UNITED STATES DISTRICT COURT	
EASTERN DISTRICT OF NEW YORK	
	X
SECURITIES AND EXCHANGE COMMISSION,	N, :
Plaintiff,	· ·
-V-	:
PLATINUM MANAGEMENT (NY) LLC;	. No. 16-CV-6848 (BMC)
PLATINUM CREDIT MANAGEMENT, L.P.;	
MARK NORDLICHT;	
DAVID LEVY;	
DANIEL SMALL;	
URI LANDESMAN;	
JOSEPH MANN;	:
JOSEPH SANFILIPPO; and	:
JEFFREY SHULSE,	:
Defendants.	:
	: V
	$\Lambda$

## SECOND JOINT INTERIM APPLICATION OF THE RECEIVER AND OTTERBOURG P.C. FOR ALLOWANCE OF COMPENSATION AND REIMBURSEMENT OF EXPENSES INCURRED DURING THE PERIOD OCTOBER 1, 2017 THROUGH AND INCLUDING DECEMBER 31, 2017

Melanie L. Cyganowski, the receiver (the "<u>Receiver</u>") for Platinum Credit Management, L.P., Platinum Partners Credit Opportunities Master Fund LP, Platinum Partners Credit Opportunities Fund (TE) LLC, Platinum Partners Credit Opportunities Fund LLC, Platinum Partners Credit Opportunity Fund (BL) LLC, Platinum Liquid Opportunity Management (NY) LLC, Platinum Partners Liquid Opportunity Fund (USA) L.P., Platinum Partners Liquid Opportunity Master Fund L.P., Platinum Partners Credit Opportunities Fund International Ltd and Platinum Partners Credit Opportunities Fund International (A) Ltd (collectively, the "<u>Receivership Entities</u>," the "<u>Platinum Entities</u>" or "<u>Platinum</u>"), and Otterbourg P.C., as counsel to the Receiver ("<u>Otterbourg</u>" and, together with the Receiver, "<u>Applicants</u>"), hereby submit this Second Joint Interim Application (the "<u>Second Interim Application</u>") for Allowance of Compensation and Reimbursement of Expenses Incurred During the Period from October 1, 2017 through and including December 31, 2017 (the "<u>Second Application Period</u>"). There are two components to this Application: (i) the Receiver's services; and (ii) the services of her counsel (Otterbourg). The Receiver requests interim approval of fees in the amount of \$120,434.80 and reimbursement of expenses in the amount of \$2,602.95 for the Second Application Period. Otterbourg requests interim approval of fees in the amount of \$903,961.80 and reimbursement of expenses in the amount of \$9,184.99 for the Second Application Period, for a combined total of fees for Applicants in the amount of \$1,024,396.60,<sup>1</sup> and expenses in the amount of \$11,787.94.

This Second Interim Application contains the following sections:

Section I provides a preliminary statement of the Receiver's activities during the Second Application Period.

Section II summarizes the background of the receivership and also contains case status information required by Section C.2 of the Billing Instructions for Receivers in Civil Actions Commenced by the U.S. Securities and Exchange Commission (the "SEC Billing Guidelines"). Section II also describes the procedures used by Otterbourg in compiling its billing records and provides other information as requested by the SEC Billing Guidelines, including a description of each exhibit to this Second Interim Application and the reduction in fees agreed to in connection with the appointment of the Receiver.

<sup>&</sup>lt;sup>1</sup> As agreed to by the Receiver, this total amount reflects a public service accommodation of a twenty percent (20%) reduction in the Receiver's recorded time charges and a ten percent (10%) reduction in Otterbourg's recorded time charges. In addition, in accordance with Otterbourg's customary practice, it reviews its hourly rates each year and adjusts the professionals' hourly billing rates as of October 1, 2017. As previously agreed with the SEC, the Receiver's fees have been reduced (prior to application of the public service accommodation) to discount for any increase in her billable rate since October 1, 2017. Therefore, the Receiver's recorded time charges before application of these accommodations were \$177,777.50 and Otterbourg's recorded time charges were \$1,004,402.00, for a combined gross legal fees total (before the application of any public service accommodation or the discount for rate increases) of \$1,182,179.50.

## Case 1:16-cv-06848-BMC Document 305 Filed 02/15/18 Page 3 of 51 PageID #: 6123

Section III contains a narrative description of the work Otterbourg professionals performed on behalf of the Receiver during the Second Application Period, under each project category, in accordance with Section D of the SEC Billing Guidelines. All such categories correspond with the SEC's SFAR in this case.

**Section IV** contains a summary of all expenses for which Otterbourg seeks reimbursement and the procedures and policies adopted by Otterbourg to ensure compliance with Section E of the SEC Billing Guidelines.

**Section V** briefly summarizes the standards to be applied by the Court in determining fee awards in SEC receivership cases.

# I. PRELIMINARY STATEMENT

After assuming control of the Receivership Entities from the Prior Receiver (defined below), the Receiver and her team<sup>2</sup> spent the initial months of her appointment rapidly obtaining an understanding of the portfolio of assets and addressing the myriad of emergencies confronting several of the assets. During the Second Application Period, the Receiver turned her attention to monetizing the assets and analyzing, with the assistance of her retained professionals, options for monetizing each of the assets in the portfolio.

## A. Analysis and Disposition of Receivership Assets

The opening investment portfolio consisted of 90 investments. A single investment may have multiple assets, some of which may be separately marketed and monetized. Thus, a purportedly "single" investment may actually be the equivalent of multiple investments when it comes to liquidating the underlying assets. The investments of the Platinum Entities are diverse,

<sup>&</sup>lt;sup>2</sup> To assist her with her duties, the Receiver sought the retention of counsel and a financial advisor. To that end, on July 21, 2017, the Court approved the retention of Otterbourg as legal counsel to the Receiver [Dkt. no. 231] and Goldin Associates LLC as her financial advisor [Dkt. no. 232] ("<u>Goldin</u>" and, together with Otterbourg, the "<u>Receivership Team</u>").

but generally fall into three main asset categories: (i) life settlement investments (*e.g.*, investments in life insurance policies), (ii) litigation finance investments, and (iii) "other" assets, which vary greatly, although they have a significant concentration in the metals, mining and energy sectors. Most of the companies are in the developmental stages and have not yet had proven success. In addition, the investments are located around the country and around the world, including Brazil, China and Australia.

Important to understanding how best to monetize each asset was first gaining an understanding of exactly what was being sold and whether the cooperation of others in the capital structure was necessary to effectuate a sale and/or enhance the returns on any sale of the asset. For example, in some cases the Receivership Entities own a debt position, in others an equity position, and in others it may be a combination of the two. The debt holdings also vary from senior positions, subordinate positions or, in some cases, only a residual interest after the Receivership Entity sold a 100% participation in its debt holding. Depending upon the nature of the Receivership Entity's holdings, it may be possible to sell the underlying business or a 100% equity interest in the business, while in other instances, it may only be possible to sell the Receivership Entity's debt position or its share of the equity (which in many cases is not publicly traded and, therefore, there is no readily available platform for a sale). To the extent possible, the Receiver has worked with other investors in the asset to maximize recovery for both parties.

The Receivership Team spent considerable time evaluating the assets and prioritizing those investments that either required immediate attention or could be most readily monetized. Unfortunately, many of the investments are problematic, have real or potential significant liabilities, and/or require additional cash investment for the underlying company (all of which were still in the developmental stages) to continue or resume operations. During the application

## Case 1:16-cv-06848-BMC Document 305 Filed 02/15/18 Page 5 of 51 PageID #: 6125

period, and at this time, the Receiver was, and is, making expense payments that are necessary only to maintain or preserve the value of an asset, to protect collateral and/or to stabilize operations, such as lease payments, premium payments on life insurance policies, and/or satisfy litigation financing obligations. The Receiver, at this time, does not believe that, under the circumstances of the receivership, any asset warrants capital investment beyond what is necessary to preserve that asset. When possible, the Receiver has undertaken negotiations with other investors or stakeholders involved with an asset, including management, to infuse additional cash into the investment to preserve value until the asset can be sold, as well as to reduce ongoing expenditures.

Because the investments are diverse, the monetization options vary greatly from one investment to another. For example, the types of companies in which these investments were made range from pharmaceutical startups, to foreign "shell" companies, to a chain of small grocery stores in rural China, and, while many of the assets are in the metals, mining and energy sectors, each of these companies are located in different regions domestically and globally and have unique characteristics. The Receivership Team has sought to "triage" the various assets; first focusing on those assets that are relatively liquid, such as publicly traded stocks, life settlement investments and litigation finance investments; and then focusing on those assets that are less liquid, but nonetheless, with greater time and effort, can be marketed and hopefully liquidated.

To assist the Receiver with the monetization of the assets, she retained Houlihan Lokey Capital, Inc. ("<u>Houlihan Lokey</u>")<sup>3</sup> and Conway MacKenzie Capital Advisors, LLC ("<u>Conway</u>

<sup>&</sup>lt;sup>3</sup> The Court approved Houlihan Lokey's retention on November 11, 2017, *nunc pro tunc* to September 11, 2017, and issued a Memorandum Opinion regarding Houlihan Lokey's retention on November 21, 2017 [Dkt. No. 285] (the "<u>Houlihan Opinion</u>").

MacKenzie").<sup>4</sup> Houlihan Lokey and Conway MacKenzie are each responsible for different assets and there is no overlap in the work performed by each.

Because of Houlihan Lokey's areas of expertise, it was retained to market and sell specific assets including the life settlements portfolio, the litigation finance portfolio and the following other investments: (i) Abdala Tailings Project, (ii) Urigen Pharmaceuticals, Inc. and (iii) LC Energy Operations LLP. Houlihan was retained to market these assets because of their potential value to Platinum and Houlihan's experience in marketing assets of this type. As the Court acknowledged in the Houlihan Opinion, Houlihan Lokey was retained because of, among other reasons, its extensive experience with several hedge fund wind-downs, experience with marketing illiquid assets across a broad spectrum of alternative investments, and breadth of knowledge of potential investors to create a competitive environment to maximize recovery. *Houlihan Opinion* at 6.

The Receiver also retained Conway MacKenzie to provide due diligence and recommendations for disposition on certain of the remaining assets that are not being marketed by Houlihan. Conway MacKenzie was asked to focus its initial efforts on the following assets: (i) West Ventures LLC and its wholly owned subsidiary, Buffalo Lake Advanced Biofuels, LLC, also known as BLAB, (ii) Desert Hawk Gold Corp. and (iii) Daybreak Oil and Gas, Inc. The Receiver has since identified additional investments for Conway MacKenzie to review and evaluate, including American Patriot Gold, Greentown Oil Company, Arabella Exploration, Nordaq Energy, Xcell Energy, and Decision Diagnostics Corp.

