09	TELEPHONE CONFERENCE WITH MANISHIN; DEAN BENNETT REGARDING COUNSEL ISSUE, CONFERENCE WITH LORI	AMG	1.00	\$492.75	\$492.75	\$246.37
1/12/09	TELEPHONE CONFERENCE WITH DEAN 2X, MANISHIN, BENNETT, CONFERENCE WITH LORI AND JOHN REGARDING NEW COUNSEL OPERATING	AMG	1.50	\$492.75	\$739.13	\$492.75

Schedule A -- Robinson Brog Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
	REPORTS					
1/21/09	TELEPHONE CONFERENCE WITH BENNETT, BRANDT 2X REGARDING DISCOVERY SCHEDULE, NEW COUNSEL AND SETTLEMENT	AMG	0.80	\$492.75	\$394.20	\$147.82
1/23/09	TELEPHONE CONFERENCE WITH DEAN, BRANDT 3X, BENNETT AND D'ERCOLE, CONFERENCE WITH LORI REGARDING SETTLEMENT AND OPERATING REPORTS.	AMG	1.50	\$492.75	\$739.13	\$492.75
1/27/09	REVIEW OF ZONE DRAFT COMPLAINT, TELEPHONE CONFERENCE WITH D'ERCOLE 3X, BRANDT 3X, REGARDING DISCOVERY, EXTENSION OF TIME, NEW COUNSEL ISSUE	AMG	1.50	\$492.75	\$739.13	\$492.75
1/28/09	TELEPHONE CONFERENCE WITH DEAN 3X, JOHN D'ERCOLE 2X, BRANDT 2X, REVIEW MOTION TO AMEND, EMAILS, AND BRANDT LETTER	AMG	1.80	\$492.75	\$886.95	\$640.57

Schedule A -- Robinson Brog Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
1/30/09	TELEPHONE CONFERENCE WITH DEAN 3X, LORI, FRED REGARDING DAMAGE ISSUE, SALE OF CONTRACT R&S AND BENNETT STATUS.	AMG	1.00	\$492.75	\$492.75	\$246.37
2/2/09	TELEPHONE CONFERENCE WITH DEAN, LORI, & JOHN REGARDING WITHDRAWAL OF COUNSEL MOTION AND FEE REQUEST, TELEPHONE CONFERENCE WITH BENNETT REGARDING SAME	AMG	1.20	\$492.75	\$591.30	\$344.92
2/3/09	TELEPHONE CONFERENCE WITH DEAN, BENNETT 2X, BRANDT 2X REGARDING SCHEDULING ORDER AND DEPOSITION	AMG	1.00	\$492.75	\$492.75	\$246.37
2/4/09	TELEPHONE CONFERENCE WITH BENNETT 2X, DEAN 3X, REGARDING SALE OF CONTRACT AND LETTER TO JUDGE REGARDING DISCOVERY	AMG	1.00	\$492.75	\$492.75	\$246.37
2/5/09	REVIEW OF OBJECTIONS TO	AMG	2.50	\$492.75	\$1,231.88	\$985.50

Schedule A -- Robinson Brog Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
	RETENTION OF NEW COUNSEL AND AMENDMENT TO COMPLAINT AND WITHDRAWAL COUNSEL, TELEPHONE CONFERENCE WITH BENNETT 2X, DEAN 3X CONFERENCE WITH JOHN D. AND LORI, TELEPHONE CONFERENCE WITH J. BRANDT 2X REGARDING OBJECTION					
2/6/09	TELEPHONE CONFERENCE WITH DEAN 2X, CONFERENCE WITH LORI JOHN, BENNETT, REVIEW AND WORK ON REPLY PAPERS TO OPPOSITION TO COUNSEL WITHDRAWAL, RETENTION, MOTION TO AMEND ANSWER	AMG	1.80	\$492.75	\$886.95	\$640.57
2/9/09	TELEPHONE CONFERENCE WITH BENNETT 2X, DEAN 2X, CONFERENCE WITH J. D'ERCOLE REGARDING REPLY AND SETTLEMENT OF WITHDRAWAL OF COUNSEL,	AMG	2.00	\$492.75	\$985.50	\$739.12

