

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

Accordingly, it is

**ORDERED, ADJUDGED and DECREED** that J.H. Cohn LLP is hereby awarded on an interim basis fees of \$115,000.00, as an allowed administrative expense pursuant to 11 U.S.C. Sections 503(b) and 507(a)(2). This interim award of fees is subject to disgorgement upon final application and review by the Court.

In re:

Case No. 6:07-bk-00761-ABB  
Chapter 11  
(Jointly Administered)

Dated this 26<sup>th</sup> day of September, 2008.

LOUIS J. PEARLMAN, *et al.*,

Debtors.

/s/Arthur B. Briskman  
ARTHUR B. BRISKMAN  
United States Bankruptcy Judge

**ORDER**

This matter came before the Court on the Application for Allowance and Payment of Compensation to J.H. Cohn LLP, as Special Accountants to the Trustee for the Period March 27, 2007 Through April 30, 2008 (Doc. No. 1309) filed by J.H. Cohn LLP pursuant to 11 U.S. C. Sections 328 and 330. A hearing was held on July 16, 2008 at which the Chapter 11 Trustee, counsel for the Chapter 11 Trustee, counsel for the Office of the United States Trustee, counsel for J.H. Cohn LLP and various other parties in interest appeared. J.H. Cohn LLP filed a post-hearing summary of its application (Doc. No. 1385) pursuant to the Court's directive.

J.H. Cohn LLP requests an interim administrative expense award of \$231,958.50 consisting only of fees. J.H. Cohn LLP is not seeking reimbursement of costs in this application. The Application reflects fees incurred in connection with accounting services provided to the Chapter 11 Trustee during the period March 27, 2007 through April 30, 2008.

J.H. Cohn LLP provided billing records reflecting a total of 619.8 hours billed at hourly rates ranging from \$230.00 to \$570.00 for both professionals and paraprofessionals, with a blended hourly rate of \$374.25 (Doc. No. 1309, Exh. B).

After consideration of the First Colonial and Johnson factors,<sup>1</sup> J.H. Cohn LLP is due an interim award of fees of \$115,000.00.

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enunciated by the Fifth Circuit Court of Appeals in In the Matter of First Colonial Corp. of Am., 544 F.2d 1291 (5th Cir. 1977) and Johnson v. Georgia Highway Express, Inc., 488 F.2d 714 (5th Cir. 1974). The twelve factors are: (1) the time and labor required; (2) the novelty and difficulty of the questions involved; (3) the skill requisite to perform the legal service properly; (4) the preclusion of other employment by the attorney due to acceptance of the case; (5) the customary fee; (6) whether the fee is fixed or contingent; (7) time limitations imposed by the client or the circumstances; (8) the amount involved and the results obtained; (9) the experience, reputation, and ability of the attorneys; (10) the "undesirability" of the case; (11) the nature and the length of the professional relationship with the client; (12) awards in similar cases. Johnson at 714.

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<sup>1</sup> The reasonableness of attorney's fees and costs is determined through an examination of the criteria