In addition to the due diligence performed by Houlihan Lokey and Conway MacKenzie on the assets that each has been asked to review, the Receiver and the Receivership Team have

<sup>&</sup>lt;sup>4</sup> Conway MacKenzie's retention was approved by the Court on November 11, 2017, *nunc pro tunc* to October 12, 2017. [Dkt. No. 280].

# Case 1:16-cv-06848-BMC Document 305 Filed 02/15/18 Page 7 of 51 PageID #: 6127

also fully debriefed Platinum's portfolio managers that were working at Platinum at the time of her appointment with respect to each of the investments, have had extensive interaction with the management teams of the underlying portfolio companies (when available and appropriate) and have received input from investors and Platinum's prior management regarding investments. The Receiver considers the information and input she has received in an effort to obtain as much information about the asset as possible to assist her with decisions regarding the disposition of the asset.

During the Second Application Period, the Platinum Receivership received approximately \$11.5 million from the sale of some of its assets. This is in addition to the approximately \$11 million received by the Platinum Receivership from the liquidation of certain other assets during the preceding quarter. None of these assets has been marketed or sold in a "fire sale" fashion. Indeed, to the contrary, the assets were monetized at par value and, in one case described below (Acceleration Bay), at par, plus a residual "upside." The investments liquidated during the Second Application Period and the amount received by the Receivership Estate was as follows:

- Acceleration Bay (\$10.54 million, plus a 5% residual interest)
- AirDye (\$1.265 million)
- Clifford Chance/Excalibur (\$99,000)

Also during the Second Application Period, Houlihan Lokey, with the assistance of the Receivership Team, prepared other assets for market. The Receivership Team has also been actively working with Conway MacKenzie on the assets that it has been asked to review. The assets assigned to Conway MacKenzie for marketing tend to be assets that require substantial due diligence to enable the asset to be brought to market in a manner to achieve optimal value.

Conway MacKenzie has been tasked with gaining a further understanding of the particular assets in its portfolio, including making site visits and engaging with the management teams of each, to present the Receiver with options for monetizing each asset.

The Receiver cannot at this time ascribe values to each of the assets. Unfortunately, many of the values ascribed to Platinum assets, whether by the Prior Receiver or Platinum management, were based upon assumptions that derived from prior (now removed) management's plans, which are now (and likely always were) unrealistic, in light of the receivership's current liquidity challenges, and/or can otherwise no longer be supported. The actual realized value of these investments may differ materially from the valuations determined by Platinum's prior management and/or the Prior Receiver, and the underlying assets may suffer from significant liabilities that were not accounted for in prior valuations. The Receiver is focusing her efforts on ensuring a sound process for the marketing and disposition of assets to achieve the fair market value of the assets.

Many of the investments made by Platinum were investments in enterprises that are still in the developmental stage, have no established market value (with any future value being highly speculative) and, in some instances, require significant additional capital investment to even have the possibility of realizing a return on such investment. As such, the prior valuations were often based on assumptions that Platinum would invest significant additional capital in the assets with the hope that such investments would pay dividends in the long term future. As the Court stated in the Houlihan Opinion, "[t]he Receiver is not tasked with making speculative investments. Instead, she is entrusted with the responsibility to prudently wind-down the Receiver Entities and dispose of the Receivership Assets in a manner that safely returns to stakeholders what value can be salvaged. She is not empowered to jeopardize that return by indulging in risky investment

opportunities with the very money she has been charged to return to the victims of alleged years' long fraudulent conspiracies." Houlihan Opinion at 8.

In addition, there are certain assets that may ultimately have no realizable value. Decisions regarding the monetization of investments necessarily will entail an understanding of the interplay between future expenses (*i.e.*, cost to the estate to maintain the asset) and the time it will take to market and obtain a purchaser for the investment. The Receiver's goal is to monetize and sell the investments in a manner that balances the interests of being judicious with the assets of the estate, maximizing value and expeditiously disposing of the assets to allow the Receiver to make distributions to investors and creditors and close the case.

In the performance of her duties, the Receiver has also sought input from investors and prior management regarding certain of the investments. While the Receiver has made, and will continue to make, all decisions regarding the liquidation of the Receivership Entities' assets, and has made and will make informed decisions regarding each asset, the Receiver has elicited the input from others with knowledge of the asset and/or who have a stake in its disposition. Of course, all decisions are ultimately those of the Receiver.

A description of the investments in which Applicants have dedicated significant time during the Second Application Period and the work done during the Second Application Period with respect to those investments is set forth in Section IV of this Second Interim Application.

## **B.** Administrative Matters

Since the last report, upon application of the Receiver, three additional Platinum entities have been added to the estate under the Receiver's control and the Court's oversight (the "<u>Receivership Estate</u>"): (i) Platinum Partners Liquid Opportunity Master Fund L.P.; (ii) Platinum Partners Credit Opportunities Fund International Ltd; and (iii) Platinum Partners Credit

#### Case 1:16-cv-06848-BMC Document 305 Filed 02/15/18 Page 10 of 51 PageID #: 6130

Opportunities Fund International (A) Ltd. The Receiver does not contemplate adding any additional entities at this time, although the Receiver reserved the right in her application to ask the Court to do so at any time if she believes that it is beneficial and appropriate.

Also on the administrative front, the Receiver filed a motion seeking to retain certain limited scope professionals in the ordinary course of the receivership's business. Because of the wide range of jurisdictions in which the Platinum assets are located, the Receiver requires the assistance of several local law firms to assist with protecting the assets and to provide their relevant expertise. Many of these law firms were providing services prior to the Receiver's retention. To streamline the process for retaining additional limited scope professionals as needed going forward, the Receiver also sought and obtained approval for procedures to retain such limited scope professionals in the future should the need arise.

The Receivership Team also worked with the remaining employees of Platinum to effectuate the relocation of the Platinum offices to smaller, less expensive office space in the same building in which the Receiver's office is located. In addition to cost savings on the office lease (a reduction from \$15,750 per month to \$9,972 per month for savings of \$5,972 per month), the relocation will result in cost savings on information technology due to a consolidation of services and equipment, all while safeguarding Platinum's electronically stored information through multiple redundant systems. The relocation was completed before the end of 2017 and allows the Receivership Team and the Platinum employees to meet in person without losing time to travel.

The Receiver and the Receivership Team also had several meetings with various interested parties and groups during the Second Application Period, including the joint liquidators for Platinum Partners Value Arbitrage Fund L.P. (together with its feeder funds,

"<u>PPVA</u>")<sup>5</sup>, certain investors, counsel for the defendants, and the SEC. The Receiver also held a "town hall" style meeting with investors and other interested parties via webinar and telephone to provide an update on the actions taken to date and to answer questions and has committed to holding similar forums going forward. The Receiver updates the Receiver's website with key documents, answers to frequently asked questions, and status reports to investors. The Receiver and the Receivership Team also have had meetings with investors and their representatives, the Defendants (defined below) and equity holders in specific investment vehicles in which Platinum is the majority holder.

Applicants also worked with Goldin and with Platinum's Chief Financial Officer, who have dedicated significant time to working with Deloitte Tax LLP, in connection with the preparation of Platinum's local, state and federal tax returns, as well as K-1 forms for investors. The Receiver and the Receivership Team have attempted to respond to investor inquiries and continue to regularly respond and react to such inquiries and requests for information.

Many of the Platinum investments are subject to their own bankruptcy proceedings or are involved in other court proceedings around the world. During the Second Application Period, the Receivership Team dedicated substantial time to monitoring such proceedings, either directly or through local counsel, and, when necessary, preparing pleadings to file in such proceedings.

## II. CASE BACKGROUND AND STATUS

# A. Case Background

# SEC Complaint

On December 19, 2016, the United States Securities and Exchange Commission (the "<u>SEC</u>") filed its Complaint (the "<u>SEC Complaint</u>") against individual defendants Mark Nordlicht

PPVA is the subject of an insolvency proceeding pending in the Cayman Islands.

("<u>Nordlicht</u>"), David Levy, Daniel Small, Uri Landesman, Joseph Mann, Joseph San Filippo, Jeffrey Shulse, and both Platinum Management (NY) LLC and Platinum Credit Management, L.P. (collectively with Nordlicht, the "<u>Defendants</u>").

The SEC Complaint alleged, *inter alia*, that the Defendants conducted a fraudulent scheme to inflate asset values and illicitly moved investor money to cover losses and liquidity problems. This was an allegedly multi-pronged fraud perpetrated by Platinum Management (NY) LLC ("<u>Platinum Management</u>") and Platinum Credit Management, L.P., the managers of PPVA and Platinum Credit Opportunities Master Fund L.P. (together with its feeder funds, "<u>PPCO</u>"), respectively, involving multiple individuals led by Nordlicht, the founder of the Platinum Entities and the Co-Chief Investment Officer of PPVA and PPCO.

The SEC further alleged that Nordlicht and the Platinum Entities overstated the value of an oil company (Black Elk) that was among the funds' largest assets, and that they concealed a growing liquidity crisis by transferring money between the funds, making redemptions to favored investors and using misrepresentations to attract new investors to the struggling funds. In a parallel action, the U.S. Attorney's Office for the Eastern District of New York brought criminal charges against Nordlicht and the individual Defendants. For their part, the individual Defendants have denied all material allegations.

## Appointment of Receiver and Receivership Order

To prevent further diversion of funds and dissipation of the assets of the Platinum Entities, the SEC sought, *inter alia*, the appointment of a receiver to take control of the Platinum Entities and their assets.

On December 19, 2016, the District Court entered an Order Appointing Receiver, [Dkt. Nos. 6 and 16], which appointed Bart Schwartz as receiver (the "<u>Prior Receiver</u>"). At the time of his appointment, the Prior Receiver was serving as a monitor for the Platinum Entities.

## Case 1:16-cv-06848-BMC Document 305 Filed 02/15/18 Page 13 of 51 PageID #: 6133

On June 23, 2017, after six months, the Prior Receiver resigned and, upon the recommendation of the SEC, by Order dated July 6, 2017, Melanie L. Cyganowski was appointed as Receiver, effective immediately (*i.e.*, July 6, 2017), and ordered to assume all authority previously held by the Prior Receiver under the current Receiver Order. [Dkt. No. 216]. On October 16, 2017, the Court entered the Second Amended Receiver Order (the "<u>Receiver Order</u>"). [Dkt. No. 276].