Schedule A -- Robinson Brog Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
	RETAINER NEW COUNSEL, MOTION TO AMEND AND DEAN DECLARATION					
2/10/09	CONFERENCE WITH DEAN, TELEPHONE CONFERENCE WITH DEAN, TELEPHONE CONFERENCE WITH FRED RINGEL 2X, RESEARCH MOTION TO DISMISS 60 B(6), 105 AND CREDITOR DEAN FILING PLAN.	AMG	1.50	\$492.75	\$739.13	\$492.75
2/11/09	TELEPHONE CONFERENCE WITH DEAN 3X, CONFERENCE WITH LORI, JOHN D., RESEARCH MOTION TO DISMISS; TELEPHONE CONFERENCE WITH BRANDT REGARDING MOTION TO DISMISS	AMG	2.20	\$492.75	\$1,084.05	\$837.67
2/12/09	TELEPHONE CONFERENCE WITH DEAN 2X, CONFERENCE WITH LORI JOHN DEAN FRED REGARDING OPPOSITION TO	AMG	2.00	\$492.75	\$985.50	\$739.12

Schedule A -- Robinson Brog Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
	MOTION TO DISMISS, RESEARCH, TELEPHONE CONFERENCE WITH BENNETT					
2/13/09	TELEPHONE CONFERENCE WITH DEAN 3X, JOHN D'ERCOLE, LORI, REVIEW MOTION TO DISMISS	AMG	1.50	\$492.75	\$739.13	\$492.75
2/17/09	TELEPHONE CONFERENCE WITH LORI, FRED, DEAN, REVIEW REPLY PAPERS TO MOTION	AMG	1.00	\$492.75	\$492.75	\$246.37
2/18/09	TELEPHONE CONFERENCE WITH JOHN D'ERCOLE 2X, REVIEW OSC ON MOTION TO DISMISS, SMALL BUSINESS ISSUE ON CLAIMS AND EFFECTS OF DISMISSAL ON ADVERSARY SUIT	AMG	1.00	\$492.75	\$492.75	\$246.37
2/19/09	TELEPHONE CONFERENCE WITH LORI 2X, FRED, JOHN REVIEW EMAILS REGARDING SMALL BUSINESS ISSUE; REVIEW OF AMOUNT OF CLAIMS; PLAN BY CREDITORS, HARDSHIP ISSUE	AMG	1.50	\$492.75	\$739.13	\$492.75

Schedule A -- Robinson Brog Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
	AND RETENTION OF JURISDICTION OF ADVERSARY AFTER DISMISSAL AND SOL ISSUE					
2/20/09	TELEPHONE CONFERENCE WITH LEINWAND, LORI 3X, D'ERCOLE 2X, REVIEW OPPOSITION TO DISMISS ISSUES, AND SMALL BUSINESS CLAIMS ISSUES AND CREDITOR PLAN	AMG	1.50	\$492.75	\$739.13	\$492.75
2/23/09	CONFERENCE WITH BOB, DEAN, LORI AND JOHN D'ERCOLE, REVIEW PETITION TO AMEND SCHEDULE AND REPLY BRIEF TO MOTION TO DISMISS, TELEPHONE CONFERENCE WITH DEAN AND LORI	AMG	2.50	\$492.75	\$1,231.88	\$985.50
2/24/09	TELEPHONE CONFERENCE WITH DEAN 3X, CONFERENCE WITH JOHN D'ERCOLE, LORI REVIEW ZONE PAPERS IN SUPPORT OF DISMISSAL PREPARE REPLY PAPERS AND	AMG	3.50	\$492.75	\$1,724.63	\$1,478.25

Schedule A -- Robinson Brog Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
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	PAPERS IN SUPPORT OF MOTION TO AMEND SCHEDULES, TELEPHONE CONFERENCE WITH J. SHAFFERMAN 2X REGARDING CREDITOR'S PLAN					
2/25/09	TELEPHONE CONFERENCE WITH BOB, LORI, JOHN DUANE MORRIS REGARDING PLAN PREPARATION OF REPLY TO MOTION TO DISMISS, TELEPHONE CONFERENCE WITH DEAN, WORK ON MOTION TO AMEND SCHEDULED, TELEPHONE CONFERENCE WITH UST DEAN AND LORI REGARDING SMALL BUSINESS ISSUE AND MOTION TO DISMISS	AMG	2.80	\$492.75	\$1,379.70	\$1,133.32
2/27/09	TELEPHONE CONFERENCE WITH DEAN 4X, BENNETT, JOEL, CONFERENCE WITH LORI, FRED, BOB, AND JOHN REGARDING	AMG	4.00	\$492.75	\$1,971.00	\$1724.62

