

**UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

In re:

NEW WEI, INC., *et al.*,<sup>1</sup>

Debtors.

Chapter 7

Case No. 15-02741-TOM11

Jointly Administered

**Re: Docket No. 3698**

**FEE EXAMINER'S FINAL REPORT REGARDING  
FOURTH APPLICATION REQUEST OF  
EDMOND R. DENABURG**

Direct Fee Review LLC (“DFR”), appointed and employed as the Fee Examiner in the above-captioned bankruptcy proceedings and acting in its capacity regarding the Fourth Application Request of Edmond R. Denaburg (the “Firm”) for compensation for services rendered and reimbursement of expenses as Accountant for the Chapter 7 Trustee for the compensation period from November 16, 2019 through October 31, 2020 (“Fee Application”) seeking approval of fees in the amount of \$28,427.00 and the reimbursement of expenses in the amount of \$343.90, submits its final report.

<sup>1</sup> The Debtors in these cases, along with the last four digits of each Debtor’s federal tax identification number, are: New WEI, Inc. (f/k/a Walter Energy, Inc.) (9953); Atlantic Development and Capital, LLC (8121); Atlantic Leaseco, LLC (5308); Blue Creek Coal Sales, Inc. (6986); Blue Creek Energy, Inc. (0986); New WEI 7, Inc. (f/k/a J.W. Walter, Inc.) (0648); Jefferson Warrior Railroad Company, Inc. (3200); New WEI 2, LLC (f/k/a Jim Walter Homes, LLC) (4589); New WEI 13, Inc. (f/k/a Jim Walter Resources, Inc.) (1186); Maple Coal Co., LLC (6791); Sloss-Sheffield Steel & Iron Company (4884); SP Machine, Inc. (9945); Taft Coal Sales & Associates, Inc. (8731); Tuscaloosa Resources, Inc. (4869); V Manufacturing Company (9790); New WEI 19, LLC (f/k/a Walter Black Warrior Basin LLC) (5973); New WEI 18, Inc. (f/k/a Walter Coke, Inc.) (9791); New WEI 22, LLC (f/k/a Walter Energy Holdings, LLC) (1596); New WEI 20, LLC (f/k/a Walter Exploration & Production LLC) (5786); New WEI 1, Inc. (f/k/a Walter Home Improvement, Inc.) (1633); New WEI 6 Company (f/k/a Walter Land Company) (7709); New WEI 16, Inc. (f/k/a Walter Minerals, Inc.) (9714); and New WEI 21, LLC (f/k/a Walter Natural Gas, LLC) (1198). The location of the Debtors’ corporate headquarters is 2100 Southbridge Parkway, Suite 650, Birmingham, Alabama 35209.



## **BACKGROUND**

1. In performance of audit procedures and in preparation of this report designed to quantify and present factual data relevant to the requested fees, disbursements and expenses contained herein, DFR reviewed the fee statement and the Application, including each of the billing and expense entries listed in the exhibits to the statement, for compliance with 11 U.S.C. § 330, Rule 2016-1 of the Local Rules of the United States Bankruptcy Court for the Northern District of Alabama (“Local Rules”).
2. DFR did not prepare informal memos related to the fee application of the Firm. We included our questions and issues in an initial report and this final report. We have included all responses and any recommended resolutions in this final report.

## **DISCUSSION**

1. For the compensation period of November 16, 2019 through October 31, 2020 the Firm submitted fee applications in the amount of \$28,427.00 as actual, reasonable and necessary fees and for expense reimbursement of \$343.90. For the Fee Application period, \$1,547.50 was disclosed as related to fee application preparation.
2. We deem it generally acceptable to have a maximum of 3% of total time charged in preparing fee applications. For Firms with more limited involvement, we consider an alternative standard of less than \$50,000 in total spent on preparing fee applications. We apply these guidelines on a cumulative basis. We evaluate these charges with consideration to the length of time of the case and the practice experience of the firm. We noted that cumulatively through this period the Firm has charged \$5,202.30 related to fee applications on a cumulative basis and we have calculated that 2.7% of the fees billed related to fee

applications on a cumulative basis. We do not have an objection to the amount of fees charged for fee application preparation in this fee application based upon our review and procedures and we deem the amount to be reasonable.


3. Administrative or general costs incident to the operation of the applicant's office and business that is part of normal overhead or are not particularly attributable to an individual client or case are not reimbursable. Invoice or billing review or collection activities and initial engagement and conflicts review are usually considered part of the applicant's overhead. We noted entries that seemed to be block allocation of time activity. In the past the Firm has advised us that this results in the time billed being less than the actual time spent. We requested and the Firm confirmed that the time billed was less than the actual time spent for this activity in this period. Because there is no recommendation for a reduction in fees for these entries, no exhibit has been included.
4. Our review and procedures applied to the fee statement and the Fee Applications, including each of the billing and expense entries listed in the exhibits to the fee statement did not disclose any other material issues or questions.

## CONCLUSION

5. Regarding the application and the fees and expenses discussed in the previous sections, DFR submits its final report for the Fourth Application Request of Edmond R. Denaburg for compensation for services rendered and reimbursement of expenses as Accountant for the Chapter 7 Trustee for the compensation period from November 16, 2019 through October 31, 2020 and we recommend the approval of the fees of \$28,427.00 and reimbursement of expenses in the amount of \$343.90.

Respectfully submitted,

**DIRECT FEE REVIEW LLC**  
**FEE EXAMINER**

By:   
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