Under the terms of the Receiver Order, the Receiver is, among other things, required to preserve the *status quo*, ascertain the extent of commingling of funds, ascertain the true financial condition of the Platinum Entities, prevent further dissipation of property and assets of those entities, prevent the encumbrance or disposal of property or assets of the Platinum Entities, preserve the books, records, and documents of the Platinum Entities, be available to respond to investors' inquiries, protect investors' assets, conduct an orderly wind down, including a responsible disposition of assets and an orderly and fair distribution of those assets to investors, and determine whether one or more of the Receivership Entities should undertake bankruptcy filings.

Under the Receiver Order, the Receiver was granted the following general powers and duties:

(a) To use reasonable efforts to determine the nature, location and value of all property interests of the Receivership Entities, including, but not limited to, monies, funds, securities, credits, effects, goods, chattels, lands, premises, leases, claims, rights and other assets, together with all rents, profits, dividends, interest or other income attributable thereto, of whatever kind, which the Receivership Entities own, possess, have a beneficial interest in, or control directly or indirectly ("<u>Receivership Property</u>");

#### Case 1:16-cv-06848-BMC Document 305 Filed 02/15/18 Page 14 of 51 PageID #: 6134

(b) To take custody, control and possession of all Receivership Property and records relevant thereto from the Receivership Entities; to sue for and collect, recover, receive and take into possession from third parties all Receivership Property and records relevant thereto;

(c) To manage, control, operate and maintain the Receivership Entities and hold in the Receiver's possession, custody and control all Receivership Property, pending further Order of this Court;

(d) To use Receivership Property for the benefit of the Receivership Estate, making payments and disbursements and incurring expenses as may be necessary or advisable in the ordinary course of business in discharging the Receiver's duties as Receiver;

(e) To take any action which, prior to the entry of this Order, could have been taken by the officers, directors, managers, managing members, and general and limited partners, and agents of the Receivership Entities;

(f) To engage and employ persons in the Receiver's discretion to assist the Receiver in carrying out the Receiver's duties and responsibilities hereunder, including, but not limited to, accountants, attorneys, securities traders, registered representatives, financial or business advisers, liquidating agents, real estate agents, forensic experts, brokers, traders or auctioneers, subject to Court approval;

(g) To take such action as necessary and appropriate for the preservation of Receivership Property or to prevent the dissipation or concealment of Receivership Property;

(h) To issue subpoenas for documents and testimony consistent with the Federal Rules of Civil Procedure and Court orders;

(i) To investigate transactions by and among Receivership Entities, defendants, and any other persons and entities.

 (j) To bring such legal actions based on law or equity in any state, federal, or foreign court as the Receiver deems necessary or appropriate in discharging the Receiver's duties as Receiver;

(k) To pursue, resist and defend all suits, actions, claims and demands which may now be pending or which may be brought by or asserted against the Receivership Estate; and

(1) To take such other action as may be approved by the Court.

# **B.** Case Status<sup>6</sup>

In accordance with Section C.2. of the SEC Billing Guidelines, the Receiver and Otterbourg state as follows:

(a) As of December 31, 2017, the Receivership Entities had \$11.7 million in funds, of which \$10.2 million was held in cash in bank accounts and \$1.5 million was held in brokerage accounts. These funds include proceeds from the liquidation of assets. Certain parties claiming an interest in particular assets sold have asserted claims to a portion of the sale proceeds of the particular assets sold (as opposed to a general claim against the Receivership Estate). Other parties have presented documentation purporting to grant them security interests in all or certain of the Receivership Estate's assets. These claims will be addressed in due course.

It is estimated that, as of December 31, 2017, unpaid administrative expenses amount to approximately \$2.58 million. This amount includes the fees and expenses being requested by the Applicants and Goldin for the Second Application Period, holdbacks to Applicants and Goldin with respect to their respective first interim fee applications, holdbacks to the Prior Receiver's counsel (Cooley) with respect to its interim fee application, and fees and expenses of other professionals retained by the Receiver or the Prior Receiver.

<sup>&</sup>lt;sup>6</sup> The Receiver and Otterbourg base the information in this section primarily on the receivership's Standardized Fund Accounting Reports covering the period October 1, 2017 through December 31, 2017.

(b) Cash disbursements during the Second Application Period totaled approximately \$8.6 million, consisting primarily of (i) \$4.5 million in disbursements to retained professionals and the Receiver (many of which were incurred prior to the Receiver's appointment, but had not yet been paid); (ii) \$535,100 in business asset expenses (payroll and related expenses paid to Platinum employees and rent); and (iii) \$3.45 million in investment expenses, which include funds disbursed to preserve the value of the following assets, pending the sale of each: Acceleration Bay (\$1.4 million), ALS Capital Ventures LLC (\$1.7 million), LC Energy (\$270,000) and Abdala (\$111,600).

Cash receipts during the Second Application Period totaled approximately \$11.5 million. This amount primarily consists of proceeds derived from dispositions associated with the following investments: Acceleration Bay (\$10.01 million net to Platinum),<sup>7</sup> AirDye (\$1.265 million) and a settlement with Clifford Chance (\$99,000).

The Receiver cannot at this time state when she expects the case to be concluded. The Receiver expects that it will be a minimum of several quarters before any distribution will be made to investors and creditors due to the complexity of Platinum's business operations and the Receiver's strategy of avoiding a "fire sale" of Platinum's assets.

(c) The Receiver has not yet initiated a formal claims bar date. Thus, no claims proceedings have yet been commenced. It is premature to determine how different types of claims or creditors will be treated, and the Receiver has not yet developed guidelines for how different investor or creditor claims will be treated or the method that will be used.

(d) As of December 31, 2017, the primary assets of the Receivership Estate consisted of the following:

 $<sup>^{7}</sup>$  The net amount to Platinum is net of a \$526,000 completion fee paid to Houlihan Lokey pursuant to its retention agreement. The gross sale amount was \$10,540,000.

## Case 1:16-cv-06848-BMC Document 305 Filed 02/15/18 Page 17 of 51 PageID #: 6137

(i) Cash and cash equivalents of approximately \$11.7 million<sup>8</sup>;

(ii) Real estate investments without any set book value, due to their inherently speculative nature; and

(iii) Investments in natural resources, litigation financing, life settlement investments, energy and other miscellaneous investments.

As stated above, the Receiver cannot at this time ascribe values to each of the assets in the Platinum portfolio.

(e) The Receiver has not as of yet commenced litigation against third and, accordingly, has not received any litigation recoveries. The Receiver and her team, however, have begun to review and analyze potential causes of action against a number of parties and will be considering associated claims. The Receivership Team has prepared an action plan for a historical review of Platinum's activities and flow of funds, which will assist the Receiver in analyzing both possible claims by the estate and claims that have or will be filed against the estate.

The Receiver at this time cannot state whether any actions will be commenced and, if commenced, the value of any claims and the likelihood and timing of collecting on any judgment or settlement that may ultimately be obtained. At the heart of the analysis will be a determination of the cost/benefit of asserting claims. Investigation and litigation are costly endeavors and the Receiver does not intend to expend material estate assets unless the Receiver has the necessary facts and information to assert a meritorious claim and has concluded there is a likelihood of recovering funds if liability is eventually found.

## III. FEES AND EXPENSES REQUESTED

In connection with the Second Application Period, the Receiver requests interim approval of her fees in the amount of \$120,434.80 and reimbursement of expenses in the amount of

<sup>&</sup>lt;sup>8</sup> Of this amount \$10.2 million was held in cash bank accounts and \$1.5 million was held in brokerage accounts.

\$2,602.95. Otterbourg requests interim approval of its fees in the amount of \$903,961.80 and reimbursement of expenses in the amount of \$9,184.99. Thus, the combined total of fees for Applicants of \$1,024,396.60, plus expenses of \$11,787.94, is the combined total of \$1,036,184.54.

The Receiver has assembled a team of Otterbourg professionals to address different investments and different issues that may arise within each investment. For example, a single investment, such as Arabella, which is in a bankruptcy proceeding in Texas, may require the assistance of professionals knowledgeable about bankruptcy issues, including cash collateral issues, as well as pure litigation issues to address the ongoing adversary proceeding with a third party that is impeding the ability to sell the Arabella assets in which Platinum has a security interest. The Otterbourg professionals communicate with each other and the other retained professionals regularly, so as to keep others informed of each's activities and avoid duplication of efforts.

The fees requested are determined on the basis of the hours worked by Otterbourg attorneys and paraprofessionals, as well as the Receiver, and the hourly rates in effect at the time the services were rendered, as modified by a public service accommodation, described below, which was approved by the SEC and the Court at the time of the appointment of the Receiver. The Receiver has also agreed to provide a discount equal to the amount of the increase in her hourly billable rate that went into effect on October 1, 2017.<sup>9</sup> These amounts also take into account all relevant circumstances and factors as set forth in the New York Lawyer's Rules of Professional Responsibility, as applied to Otterbourg as attorneys, including the nature of the services performed, the amount of time spent, the experience and ability of the lawyers and legal

<sup>&</sup>lt;sup>9</sup> As set forth in Otterbourg's retention application, the firm reviews its hourly billable rates annually. In accordance with such practice, the rates of Otterbourg's professionals were increased as of October 1, 2017 and such rate increases are reflected in its recorded time herein.

### Case 1:16-cv-06848-BMC Document 305 Filed 02/15/18 Page 19 of 51 PageID #: 6139

assistants working on this engagement, the novelty and complexity of the specific issues involved, the time limitations imposed by the circumstances, and the responsibilities undertaken by the Receiver and Otterbourg.

Pursuant to the public service accommodation applicable to this matter, a 20% accommodation has been applied across the board to the Receiver's recorded time. Furthermore, fees for legal services performed by all other Otterbourg professionals have been reduced by 10% from the aggregate recorded time charges. In addition, the Receiver has agreed to provide a further discount in an amount that represents the increase in her fees since October 1, 2017 in accordance with Otterbourg's regular practice of reviewing and revising its hourly fee rates annually.

Pursuant to the public service and rate increase accommodations described above, the recorded time charges for the Receiver have been reduced from \$177,777.50 to \$120,434.80, a reduction in the amount of \$57,342.70. Moreover, the recorded time charges for the Otterbourg professionals have been reduced from \$1,004,402.00 to \$903,961.80, a reduction in the amount of \$100,440.20. Therefore, the total reduction for legal fees incurred during the Second Application Period by the Receiver and Otterbourg professionals is \$157,782.90. There was minimal travel time during this Second Application Period, which was billed at 50% of the actual travel time.

In addition, as required by the SEC Billing Guidelines, the Receiver and Otterbourg submitted a draft of this Second Interim Application to SEC counsel on January 16, 2018 to allow for a thirty-day review period. In addition, based upon the SEC's review, Otterbourg and the Receiver voluntarily removed time entries with a value of \$658.50.