Schedule A -- Robinson Brog Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
	AMENDING SCHEDULES, MOTION TO AMEND OPPOSITION PAPERS					
3/1/09	TELEPHONE CONFERENCE WITH JOHN D'ERCOLE 5X, LORI 6X, DEAN, REVIEW PLAN DISCLOSURE STATEMENT, REVIEW OBJECTION TO MOTION TO DISMISS	AMG	3.50	\$492.75	\$1,724.63	\$1478.25
3/2/09	TELEPHONE CONFERENCE WITH DEAN 2X, JOEL SHAFFERMAN 3X, CONFERENCE WITH FRED, LORI, BOB AND JOHN D'ERCOLE REGARDING PLAN AND DISCLOSURE STATEMENT, OPPOSITION PAPERS AND ZONE ANSWER AND DEFENSE TO DISMISS ON SERVICE ISSUES	AMG	2.80	\$492.75	\$1,379.70	\$1133.32
3/3/09	TELEPHONE CONFERENCE WITH BENNETT 3X, REVISE OFFER ON PLAN, CONFERENCE WITH FRED	AMG	1.40	\$492.75	\$689.85	\$443.47

Schedule A -- Robinson Brog Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
	AND LORI					
3/4/09	TELEPHONE CONFERENCE WITH DEAN, CONFERENCE WITH BOB AND JOHN D. REVIEW REPLY BRIEF IN SUPPORT OF MOTION TO DISMISS	AMG	2.00	\$492.75	\$985.50	\$739.12
3/5/09	CONFERENCE WITH LORI, CONFERENCE WITH BOB, FRED, JOHN D., REGARDING DISMISSAL MOTION, LETTER TO DEAN, TELEPHONE CONFERENCE WITH BENNETT REGARDING DISMISSAL	AMG	1.50	\$492.75	\$739.13	\$492.75
3/5/09	TELEPHONE CONFERENCE WITH AM 8X	LS	1.10	\$319.67	\$479.51	\$319.67
3/5/09	TELEPHONE CONFERENCE WITH JDD	LS	0.80	\$319.67	\$351.64	\$191.80
3/9/09	TELEPHONE CONFERENCE WITH LORI REVIEW EMAIL REGARDING PURCHASE OF GLOBAL STOCK AND ORDINARY BUSINESS REQUIREMENTS	AMG	0.80	\$492.75	\$394.20	\$147.83
3/10/09	TELEPHONE CONFERENCE	AMG	0.80	\$492.75	\$394.20	\$147.83

Schedule A -- Robinson Brog Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
	WITH LORI3X, REVIEW DEAN EMAILS REGARDING 363 SALE AND STOCK PURCHASE OUT OF ORDINARY COURSE OF BUSINESS					
6/9/09	TELEPHONE CONFERENCE WITH AMG & VLAHOS RE TRIAL ISSUES / WILEY REIN / SUBSTITUTION OF COUNSEL 2X	LS	1.50	\$319.67	\$394.20	\$147.83
4/7/08	REVIEW OF REVISED MOTION TO STRIKE; OBTAIN HEARING DATE AND ARRANGE FOR SERVICE; RESPOND TO E-MAIL FROM BENNETT REGARDING STATUS	FBR	1.20	\$391.91	\$391.91	\$195.96
4/22/08	TELEPHONE CONFERENCE WITH ROSS REGARDING GC RESPONSE TO CCT'S LETTER ON SANCTIONS; DISCUSSION OF ISSUE REGARDING REQUEST FOR ADDITIONAL TIME; DISCUSS SCHEDULING MATTERS	FBR	0.60	\$391.91	\$470.29	\$274.34