This Second Interim Application includes certain exhibits:

(a) The SFAR for the period of October 1, 2017 through December 31, 2017 is attached as **Exhibit A** hereto.

(b) A Fee Schedule showing the total fees billed and hours worked during the Second Application Period by the Receiver and each Otterbourg professional, along with the billing rates of each such professional, is attached as **Exhibit B** hereto.

(c) In accordance with Section D.3.c of the SEC Billing Guidelines, a summary reflecting the total fees billed and the hours worked by the Receiver and each professional organized by project category is attached as **Exhibit C** hereto.

(d) In accordance with the Section D.5 of the SEC Billing Guidelines, the time records of the Receiver and the Otterbourg professionals for the Second Application Period, arranged in chronological order within each activity category, are attached as **Exhibits D** and **E**, respectively, hereto.

(e) In accordance with Section E.1.a. of the SEC Billing Guidelines, a summary of all expenses for which Applicants seek reimbursement organized by expense category is attached as Exhibit F hereto.

(f) In accordance with Section E.1.a. of the SEC Billing Guidelines, the expense records of the Receiver and Otterbourg for the Second Application Period, arranged in chronological order, are attached as **Exhibits G** and **H**, respectively, hereto.

(g) Also submitted herewith as **Exhibit I** is the Certification required by Section A.1 of the SEC Billing Guidelines.

This is the Receiver and Otterbourg's second request for fees and expenses in this case. Otterbourg received no retainer in this case and the Receiver Order limits the Receiver and Otterbourg to obtaining compensation solely from the Receivership Estate.

## Case 1:16-cv-06848-BMC Document 305 Filed 02/15/18 Page 21 of 51 PageID #: 6141

The Receiver Order permits the Receiver and her advisors to be paid on a quarterly basis. In accordance with the SEC Billing Guidelines, and as noted above, the Receiver and Otterbourg submitted this Second Interim Application and all Exhibits to SEC counsel prior to filing the Application with the Court, and SEC counsel has already reviewed the Application.

The Receiver and Otterbourg professionals recorded all services performed in time increments of one tenth (0.1) of an hour. All services by Otterbourg paralegals and other paraprofessionals were professional in nature and, if not performed by the indicated paraprofessionals, would have been performed by attorneys.

Although twelve (12) attorneys and one paraprofessional billed time during the Second Application Period (in addition to the Receiver), a core team of attorneys performed the lion's share of the services, including Adam C. Silverstein, Daniel F. Fiorillo, Philip C. Berg, Andrew Kramer, Erik B. Weinick, Chad Simon and Jennifer S. Feeney. However, because of the diversity of issues confronting the Receiver, this case necessitated the involvement of additional attorneys with background and experience in the multitude of litigation and transactional disciplines relevant to this receivership. Accordingly, in some instances relatively small amounts of time were spent by attorneys with expertise relevant to specific issues in the case. These less significant involvements benefited the Receivership Estate because it gave the core group of attorney's additional insight into and knowledge of important legal issues directly impacting the Receiver's decisions in this case. In addition, while several senior attorneys were utilized, each brought different expertise to the engagement and was the primary responsible party on different tasks.

# IV. SERVICES RENDERED BY RECEIVER AND OTTERBOURG DURING SECOND APPLICATION PERIOD

In accordance with Section D.3 of the SEC Billing Guidelines, Applicants segregated their time during the Second Application Period into four (4) project categories.<sup>10</sup> Narrative summaries of these activity categories follow:

# A. <u>Asset Analysis and Recovery (P01)</u> - Total Fees: <u>\$614,589.00</u> <u>Asset Disposition (P02)</u><sup>11</sup> - Total Fees: <u>\$139,872.00</u>

During the Second Application Period, the Receiver and her professionals continued to review the various assets in the portfolio to gain an understanding of each and the legal rights and obligations of Platinum thereunder. In certain instances, time was also spent with respect to an asset that may not ultimately have a positive return to the Receivership Estate, but work is still required to reduce potential liabilities and exposure to the Receivership Estate, as well as to ensure that an asset without value is not imprudently abandoned by the Receivership Estate.

During the Second Application Period, Applicants continued to analyze Platinum's asset portfolio, including a review of the underlying investment documents and in-person and telephonic meetings with Goldin, Houlihan Lokey and Conway MacKenzie (depending on the professional assigned to the particular investment), as well as, in some instances, management and other investors in the underlying asset. This undertaking was done with an eye towards determining how best to position the asset for market and the options for maximizing value without incurring additional expenses beyond what are necessary to preserve the asset. The Receiver's continued goal is to monetize the investments in a manner that balances the interests of being judicious with Receivership funds for ongoing expenses, maximizing value, and

<sup>&</sup>lt;sup>10</sup> As noted above, **Exhibit C** hereto shows each professional working on a particular project category and the total hours he or she billed in that category prior to the agreed-upon reduction to the aggregate recorded time charges. The fees for each activity category are stated herein *without* showing the reductions discussed on page 18 above.

<sup>&</sup>lt;sup>11</sup> Because of the symbiotic nature of these two project categories, Applicants are describing the work done with respect to each in a combined narrative to allow the reader to better understand the tasks performed.

### Case 1:16-cv-06848-BMC Document 305 Filed 02/15/18 Page 23 of 51 PageID #: 6143

expeditiously disposing of the asset to allow the Receiver to make distributions to investors and creditors and close the case.

Also included in the time billed during the Second Application Period, are daily conferences with working groups of Otterbourg attorneys, memoranda prepared for the Receiver to enable her to analyze the asset and make a decision, and regular meetings with the Receiver and the Receivership Team to update the Receiver on activities with respect to each investment and other current tasks of the Receivership.

Given the myriad of investments and different members of the Receivership Team working on each, to keep the Receiver and the Receivership Team apprised of all activities with respect to each investment, cash activity, and other matters on which the Receivership Team was working, the Receiver scheduled weekly team meetings with her, Otterbourg, Goldin, and Platinum's General Counsel and Chief Financial Officer. In advance of these weekly meetings, Applicants reviewed with members of the Receivership Team which matters were active and needed to be discussed with the Receiver, and prepared an Agenda for maximum efficiency. These meetings were and are critical to maintaining a comprehensive and organized approach to understanding and developing a strategic plan for liquidating the sprawling Platinum portfolio. Weekly calls also take place with the Houlihan Lokey disposition team and the Conway MacKenzie team.

While the Receiver and Otterbourg have focused on a myriad of investments during the Second Application Period, below is an overview of certain of the investments in which Applicants have dedicated significant time. The below summaries include a brief description of the nature of the investment, work performed, and status during the Second Application Period.

(a) <u>Abdala</u> – refers to PPCO's interests in (through a subsidiary, West Ventures LLC) a tailings dam of the Abdala Mining gold mine located near Cuiaba, Brazil. PPCO's interests have been the subject of litigation and negotiation with multiple parties-in-interest, including the owner of the mine itself, as well as the landlord and primary tenant of the adjacent parcel on which a processing facility for the tailings is to be constructed. The project is now in the permitting stage. This investment is within the portfolio of investments that Houlihan Lokey has been engaged to market and sell. Houlihan Lokey launched the marketing process for this asset on December 13, 2017, a data room for interested parties that have signed a Non-Disclosure Agreement ("NDA") was opened during the Second Application Period, Houlihan Lokey has been speaking with interested parties, and initial bidding has since begun.

Since the Receiver's appointment, Applicants have spent significant time analyzing the legal, financial, regulatory and business issues relating to this project, with a focus on confirming and approving only those expenditures (such as local legal, security and consulting fees) as are necessary to preserve and position PPCO's interests for disposition by the receivership. In this regard, Otterbourg professionals who have billed time to this investment include attorneys with experience in litigation and transactional matters. Time billed to this matter during the Second Application Period includes conference calls with local counsel in Brazil, in-person conferences with the portfolio manager responsible for the matter, review of background documentation including, loan documents and consultants' reports and recommendations, and investigation, negotiation and implementation of a revised retention agreement with local counsel. Otterbourg attorneys also have spent time significant time working with Houlihan Lokey to prepare for the marketing of this asset. Applicants have also had meetings and telephone calls with investors and their representatives to discuss the

### Case 1:16-cv-06848-BMC Document 305 Filed 02/15/18 Page 25 of 51 PageID #: 6145

Receiver's process for liquidating the assets and, with respect to certain assets, obtaining the views and input from the investors. The Receivership Team has made every effort to keep the lines of communication open with the investors.

(b) <u>Acceleration Bay</u> – refers to a litigation funding loan made by Hamilton Capital XII LLC, ("<u>Hamilton</u>") a limited liability company of which PPCO is the managing member and majority owner, to a company holding certain patents with application to, among other things, distributed electronic gaming systems. Acceleration Bay is in the process of prosecuting claims against multiple entities that Acceleration Bay claims are infringing on the applicable patents owned by it. Trials on Acceleration Bay's claims are anticipated to commence in April of 2018.

This investment is within the portfolio of investments that Houlihan Lokey has been engaged to sell. The Receivership Team worked with Houlihan Lokey to position this asset for marketing. A data room was created, Houlihan Lokey reached out to its extensive network of potential investors regarding the sale and made the data room accessible to those potential investors that sought further review of the asset, after executing an NDA. Houlihan Lokey sought initial bids from interested parties by December 12, 2017. Houlihan Lokey received bids from ten (10) interested parties, some of whom submitted both all-cash at closing bids and hybrid based upon a cash payment and/or a structured payout (based upon the outcome of the infringement litigation). Houlihan Lokey reviewed each round of bids in detail with the Receiver, analyzing which bids warranted further engagement. The Receiver ultimately determined to engage with one investor that was willing to provide a pre-emptive premium. At the end of the fourth quarter of 2017, through these efforts, the Receiver successfully sold Hamilton's interest in the Acceleration Bay loan for (i) \$10,540,000 cash at closing, representing a par recovery on Hamilton's investment, plus (ii) a retained 5% interest in all amounts received

## Case 1:16-cv-06848-BMC Document 305 Filed 02/15/18 Page 26 of 51 PageID #: 6146

by the purchaser from the litigation proceeds as provided for in the loan agreement governing Hamilton's loan to Acceleration Bay. The net cash amount received by Platinum at closing, after payment of \$526,000 to Houlihan Lokey representing the transaction fee it was due under the terms of its engagement agreement, was approximately \$10.01 million. This sale benefitted Platinum by not only receiving a return of the loan at par value and still retaining an interest in the potential recoveries on the litigation, but by also ending the significant outlay of cash (\$700,000 per month) required to fund the litigation.