Schedule A -- Robinson Brog Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
11/20/09	REVIEW OF EMAILS; REVIEW FEDERAL RULES RE DEFINITION OF DOCUMENT; EMALS WITH DEAN RELATING TO SAME	JDD	1.00	\$374.68	\$587.87	\$391.91
11/26/08	TELEPHONE CONFERENCE AND EMAILS RELATING TO PREPARATION OF CCT'S DOCUMENT REQUEST	JDD	1.00	\$374.68	\$374.68	\$187.34
12/2/08	TELEPHONE CONFERENCE AND EMAILS RE CCT RESPONSE TO DISCOVERY REQUEST	JDD	2.00	\$374.68	\$749.36	\$562.02
12/3/08	TELEPHONE CONFERENCES AND EMAILS RE PREPARATION OF RESPONSES TO DISCOVERY REQUEST	JDD	1.50	\$374.68	\$562.02	\$374.68
12/8/08	TELEPHONE CONFERENCE WITH DV RE RESPONSES TO DISCOVERY REQUESTS; REVIEW AND REVISE DISCOVERY REQUESTS AND ARRANGE TO SERVE; READ AND DENS EMAILS TO BR	JDD	2.00	\$374.68	\$749.36	\$562.02
12/10/08	TELEPHONE	JDD	0.80	\$374.68	\$299.74	\$112.40

Schedule A -- Robinson Brog Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
	CONFERENCES AND EMAILS RE LETTER TO LATHAM RE DISCOVERY DEFICIENCIES; REVIEW OF LETTER					
12/11/08	REVIEW OF BENNETT LETTER TO BRANDT; TCS AND EMAILS WITH DV RE SAME; REVIEW AND REVISE LETTER	JDD	2.00	\$374.68	\$749.36	\$562.02
12/12/08	TELEPHONE CONFERENCE WITH BR RE ISSUES IN CASE; LETTER TO BRANDT ETC.; TCS WIDEAN RE WILEY REIN STATUS AND LETTER TO BRANDT	JDD	3.00	\$374.68	\$1,124.04	\$936.70
12/16/08	REVIEW OF CENTRAL OFFICE CASE AND TO W/DV RE SAME AND OTHER LEGAL ISSUES	JDD	2.00	\$374.68	\$749.36	\$562.02
12/18/08	RESEARCH TELECOMMUNICATIONS LAW RE LIMITATION OF LIABILITY DECISION AND REVIEW OF CENTRAL OFFICE AND TCS W/DV RE SAME	JDD	3.50	\$374.68	\$1,311.38	\$1124.04
12/19/08	REVIEW OF PROPOSED	JDD	3.00	\$374.68	\$1,124.04	\$936.70

Schedule A -- Robinson Brog Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
	STIPULATION RE FIFTH SCHEDULING ORDER AND REVISE AND TCS AND EMAILS RELATING THERETO					
12/19/08	OC W/AMG RE LETTER TO BENNETT RE DIVISION OF RESPONSIBILITIES; PREPARATION OF LETTER AND OC W/AMG RE LETTER; REVISIONS TO LETTER	JDD	1.00	\$374.68	\$374.68	\$187.34
12/29/08	PREPARATION OF SUBPOENA TO EXPERT AND TELEPHONE CONFERENCES AND EMAILS RELATING THERETO	JDD	3.00	\$374.68	\$1,124.04	\$936.70
1/8/09	RESEARCH LEGAL ISSUES RE AMENDING COMPLAINT AND TC W/BR RE SAME	JDD	2.00	\$374.68	\$749.36	\$562.02
1/9/09	REVIEW OF WITHDRAWAL LETTER FROM WILEY REIN AND DISCUSSIONS RELATING TO SAME	JDD	1.00	\$374.68	\$374.68	\$187.34
1/21/09	REVIEW OF DRAFT AMENDED ANSWER AND	JDD	1.60	\$374.68	\$599.49	\$412.15

Schedule A -- Robinson Brog Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
	DISCUSSIONS RE SAME AND REVIEW OF EMAILS					
1/22/09	TELEPHONE CONFERENCES AND EMAILS RE AMENDING COMPLAINT AND OTHER ISSUES RE WITHDRAWAL OF WILEY REIN	JDD	2.00	\$374.68	\$749.36	\$562.02
1/23/09	REVIEW OF ZONE TELECOM DOCUMENTS AND TCS W/DV RE SAME	JDD	1.90	\$374.68	\$711.89	\$524.55
1/24/09	REVIEW OF ZONE TELECOM FILE AND PREPARATION OF COMPLAINT	JDD	6.00	\$374.68	\$2,248.08	\$2060.74
1/25/09	REVIEW AND REVISE BRANDT LETTER AND EMAILS RELATING TO SAME; REVIEW OF ANSWER	JDD	1.00	\$374.68	\$374.68	\$187.34
1/26/09	REVIEW AND REVISE LETTER TO BRANDT AND TCS AND EMAILS RELATING TO SAME	JDD	1.00	\$374.68	\$374.68	\$187.34
1/27/09	PREPARATION OF ZONE COMPLAINT AND OCS W/DV RELATING TO SAME	JDD	3.00	\$374.68	\$1124.04	\$936.70
1/28/09	PREPARATION OF MOTION TO AMEND COMPLAINT AND	JDD	2.50	\$374.68	\$936.70	\$749.36

Schedule A -- Robinson Brog Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
	ARRANGE FOR FILING AND SERVICE					
1/28/09	PREPARATION OF MOTION TO AMEND COMPLAINT AND ARRANGE FOR FILING AND SERVICE	JDD	2.00	\$374.68	\$749.36	\$562.02
2/3/09	READ CORRESPONDENCE FROM DV RE EXPERT SUBPOENA AND TCS RELATING TO SAME	JDD	1.00	\$374.68	\$374.68	\$187.34
2/5/09	REVIEW OF GLOBAL OPPOSITION PAPERS AND RELATED CONFERENCES	JDD	2.00	\$374.68	\$749.36	\$562.02
2/6/09	REVIEW AND REVISE OMNIBUS REPLY AND RELATED CONFERENCES WITH BR, GM AND DV AND AMG	JDD	3.00	\$374.68	\$1,124.04	\$936.70
2/6/09	REVIEW OF DV DECLARATION AND RELATED CONFERENCES	JDD	1.00	\$374.68	\$374.68	\$187.34
2/9/09	REVIEW OF DV DECLARATION IN OPPOSITION TO WITHDRAWAL MOTION AND RELATED CONFERENCES	JDD	2.50	\$374.68	\$936.70	\$749.36
2/9/09	REVIEW AND REVISE REPLY TO	JDD	2.00	\$374.68	\$749.36	\$562.02

Schedule A -- Robinson Brog Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
	PAPERS IN OPPOSITION TO AMEND AND RELATED CONFERENCES					
2/11/09	CONFERENCE WITH LS AND FR RE AMENDMENT OF SCHEDULES AND OTHER ISSUES RE MOTION TO DISMISS; REVIEW OF TRANSCRIPT	JDD	0.80	\$374.68	\$299.74	\$112.40
2/11/09	TELEPHONE CONFERENCE WITH JAMES BRANDT RE MOTION TO DISMISS, MALDONADO DEPOSITION ETC.; SEND EMAIL TO AMG RE SAME	JDD	0.80	\$374.68	\$299.74	\$112.40
2/12/09	CONFERENCE AND EMAILS WITH FR AND LS RE MOTION TO DISMISS AND LEGAL ISSUES RELATING THERETO	JDD	1.20	\$374.68	\$449.62	\$262.28
2/13/09	TELEPHONE CONFERENCE X2 WITH MIKE MIRANDO RE ADJOURNMENT OF MALDONADO DEPOSITION AND MOTION TO DISMISS; TC W/ ED MALDONADO RE ADJOURNMENT OF	JDD	1.00	\$374.68	\$374.68	\$187.34