Time billed to this matter during the Second Application Period includes conference calls and in-person conferences with principals for the borrower and its counsel, review of funding requests, and analysis of pleadings and other publicly available legal materials, working with Houlihan Lokey to prepare for the disposition of the asset and prepare on an expedited basis all of the transaction documents, and the negotiation and closing of the asset sale. In this regard, Otterbourg attorneys who have billed time to this matter include attorneys with experience in transactional and litigation matters.

(c) <u>Accutane</u> - refers to a litigation financing investment by a Platinum related entity in a products liability litigation currently on appeal before the Supreme Court for the State of New Jersey.

During the Second Application Period, the Receiver and her team worked closely with Houlihan Lokey to evaluate strategic alternatives with regards to this asset. Specifically, the Receiver and her team analyzed the legal and business issues relating to this investment. In this regard, Otterbourg attorneys who have billed time to this matter include attorneys with experience in finance and litigation matters. Time billed to this matter included conference calls

#### Case 1:16-cv-06848-BMC Document 305 Filed 02/15/18 Page 27 of 51 PageID #: 6147

and in-person conferences with principals for the borrower and its counsel, and analysis of pleadings and other publicly available legal materials.

(d) <u>Agera</u> – refers to Agera Energy LLC and Agera Holdings, LLC. Agera is a retail energy service company. In June 2016, prior to the receivership, Principal Growth Strategy, LLC ("<u>PGS</u>"), which is owned 55% by PPVA and 45% by PPCO, sold a portion of its interests in Agera to certain entities affiliated and/or associated with Beechwood Re Investments LLC ("<u>Beechwood</u>").

During the Second Application Period, Applicants spent significant time analyzing the legal and business issues relating to this transaction, with a focus on understanding the remaining value in PGS' positions with Agera, and determining the specific nature of the various transactions between and among, PPCO, PPVA, Beechwood, PGS and Agera. In this regard, Otterbourg attorneys who have billed time to this matter include attorneys with experience in finance and litigation matters. Time billed to this matter included conference calls and in-person conferences with PPVA, the Receiver's financial advisors and others with information regarding the transactions, and an analysis of Beechwood's activities with respect to this investment.

(e) <u>AirDye</u> – refers to PPCO's interests in AirDye Solutions, LLC, a textile technology company based on a proprietary dyeing process. PPCO directly owned a subordinated note from AirDye, as well as equity in AirDye's parent. PPVA also held interests in AirDye. During the Second Application Period, the Receiver sold all of PPCO's interests in AirDye to AirDye's management, and settled all outstanding disputes among the parties, including the dismissal of four active arbitrations.

# Case 1:16-cv-06848-BMC Document 305 Filed 02/15/18 Page 28 of 51 PageID #: 6148

During the Second Application Period, the Receivership Team conducted due diligence on AirDye and, together with Goldin, reviewed, negotiated and approved the pricing and settlement terms initially proposed by AirDye's management to purchase all of PPCO's and PPVA's interests in AirDye and enter into settlement and release agreements with respect to the disputes and arbitrations. The Receivership Estate realized \$1.265 million from the sale and settlement. Time billed to this matter included negotiation and drafting of the Settlement and Assignment Agreement and General Release and related settlement documents with not only AirDye's management, but with PPVA. Otterbourg attorneys who have billed time to this matter primarily include attorneys with experience in finance and transactional matters.

(f) <u>ALS</u> – refers to a portfolio of life settlement investments owned through an entity in which PPCO is the majority owner and managing member.

During the Second Application Period, Applicants continued to analyze the legal and business issues relating to this portfolio, with a focus on positioning the life settlements for disposition. This investment is within the portfolio of investments that Houlihan Lokey has been engaged to sell. Upon the Receiver's appointment and review of the portfolio of life insurance policies, she discovered that the files with respect to the policies were in disarray and information that was needed to market and sell the portfolio, such as updated medical reports on each of the insureds, was sorely lacking. The Receivership Team has been working diligently with Houlihan Lokey and the third party administrator of the life settlement policies to reach out to each of the insureds to bring the files up to date, which will enhance the value of the portfolio. Otterbourg communicated with each of the insureds regarding their obligations under the purchase agreements by which ALS came to own the policies and had follow-up communications with the insureds or their representatives. While the Receivership Team has not

## Case 1:16-cv-06848-BMC Document 305 Filed 02/15/18 Page 29 of 51 PageID #: 6149

yet achieved full compliance from all of the insureds, some of whom continue to be uncooperative or unresponsive notwithstanding the Receivership Team's efforts, significant progress was made to improve the portfolio and obtain the cooperation of the majority of the insureds in the portfolio.

Additionally, Applicants addressed issues raised by ALS' minority interest holders and negotiated a dismissal without prejudice of a lawsuit filed by those minority interests (Pea & En, LLC et al. v. ALS Capital Ventures LLC, Index No. 656939/2017, in the Supreme Court for the State of New York, New York County) and ascertaining and advocating the portfolio's rights in certain other policies. The Receiver is also analyzing the extent, if any, that ALS proceeds should be distributed to ALS minority members upon disposition. Otterbourg attorneys who have billed time to this matter include attorneys with experience in finance and litigation matters. Time billed to this matter included conference calls and in-person conferences with the insureds and their representatives, insurance companies, the company retained to service the policies on behalf of ALS, and with counsel for the minority interest holders.

(g) <u>Arabella</u> – refers to three entities each containing Arabella in their names. In 2014, Platinum (PPCO) made a \$16 million loan to Arabella Exploration, Inc. ("<u>AEI</u>") pursuant to a \$45 million dollar facility, *i.e.*, the Loan. The Loan was secured by all of AEI's assets, and was guaranteed and secured by the assets of AEI's subsidiaries, Arabella Exploration, LLC ("<u>AEX</u>") and Arabella Operating, LLC ("<u>AO</u>" and, together with AEX and AEI, "<u>Arabella</u>"). Arabella is involved in the ownership and operation of certain oil and gas properties in the Permian and Delaware Basins in Texas. AEX and AO are debtors in bankruptcy proceedings in the U.S. Bankruptcy Court for the Northern District of Texas and a liquidation proceeding in the

Cayman Islands (which has been recognized in a Chapter 15 case pending in the Northern District of Texas). Platinum filed claims in Arabella's bankruptcy proceedings in an amount of \$20,061,589.04. Pre-Receivership, a related Arabella entity in which Platinum does not have an interest – Arabella Petroleum Corporation ("<u>APC</u>") – commenced an action against the Arabella Entities asserting claims for the recovery of certain assets that are the subject of PPCO's liens. APC is also a debtor in a bankruptcy proceeding pending in the Western District of Texas. The Prior Receiver entered into a settlement agreement with the Trustee of APC, settling the claims and agreeing to the interests of each estate in the combined assets that are to be sold in the respective bankruptcy cases. The Arabella Settlement Agreement was approved by this Court.

During the Second Application Period, Applicants spent significant time analyzing the issues with respect to an adversary proceeding commenced by Founders Oil & Gas III, LLC and Founders Oil & Gas Operating, LLC (collectively "<u>Founders</u>"), which is attempting to seize revenues from six oil and gas wells through, what Arabella asserts is a misapplication of two joint operating agreements. Applicants reviewed the Founders adversary proceeding, prepared for the mediation in Texas, and attended the mediation in Texas with Arabella, Founders and the Trustee of APC. To prepare for the mediation, the Receivership Team had several internal strategy sessions and meetings with Arabella management and professionals representing Arabella, to review the mediation positions and impact on possible sale of the Arabella assets. Otterbourg sent a representative to Texas to attend the all-day mediation in October. The mediation did not result in a settlement, although the parties have continued to engage in periodic discussions. Applicants also monitored the summary judgment proceeding that occurred following the failure of the mediation. Currently, a trial on the Founders adversary proceeding is expected to occur during the first half of this year. The issues with Founders have

delayed the sale of the Arabella assets. Applicants engaged in discussions with the Trustee for APC to resolve certain issues between the estates and work cooperatively to maximize value for both estates. Applicants also spent significant time reviewing and negotiating a proposed use of cash collateral motion and order with Arabella, reviewing objections to the cash collateral motion, revising the relief requested, responding to an attempt to have Platinum's claims against Arabella transferred to a third party that is claiming a participation interest in the Arabella loan as a result of an agreement entered into with the Prior Receiver, and reviewing the financial analysis of this investment with Goldin and Arabella's retained professionals in Houston. In connection with this analysis, Applicants spent time reviewing the purported participation agreement and responding to such participant's attempt to have Platinum's claims against Arabella transferred to it. Applicants also reviewed the claims by certain former Arabella professionals that such professionals had a right to the cash collateral of Platinum by virtue of a purported guaranty provided to such professionals by prior Platinum management. The Receiver disputes the rights of many, if not all, of the foregoing third parties who assert an interest in Arabella's assets. Applicants have had regular communications with Arabella's retained professionals, including its Chief Restructuring Officer, bankruptcy counsel, litigation counsel and the broker retained to market and sell the Arabella assets. Additionally, during the Second Application Period, Applicants requested assistance from Conway MacKenzie with the evaluation and execution of monetization alternatives related to PPCO's interests in Arabella. Accordingly, Applicants spent time providing relevant background information and documentation to Conway MacKenzie and coordinating with the Conway team in the performance of its duties. The Conway MacKenzie professional working on the matter is based in Texas and is experienced in the oil industry. The ultimate recovery with respect to the

Arabella Loan can be impacted by many different factors, including the Founders litigation, an alleged "first out" participation claimed by certain professionals who represented Platinum in connection with Arabella, as well as the participation agreement entered into by the Prior Receiver. In this regard, the Otterbourg attorneys who have billed time to this matter include attorneys with experience in bankruptcy and litigation.

(h) <u>Black Elk</u> - refers to the Black Elk Energy Offshore Operations LLC, in which PPCO and certain affiliates hold interests at different levels of the Black Elk capital structure. This is the investment that specifically contributed to the filing of this SEC action in which the Platinum Entities and other individual defendants were accused of defrauding Black Elk and its investors. Black Elk is a debtor in a bankruptcy case pending in the United States Bankruptcy Court for the Southern District of Texas. The Prior Receiver negotiated a settlement agreement with the Trustee of Black Elk (the "<u>Black Elk Settlement Agreement</u>"), pursuant to which, among other things, the Black Elk Trustee was given an allowed claim against PPCO. The Black Elk Settlement Agreement also provides that if another entity that is currently not included in the Receivership Estate – Platinum Liquid Opportunity Master Fund, L.P., a Cayman Islands limited partnership ("<u>PPLO Master Fund</u>"), then the Black Elk Trustee would have an additional claim against PPLO Master Fund in the Receivership Estate.

During the Second Application Period, Applicants had multiple conversations with counsel for the Black Elk Trustee to discuss, among other things, whether the Receiver would be seeking to add the PPLO Master Fund to the Receivership estate and a request by the Black Elk Trustee for documents from Platinum. On the first issue, Applicants analyzed the impact on the Receivership Estate of seeking to add PPLO Master Fund as a Receivership Entity and determined to add such entity, which inclusion was approved by the Court. On the second

issue, the Black Elk Trustee followed-up his informal request for documents with a formal subpoena. Applicants reviewed the subpoena and prepared and served an objection to the subpoena, on the grounds that, among other things, it was overbroad and violated the Receiver Order. In this regard, Otterbourg attorneys who have billed time to this investment primarily include attorneys with experience in bankruptcy and litigation matters.

(i) <u>Buffalo Lake Advanced Biofuels (a/k/a BLAB)</u> - refers to a shuttered ethanol plant located in Minnesota in which PPCO holds a debt and equity interest. There are multiple legal, financial, regulatory and business issues relating to this investment that required attention so that the Receiver could seek to market the asset.

During the Second Application Period, the Receivership Team has worked with Conway MacKenzie to ascertain what funds are required by BLAB, to examine potential liabilities, and to evaluate relevant strategic alternatives that are available for the disposition of Platinum's interests. The Applicants negotiated and prepared Funding, Fee Sharing and Sale Proceeds Sharing Agreement (the "<u>Funding and Sharing Agreement</u>") with the CEO of BLAB, whereby the CEO will make an additional investment in BLAB and provide assistance to Conway MacKenzie with respect to a near term sale of BLAB's assets. In this regard, the Receivership Team members who have billed time to this investment include attorneys with experience in transactional matters. Time billed to this matter included conference calls with local counsel in Minnesota, in-person conferences with the portfolio manager responsible for the matter, and review of background documentation including, loan documents, as well as the aforementioned time working with Conway MacKenzie.

(j) <u>China Horizons/Yellow River</u> – refers to PPCO's equity and debt interests in two companies -- China Horizon and Yellow River—created to build a chain of convenience

## Case 1:16-cv-06848-BMC Document 305 Filed 02/15/18 Page 34 of 51 PageID #: 6154

stores in rural China. China Horizon was originally a joint venture with another company, China Post. China Post subsequently pulled out of the joint venture and China Horizon transferred its intellectual property to another company—Yellow River—in exchange for equity in Yellow River. Subsequent to the transfer, China Horizon received approximately \$15 million from China Post as proceeds of the settlement of a dispute between them. PPCO and PPVA jointly own a share of the equity of Yellow River and a share of promissory notes from China Horizon, which are not yet due.

During the Second Application Period, the Receiver and the Receivership Team have explored options for obtaining an early repayment of the notes from China Horizon and liquidating PPCO's and PPVA's equity interests in Yellow River. The Receiver received an expression of interest from a third party based in China to purchase Platinum's interests in the China Horizon notes and its Yellow River equity position. Applicants spent time during the Second Application Period discussing the proposal with PPVA and analyzing the offer. To that end, Otterbourg attorneys who have billed time to this matter primarily include transactional attorneys.

(k) <u>Cleveland Mining</u> – refers to Cleveland Mining Company Limited ("<u>Cleveland</u> <u>Mining</u>"), a publicly listed company located in Australia, and its subsidiary Cleveland Iron Holdings Pty Ltd ("<u>Iron Holdings</u>"). PPCO and Platinum Long Term Growth VII LLC are owed approximately \$15.6 million, which is secured by a first priority security interest in all of Cleveland Mining's and Iron Holdings assets. PPCO also holds approximately 29.3 million shares of Cleveland Mining and approximately 50% of the equity of Iron Holdings. Cleveland Mining has a 50% joint venture interest in a gold mine located in Brazil, which is currently not

#### Case 1:16-cv-06848-BMC Document 305 Filed 02/15/18 Page 35 of 51 PageID #: 6155

operating. At this time, the Receiver understands that Cleveland Mining's subsidiary, Iron Holdings, has no assets of any value.

Since the Receiver's appointment, Applicants have spent significant time analyzing the legal, financial and business issues relating to this investment. In addition, the management of Cleveland Mining has been litigious and has issued several demands addressed to the Receiver, including a challenge to PPCO's filed security interests in Australia, which have required responses. The Receiver retained local counsel in Perth, Australia to assist in addressing the issues raised by Cleveland Mining. The Receiver is also in the process of retaining a local financial advisor to assist in providing an independent review of Cleveland Mining's financial position. In this regard, Otterbourg attorneys who have billed time to this investment include attorneys with experience in litigation and workout matters. Time billed included a review of the legal documentation, preparation of responses to the written demands received from Cleveland's management and coordinating with and instructing Australian counsel, including several conference calls with local Australian counsel.

(1) <u>Clifford Chance/Excalibur</u> – refers to a litigation financing loan made by certain PPCO and PPVA entities to Excalibur Ventures LLC ("<u>Excalibur</u>") in connection with litigation in the United Kingdom prosecuted on its behalf by Clifford Chance. Excalibur was unsuccessful and pursuant to British law, was required to pay the defendants' costs. In 2014, the Platinum entities involved in this loan asserted claims against Clifford Chance and one of its members in connection with the litigation. These claims were settled in 2015. Thereafter, Clifford Chance identified additional sums that had been received from Platinum and were still being held in its client accounts. After investigating potential causes of action associated with Clifford Chance's retention of these funds, the Receiver, along with the PPVA liquidator, determined to enter into a

settlement with Clifford Chance whereby they recovered the entirety of the sums which had been held by Clifford Chance, totaling \$197,475, of which \$99,000 represented PPCO' share of the settlement.

During the Second Application Period, the Applicants spent time reviewing underlying documentation associated with this loan, conferring with attorneys familiar with the applicable British laws, negotiating a settlement with Clifford Chance and agreeing with PPVA on a division of the settlement proceeds. In this regard, the Receivership Team members who have billed time to this investment include attorneys with experience in litigation matters.

(m) **<u>Davbreak</u>** - refers to a publicly held oil and gas company with assets in the San Joaquin Valley in California and in Montcalm County, Michigan. PPCO owns 99% of the membership interests and is the managing member of Maximilian Resources LLC ("<u>Maximilian</u>"), which is owed approximately \$9.2 million from Daybreak on account of a senior loan, secured by Daybreak's interest in two joint ventures via a senior secured real property mortgage. Conway MacKenzie has been asked to review this asset and provide the Receiver with disposition options.

During the Second Application Period, Applicants worked with Conway MacKenzie to position this asset for marketing and sale. Conway MacKenzie and the Receivership Team are exploring all potential disposition options, and is open to a transaction with the insiders of the company, as well as strategic or investment buyers. Conway MacKenzie and Otterbourg attorneys have had conversations with the management teams for both the California and Michigan sites. In this regard, Otterbourg attorneys who have billed time to this investment include attorneys with experience in finance and transactions. Time billed to this

### Case 1:16-cv-06848-BMC Document 305 Filed 02/15/18 Page 37 of 51 PageID #: 6157

matter includes review of background documentation, discussions with the management teams for the underlying companies, and conversations and updates from Conway MacKenzie.

(n) <u>Desert Hawk</u> – refers to Desert Hawk Gold Corp. ("<u>Desert Hawk</u>"), a publicly reporting gold mining company. PPCO holds secured second -priority debt in Desert Hawk and owns securities convertible into 20% of the common equity of the company. Desert Hawk owns a pilot stage gold mine located in Gold Hill, Utah. This is a joint asset held with PPVA. Conway MacKenzie has been asked to review this asset and provide the Receiver with disposition options.

During the Second Application Period, Applicants worked with Conway MacKenzie to consider disposition options and have had discussions with the members of Desert Hawk management regarding their investment of additional capital. Applicants spent time negotiating a possible term sheet with such management and PPVA. Applicants have also discussed with Conway MacKenzie options for structuring the sale process and engaging with current management. In this regard, Otterbourg attorneys who have billed time to this investment include attorneys with experience in transactional matters.

(o) <u>Greentown Oil Company</u> – refers to an investment in a company holding certain oil and gas assets located in the Paradox Basin in the state of Utah. Through Maximillian, PPCO holds a debt and equity interest in the company.

During the Second Application period, the Receivership Team began working with Conway MacKenzie to better understand the complex legal, financial, regulatory and business issues relating to this investment. In this regard, the Receivership Team members who have billed time to this investment include attorneys with experience in litigation matters. In connection therewith, the Receivership Team commenced an investigation into the receipt of

### Case 1:16-cv-06848-BMC Document 305 Filed 02/15/18 Page 38 of 51 PageID #: 6158

certain insurance proceeds by a Greentown related entity which the Receiver believes were assigned to Maximilian Resources, a PPCO owned entity, responded to a complaint filed by Pacific in the U.S. District Court for the District of Nevada (Pacific Energy & Mining Company v. Maximilian Resources LLC, Case No. 17-cv-00363 (HDM)(VPC)), and has begun to develop an overall resolution and disposition strategy.

(p) <u>LC Energy</u> – refers to LC Energy Holdings, LLC, the owner of the Goldstar Coal Mine in Green County, Indiana, which is wholly owned by PPCO. PPCO acquired its ownership interest in the mine in March 2014 in the bankruptcy case of <u>In re Lily Group</u>, <u>Inc.</u>, Case No. 13-81073 (Bankr. S.D. Ind.). Following its acquisition of the mine, PPCO retained a third party mining contractor to assist it in putting the mine back into production. Through a combination of mismanagement and a downturn in coal prices, the contract miner never achieved tangible success with the property and was terminated.

Since the Receiver's appointment, Applicants have spent time analyzing the legal, financial, regulatory and business issues relating to this investment and analyzing potential liabilities and options for disposition of the asset. The asset, to date, is an unproven mining investment. The Receiver is considering all options and, to that end, Applicants have had multiple conversations with the mining contractor regarding the mine and potential disposition. The Receiver Team also has had preliminary discussions with counsel for the Lily Group Official Committee of Unsecured Creditors, which has threatened claims against the Receiver Entities, including claims to claw back the asset into the Lily Group bankruptcy. In this regard, the Otterbourg attorneys who have billed time to this investment primarily include attorneys with transaction and bankruptcy experience.