Schedule A -- Robinson Brog Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
	DEPOSITION					
2/13/09	CONFERENCE WITH LS AND FR RE DISCUSSION OF MOTION TO DISMISS; REVIEW OF CPLR RE. TOLLING OF LIMITATION FOR DISMISSED ACTION	JDD	0.60	\$374.68	\$224.81	\$37.47
2/18/09	CONFERENCES AND CONVERSATIONS WITH AMG, JDD AND LS; REVIEW OF SEC FILINGS AND SEC REGULATIONS FOR SUCH FILINGS	JDD	0.60	\$374.68	\$224.81	\$37.47
2/19/09	RESEARCH LEGAL ISSUES INCLUDING INHERENT AUTHORITY OF COURT AND RETENTION OF JURISDICTION AND TCS AND EMAILS RELATING TO SAME	JDD	3.00	\$374.68	\$1,124.04	\$936.70
2/25/09	REVIEW AND REVISE OPPOSITION PAPERS AND RELATED RESEARCH	JDD	4.00	\$374.68	\$1,498.72	\$1311.38
2/26/09	REVIEW AND REVISE OPPOSITION PAPERS AND RELATED RESEARCH	JDD	4.00	\$374.68	\$1,498.72	\$1311.38
3/2/09	REVIEW OF ZONE	JDD	2.50	\$374.68	\$936.70	\$749.36

Schedule A -- Robinson Brog Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
	ANSWER AND RESEARCH SERVICE OF SUMMONS AND COMPLAINT ON ZONE AND OBTAINING A NEW SUMMONS AND DISCUSSIONS WITH LS RE SAME AND OTHERS					
3/3/09	REVIEW AND REVISE AND SERVE LETTER TO O'NEIL RE RESUMPTION OF SERVICE AND TCS AND EMAILS WITH DV RELATING TO SAME	JDD	1.50	\$374.68	\$562.02	\$374.68
3/3/09	REVIEW OF GLOBAL REPLY BRIEF AND DISCUSSIONS RE SAME	JDD	1.50	\$374.68	\$562.02	\$374.68
3/3/09	CONFERENCE AND EMAILS RE DV'S DECISION NOT TO FILE A PLAN AND FEE PROPOSAL	JDD	1.20	\$374.68	\$449.62	\$262.28
3/16/09	RESEARCH RECOUPMENT / SET-OFF RE ZONE TELECOM AFFIRMATIVE DEFENSE AND INDEMNIFICATION BY GLOBAL; REVIEW CONTRACT	JDD	2.00	\$374.68	\$749.36	\$562.02
3/17/09	REVIEW AND REVISE ZONE DOCUMENT	JDD	3.50	\$374.68	\$1,311.38	\$1124.04

Schedule A -- Robinson Brog Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
	REQUEST AND INTERROGATORIES AND CONFERENCES RELATING THERETO					
3/17/09	RESEARCH USUAL COURSE OF BUSINESS CASES AND DISCUSSIONS WITH DV RELATING THERETO	JDD	1.00	\$374.68	\$374.68	\$187.34
3/18/09	CORRESPONDENCE EMAILS WITH GM RE LETTER TO BERNSTEIN RE CONFERENCE; REVIEW AND REVISE LETTER AND ARRANGE FOR SERVICE	JDD	1.50	\$374.68	\$562.02	\$374.68
3/19/09	REVIEW OF DRAFT OBJECTION AND TC W/DV RE SAME AND DEPOSITION ISSUES	JDD	1.30	\$374.68	\$487.08	\$299.74
3/20/09	TELEPHONE CONFERENCE WITH DV RE DEPOSITION ETC. AND PREPARATION FOR DEPOSITION	JDD	1.50	\$374.68	\$562.02	\$374.68
3/20/09	REVIEW AND REVISE OBJECTIONS TO DOCUMENT RESPONSE AND TO W/DV RELATING TO SAME	JDD	2.00	\$374.68	\$749.36	\$562.02
3/23/09	PREPARATION FOR	JDD	8.00	\$374.68	\$2,997.44	\$2810.10