(q) <u>Northstar Offshore</u> – refers to PPCO's interest in an oil and gas company that is currently a debtor-in-possession in a Chapter 11 bankruptcy case in the Southern District of Texas, <u>In re Northstar Offshore Group, LLC</u>, Case No. 16-34028 (the "<u>Northstar Bankruptcy</u> <u>Case</u>"). Prior to the Receivership, PPCO made a large investment in Northstar totaling nearly \$60 million, including: (a) approximately \$700,000 invested through a letter of credit facility; (b) \$28,000,000 of face value 12% Second Lien Notes; (c) a \$2,470,000 face value unsecured 12% note; and (d) over \$27,000,000 of face value Series A Preferred Equity Shares of Northstar Stock.

Prior to the appointment of the Receiver, the Prior Receiver determined not to invest further in Northstar or to submit a bid for its assets in the bankruptcy case. During the Second Application Period, Applicants spent significant time analyzing the legal issues confronting the Receiver with regard to her exit of this position. Time spent on this matter includes analyses of equitable subordination, re-characterization and bankruptcy plan confirmation issues, in addition to a review and analysis of Northstar's plan and disclosure statement, and conference calls with regards to threatened litigation in the bankruptcy case against PPCO. Applicants also prepared an objection to Northstar's proposed disclosure statement and plan on the basis that Northstar was attempting to reserve claims against Platinum, which the Receiver argued was objectionable in view of the Receiver Order. In this regard, the Otterbourg attorneys who have billed time to this matter include attorneys with experience in litigation and bankruptcy matters.

(r) <u>**Pro Player**</u> – refers to a Platinum entity that made loans to professional athletes, often at the beginning of their careers. A portfolio of these loans still has overdue outstanding balances owed to Pro Player by these athletes.

#### Case 1:16-cv-06848-BMC Document 305 Filed 02/15/18 Page 40 of 51 PageID #: 6160

During the Second Application Period, the Receiver investigated the potential for pursuing collection of the outstanding loan balances. In addition, one of the borrower athletes filed a lawsuit seeking to have a confession of judgment previously filed against him by Pro Player set aside. That case is entitled <u>Nicholas Harris v. Pro Player Funding LLC</u>, Index No. 654965/2017, in the Supreme Court, State of New York, County of New York, and the deadlines in the case have been adjourned at the parties' request. Time billed to this matter included analysis of pleadings, analysis of the loan documents, communications with counsel for the plaintiff, and investigation of the current financial and professional statuses of the various borrowers. In this regard, the Otterbourg attorneys who have billed time to this matter include attorneys with experience in litigation and finance matters.

(s) <u>**TARS</u>** - refers to an investment by a Platinum related entity in a *qui tam* action against a number of life insurance companies, which has been pending under seal since December 2010.</u>

During the Second Application Period, the Receiver and her team worked closely with Houlihan Lokey to evaluate strategic alternatives with regards to this asset. Time billed to this matter included conference calls and in-person conferences with principals for the borrower and its counsel, and analysis of pleadings and other publicly available legal materials. In this regard, the Otterbourg attorneys who have billed time to this matter include attorneys with experience in litigation matters.

(t) <u>Urigen</u> - refers to PPCO's equity and debt interests in Urigen Pharmaceuticals, Inc., a specialty pharmaceutical company focused on the development and commercialization of products for urology indications.

### Case 1:16-cv-06848-BMC Document 305 Filed 02/15/18 Page 41 of 51 PageID #: 6161

Since the Receiver's appointment, Applicants have spent significant time analyzing the legal and business issues relating to this investment, specifically including addressing certain disputes as to PPCO's status in the debt and equity structure of Urigen and negotiations with other entities in the capital structure for such entities to make further investments in the project. The Receiver advised management that she is not prepared to make further investments in this asset given the uncertainty of the project and alternative sources in the capital structure for investment other than by the Receiver. Time billed to this matter included conference calls and in-person conferences with principals of Urigen and PPVA, internal meetings to discuss the projected value of this investment and an exit strategy for same. In this regard, Otterbourg attorneys who have billed time to this matter include attorneys with experience in finance and litigation matters.

### B. <u>Case Administration (P04)</u> - Total Fees: <u>\$423,368.50</u>

This category includes tasks that may not be directly related to a specific investment or transaction, but impact the overall administration of the Receivership Estate, including preparing motions relating to the administration of the Receivership Estate. The nature of the tasks performed under this category is varied, and includes the following:

(a) <u>Employees.</u> Since the Receiver's appointment, the number of employees has been reduced from thirteen (13) to four (4). There are currently two remaining portfolio managers, the chief financial officer and the general counsel. The director of information technology was transitioned to an independent consultancy at a lower cost to the Receivership Estate, while maintaining the same level of service. Prior to the departure of each portfolio manager, the Receivership Team received a download regarding the assets in each's respective

### Case 1:16-cv-06848-BMC Document 305 Filed 02/15/18 Page 42 of 51 PageID #: 6162

portfolio. During the Second Application Period, Applicants spent time coordinating the separation of employees from Platinum and negotiating revised work terms.

(b) <u>Relocation</u>. In a continuing effort to reduce expenses of the Receivership Estate, during the last application period, the Receiver obtained smaller, less costly space that is more convenient to the offices of the Receiver, Goldin, and Houlihan Lokey, thereby reducing travel time for meetings. In addition to cost savings on the office lease (a reduction from \$15,750 per month to \$9,972 per month for savings of \$5,972 per month), the relocation project will result in cost savings on information technology due to a consolidation of services and equipment, all while safeguarding Platinum's electronically stored information through multiple redundant systems. During the Second Application Period, Applicants coordinated with Platinum's head of IT to ensure a seamless transition of the office space and information technology systems. The move was completed prior to the end of the year.

(c) <u>PPVA</u>. Applicants had regular teleconferences and at least one in-person meeting with the Joint Liquidators for the PPVA Master Fund and the PPVA Feeder Fund. Applicants also regularly have asset-specific teleconferences with the joint liquidators or their professionals to discuss the liquidation or analysis of assets that are jointly held by PPVA and Platinum. Applicants also continued to discuss procedures to share with the liquidators non-privileged documents that are maintained on the Platinum servers controlled by the Receiver.

(d) <u>Website and Investor Communications.</u> In accordance with Section E.2.1 (Communications with Investors), the estate hired Garden City Group LLC ("<u>GCG</u>") to create the Receiver's website (PlatinumReceivership.com). This website provides investors and other interested parties with, among other things, periodic status reports, access to court documents and answers to frequently asked questions. Time was also devoted by Applicants to updating the

### Case 1:16-cv-06848-BMC Document 305 Filed 02/15/18 Page 43 of 51 PageID #: 6163

website to add or update the "Frequently Asked Questions" section of the website and to add "key documents." The Receiver prepared and updated letter to investors, which was posted on the website. The Receiver also established a mechanism on the website to allow interested parties to sign up to receiver daily notices when there are new filings on the docket. The Receiver and/or the Receivership Team have also held numerous meetings and/or teleconferences with various investors and Defendants at their request.

The Receiver also organized and held a "Town Hall" style webinar and telephone conference on December 20, 2017 to provide an update to investors and to answer questions submitted by investors. Forty people participated via the webinar and another 51 participated by telephone. The Receiver received positive feedback from this meeting and intends to hold them periodically going forward. Time was spent by Applicants providing notice to investors of the webinar, organizing the webinar, and preparing for the webinar.

(e) <u>SEC Meetings.</u> The Receiver also regularly communicated via telephone and emails with the SEC staff to keep them apprised of ongoing matters and to alert them to potential retentions and filings by the Receivers. The Receiver and her counsel have also met in-person with the SEC on at least one occasion during the Second Application Period.

(f) <u>Taxes.</u> Applicants spent time during this period coordinating with Goldin, Platinum's CFO and Deloitte Tax LLP to monitor their efforts to prepare local, state and federal tax returns. K-1s for the year ended December 31, 2016 for the PPCO Fund LLC and the PPCO Fund (TE) LLC were mailed to investors on December 13, 2017 and December 28, 2017, respectively. K-1s for investors in the PPLO (USA) Fund LP are near completion and we anticipate sending Final K-1s for the years ended December 31, 2015 and 2016 in the next 2

weeks. Completing and filing these tax returns has required more work, as there have not been any PPLO (USA) Fund LP tax returns completed since 2014.

Retention of Professionals. Applicants also reviewed the Application by the (g) Prior Receiver to engage limited scope professionals. In connection with this review, Applicants analyzed the services provided by each firm, the continued need for such firm's services, and the reasonability of the fees and expenses billed to the estate post-Receivership. Because of the wide range of jurisdictions in which the Platinum assets are located, the Receiver requires the assistance of several local law firms to assist with protecting the assets and provide their relevant On November 15, 2017, the Receiver filed a Declaration, identifying those expertise. professionals that the Receiver sought to retain on a go forward basis. [Dkt. No. 281]. The Court approved the Receiver's requests and entered an order authorizing the retention and payment of such limited scope professionals on December 26, 2017. [Dkt. No. 294]. The Receiver also required the assistance of additional law firms to protect Platinum's interests as arise in other jurisdictions (e.g., the Receiver required the assistance of a local law firm issues in Australia to assist with the Cleveland Mining asset). Accordingly, the Receiver filed a motion to approve procedures for the retention of professionals in the ordinary course of business. [Dkt. No. 292]. The Court granted the relief on December 29, 2017. [Dkt. No. 296].

(h) <u>Expansion of Receivership</u>. The Prior Receiver seeking to have several PPCO and PPLO entities, plus the umbrella management company, Platinum Management, added to the Platinum receivership estate. Upon her appointment, the Receiver undertook a review of this expansion motion and withdrew the application, without prejudice to requesting the same or similar relief at a later date. [Dkt. No. 240]. During the Second Application Period, the Receivership Team continued to review whether the Receivership Estate should be expanded to

include any additional entities. Among other things, the Receiver considered the assets and liabilities of each entity and the relationship of each entity to the current Receivership Entities under the Receiver's control. Following this review, the Receiver concluded that it would be in the best interests of the Receivership Estate to include the following as Receivership Entities: (i) Platinum Partners Liquid Opportunity Master Fund L.P.; (ii) Platinum Partners Credit Opportunities Fund International Ltd; and (iii) Platinum Partners Credit Opportunities Fund International Ltd; and (iii) Platinum Partners Credit Opportunities Fund International (A) Ltd. On December 14, 2017, Applicants filed a motion to expand the Receivership Estate [Dkt. No. 291], which was approved by the Court on December 29, 2017. [Dkt. No. 298]. The foregoing entities are now under the control of the Receiver and the supervision of the Court in accordance with the provisions of the Receiver Order.