Schedule A -- Robinson Brog Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
	AND ATTEND DEPOSITION OF DV					
3/26/09	CORRESPONDENCE SENT ENCLOSING NOTICES OF DEPOSITION AND REVIEW AND REVISE SAME; TCS W/VERIZON RE SERVICE ADDRESS	JDD	1.00	\$374.68	\$374.68	\$187.34
3/30/09	REVIEW AND REVISE BRANDT LETTER AND TCS W/DV RE SAME	JDD	0.60	\$374.68	\$224.81	\$37.47
3/31/09	REVIEW AND REVISE LETTER TO O'NEILL AND ARRANGE FOR SERVICE; EMAILS AND TCS RE SAME WITH DV	JDD	0.70	\$374.68	\$262.28	\$74.94
3/31/09	REVIEW AND REVISE BRANDT LETTER AND EMAILS AND TCS W/DV RE SAME	JDD	0.80	\$374.68	\$299.74	\$112.40
	Lumping Totals				\$115,077.51	\$78,610.50

Schedule B -- Wiley Rein Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
11/26/07	Review emails from D. Vlahos regarding scheduling order; telephone B. Butler regarding same; review email and case law from D. Vlahos; email to D. Vlahos regarding same	BLR	2.30	\$545.00	\$1,253.50	\$981.00
11/27/07	Review research on damages under Communication Act; draft memo to D. Vlahos regarding discovery of damages under the Communications Act; conference with B. Butler	BLR	3.30	\$525.00	\$1,798.50	\$1,273.50
11/30/07	Finalize letter to Judge Bernstein regarding scheduling order; telephone call from F. Ringel regarding same; conference with D. Vlahos et al., regarding letter; emails to D. Vlahos regarding discovery; telephone call from D. Vlahos regarding damages.	BLR	3.80	\$545.00	\$2,071.00	\$1,798.50
12/03/07	Review of memo on damages issues; conference with B. Ross re strategy for discovery and summary judgment motions claims documents for proof elements.	AGM	2.10	\$595.00	\$1,249.50	\$952.00
12/27/07	Review and analyze cases re bifurcation of trial; Draft Motion to Bifurcate Review and analyze	JCS	6.20	\$270.00	\$1674.00	\$1,539.00

Schedule B -- Wiley Rein Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
	cases re bifurcation of trial; Draft Motion to Bifurcate Review and analyze cases re bifurcation of trial; Draft Motion to Bifurcate					
12/31/07	Confer with R. Butler re edits to motion to bifurcate Review and revise motion to bifurcate Confer with B. Ross re edits to motion to bifurcate Review and analyze case re modification of contracts	JCS	4.40	\$270.00	\$1,188.00	\$1,053.00
1/22/08	prepare for and participate in conference call with F.Ringel, D.Vlahos, B.Ross, J.Slattery, re: witnesses and exhibits for 1/28 hearing; preparation of exhibit binders; demonstrative exhibits; pretrial brief and logistics for 1/28 hearing (3.8)	HJA	3.80	\$405.00	\$1,539.00	\$1,336.50
2/13/08	Calls and emails regarding fee application	DGT	.6	\$430.00	\$258.00	\$43.00
4/28/08	Review Global Crossing reply motion and research case law cited in same; summarize same for R.Bennett to use at April 29, 2008 hearing; begin reviewing post-trial brief.	HJA	4.20	\$405.00	\$1,701.00	\$1,498.50

Schedule B -- Wiley Rein Lumped Entries

Date	Task	Professional	Hours Billed	Hourly Rate	Amount Billed	Amount Disallowed
5/07/08	Update limitation on liability memorandum; research case law citations for Stephen Siwak, prospective expert witness.	HJA	2.00	\$405.00	\$810.00	\$607.50
7/17/08	Accept cite check project for B. Ross, coordinate time frame for completion of project with D. Trache, begin researching cites on Lexis (.8 hrs).	NEG	.8	\$120.00	\$96.00	\$36.00
7/28/08	Review case law, and complete additional legal research. Complete draft and revise Motion for Sanctions.	MAH	8.7	\$250.00	\$2,175.00	\$2,050.00
7/30/08	Telephone call with B. Ross and J. Gold re: stay violations. Review	DGT	.7	\$430.00	\$301.00	\$86.00
8/4/08	Review authority re: finality of appealed 366 order and prepare memo to B. Ross. Exchange emails re: same. Follow up research and detailed email re: additional cases to support argument that order is not final.	DGT	5.50	\$430.00	\$2,365.00	\$2,150.00
	Totals				\$16,681.00	\$14,131.00