(i) <u>Forensic/Investigatorv Work</u>. In addition to the liquidation of assets, potential sources of recovery include claims on behalf of the Platinum Entities against possible liable parties. The Receivership Team has begun to identify potential claims, including against professional firms that provided services to Platinum. For certain claims in which a statute of limitations deadline may be approaching, the Receivership Team has or will reach out to the potential adverse party to enter into a tolling agreement to allow the Receivership Team the appropriate time to investigate potential claims. In that regard, time was spent by Otterbourg litigators reviewing potential causes of action and the applicable statutes of limitation applicable to such causes of action and applying such statutes to the known facts concerning the date such potential causes of action may have accrued. Otterbourg will be coordinating forensic and investigatory work with the Goldin team.

(j) <u>**Court Hearings.**</u> The Applicants prepared for and attended the status conference in this case before the Court on December 1, 2017. Applicants also prepared for and attended (i)

a hearing on October 12, 2017 to consider the petition of the joint liquidators of a PPVA related entity for recognition of the solvency proceeding; (ii) the October 17, 2017 status conference in the criminal proceeding; and (iii) a hearing on October 10, 2017 in state court to consider the Defendants' dispute with the excess insurers on the director and officer liability policies.

(k) <u>Receiver Oversight</u>. Time during the Second Application Period was also devoted to the general oversight of the Platinum Entities and the Receivership Estate. Conferences with the Receiver and members of the Receivership Team occurred on a daily basis to facilitate the exchange of relevant information and to avoid duplication of effort. The Receiver maintained direct oversight over all the legal and financially-related work being done by her Receivership Team. Otterbourg attorneys assisted the Receiver, along with assistance from internal management and Goldin in analyzing budget, cash management and forensic accounting issues.

### V. EXPLANATION OF EXPENSES AND RELATED POLICIES

1. Applicants seek reimbursement of its out-of-pocket costs in the amount of \$11,787.94. **Exhibit F** sets forth the various categories of expenses for which Otterbourg seeks reimbursement. Applicants will retain the documentation supporting these expenses for a period of seven years in accordance with the SEC Billing Guidelines and will provide the SEC with copies upon request.

2. Applicants observed the following policies in connection with its expenses during the Second Application Period:

(a) In accordance with Section E.2.b. of the SEC Billing Guidelines, Applicants seek reimbursement for photocopying and laser printing expenses performed in-house (listed as Photocopies and Laser Copies in **Exhibit F**) at a rate of \$.15 per page. Otterbourg made 26,455

#### Case 1:16-cv-06848-BMC Document 305 Filed 02/15/18 Page 47 of 51 PageID #: 6167

internal photocopies during the Second Application Period at the rate of 0.15 cents per page, totaling \$3,968.20 for all in-house copies.

(b) In accordance with Section E.2.g., Applicant would normally seek reimbursement of outgoing facsimile charges at a rate of \$1.00 per page for outgoing transmissions. However, Otterbourg did not make any outgoing facsimile transmissions during the Second Application Period. Similarly, Otterbourg has not received any incoming facsimile transmissions, nor would it seek to charge anything for them.

(c) With respect to all expenses, Applicants seek reimbursement only for the actual cost of its filing and court reporting fees, postage and overnight delivery fees and long distance telephone charges. Applicants have not included in any request for expense reimbursement the amortization of the cost of any investment, equipment or capital outlay (except to the extent that any such amortization is included within the permitted allowable amounts set forth in the SEC Billing Guidelines). Whenever possible, Applicants have used email to transmit documents via portable document format, thereby reducing facsimile, overnight courier and copying costs otherwise chargeable to the Receivership Estate.

(d) In accordance with Section E.2.h of the SEC Billing Guidelines, Applicants have charged for Computerized Research only to the extent of the actual discounted invoiced cost of its vendor, Westlaw.

(e) In accordance with Section E.2.j. of the SEC Billing Guidelines, Applicants have neither sought reimbursement for local travel expenses (including mileage, taxis, etc.) nor for meals. A limited amount of travel time occurred during this Second Application Period with respect to a single trip to Texas to attend a mediation session. Applicants used the lowest available airfare (*e.g.*, coach) and are not seeking reimbursement for luxury accommodations or

#### Case 1:16-cv-06848-BMC Document 305 Filed 02/15/18 Page 48 of 51 PageID #: 6168

deluxe meals. In maintaining its expense documentation, Applicants will retain copies of receipts relating to long distance travel.

(f) In accordance with Section E.2.K of the SEC Applicants have not sought reimbursement for secretarial, word processing, proofreading or document preparation expenses (other than by professionals or paraprofessionals), data processing and other staff services (exclusive of paraprofessional services) or clerical overtime.

(g) The Receiver has created a website to provide updates to investors and other interested parties and to answer frequently asked questions. This service is only charged to the extent of the invoiced cost from the vendor GCG, which will be billed directly to the Receivership Estate.

(h) In some instances, cost incurred during a particular application period will not be reflected in Applicants' records until a subsequent application period. Applicants will seek reimbursement for such "trailing" expenses in subsequent fee application periods.

### VI. FACTORS TO BE CONSIDERED BY THE COURT IN AWARDING FEES

The case law on equity receiverships sets forth the standards for approving receiver compensation and the fees and expenses for the receiver's counsel. This Court has discretion to determine compensation to be awarded to a court-appointed equity receiver and his or her counsel and "may consider all of the factors involved in a particular receivership in determining an appropriate fee." *Gaskill v. Gordon*, 27 F.3d 248, 253 (7th Cir. 1994). Many authorities (even if dated) provide "convenient guidelines", but in the final analysis, "the unique fact situation of each case renders direct reliance on precedent impossible." *Securities & Exchange Comm 'n v. W.L. Moody & Co.*, 374 F. Supp. 465, 480 (S.D. Tex. 1974), *aff'd sub nom*, 519 F. 2d 1087 (5th Cir. 1975).

In allowing counsel fees in Securities Act receiverships, "[t]he court will consider . . . the complexity of problems faced, the benefit to the receivership estate, the quality of work performed, and the time records presented." *Securities & Exchange Comm 'n v. Fifth Ave. Coach Lines, Inc.*, 364 F. Supp. 1220, 1222 (S.D.N.Y. 1973); *see also United States v. Code Prods. Corp.*, 362 F.2d 669, 673 (3d Cir. 1966) (court should consider the time, labor and skill required (but not necessarily expended), the fair value of such time, labor and skill, the degree of activity, the dispatch with which the work is conducted and the result obtained). "[R]esults are always relevant." *Securities & Exchange Comm 'n v. Elliott*, 953 F.2d 1560, 1577 (11th Cir. 1992) (quoting *Moody*, 374 F Supp. at 480). However, a good result may take a form other than a bare increase in monetary value. *Id.* ("Even though a receiver may not have increased, or prevented a decrease in, the value of the collateral, if a receiver reasonably and diligently discharges his duties, he is entitled to compensation.").

Another "basic consideration is the nature and complexity of the legal problems confronted and the skill necessary to resolve them." *Moody*, 374 F. Supp. at 485. Moreover, "[t]ime spent cannot be ignored." *Id.* at 483. Another "significant factor ... is the amount of money involved." *Id.* at 486; *see also Gasser v. Infanti Int'l, Inc.*, 358 F. Supp. 2d. 176, 182 (E.D.N.Y. 2005) (receiver's legal fees "must be reasonable in light of the services rendered by counsel and the amount of property held in the receivership").

Under these standards, Applicants have adequately demonstrated that the amount of fees requested is appropriate. Applicants have acted quickly to take control of and monetize the assets of the Platinum Entities. The ultimate benefit to investors, though not specifically quantifiable at this stage of the Receivership, will become more quantifiable as the case proceeds. Investors now have a forum in which they may present their views (including their

criticisms) and monitor the Receiver's efforts to marshal the valuable assets of Platinum Entities to expeditiously dispose of these assets and generate a return for investors.

The issues being addressed by the Receiver and Otterbourg are highly complex and diverse, ranging from litigation finance to gold and coal mining. Many of the people with factual knowledge are facing criminal charges. Documentation, to the extent it exists, must be questioned and verified. Based on the foregoing, we respectfully submit that the compensation sought by the Receiver and Otterbourg is wholly warranted.

### VII. HOLDBACKS

The Receiver and Otterbourg are cognizant of the fact that the disposition of assets is ongoing and that there are significant costs of maintaining certain of the portfolio assets until they can be sold in an orderly manner (*e.g.*, the monthly premiums required to be paid on the life settlement policies). Accordingly, in an effort to preserve assets at this stage of the Receivership, Applicants have agreed to hold back twenty-five percent (25%) of the allowed fees requested in this Second Interim Application (the "<u>Holdback Amount</u>"). Applicants have agreed to forego immediate payment of the Holdback Amount with the understanding that (i) upon disposition of additional assets, and subject to the consent of the SEC, the Receiver will authorize the reduction of the Holdback Amount to twenty percent (20%) and payment to Applicants of 5% of their allowed fees, and (ii) the remaining Holdback Amount can be paid to Goldin at the conclusion of the Receivership. All payments will be made from the Receivership assets.

WHEREFORE, PREMISES CONSIDERED, the Receiver and Otterbourg respectfully request that the Court:

(a) Grant interim approval of the Receiver's compensation in the amount of \$120,434.80 (the "<u>Allowed Receiver Fees</u>");

(b) Grant interim approval of Otterbourg's compensation in the amount of \$903,961.80 (the "<u>Allowed Otterbourg Fees</u>" and, together with the Allowed Receiver Fees, the "<u>Allowed Fees</u>");

(c) grant interim approval of Receiver's request for reimbursement of her out-ofpocket expenses in the amount of \$2,602.95;

(d) grant interim approval of Otterbourg's request for reimbursement of its out-ofpocket expenses in the amount of \$9,184.99;

(e) authorize the Receiver to immediately pay to Applicants from the Receivership assets (i) the Allowed Fees, less the Holdback Amount, plus (ii) 100% of the allowed out-of-pocket expenses of Applicants;

(f) authorize the Receiver, upon the disposition of additional assets, to reduce Applicants' Holdback Amount to twenty percent (20%) and pay to Applicants from the Receivership assets five percent (5%) of Applicants' Allowed Fees, subject to the consent of the SEC, but without further notice or order of the Court; and

(g) Grant such other relief as the Court deems appropriate.

Dated: February 15, 2018

Otterbourg P.C.

By: <u>/s/ Adam C. Silverstein</u> Adam C. Silverstein

230 Park Avenue New York, New York 10169 Tel.: (212) 661-9100 Fax: (212) 682-6104 asilverstein@otterbourg.com

On Behalf of Melanie L. Cyganowski, as Receiver, and Otterbourg P.C., as Counsel to the Receiver

Case 1:16-cv-06848-BMC Document 305-1 Filed 02/15/18 Page 1 of 2 PageID #: 6172

# **EXHIBIT A**

### PLATINUM PARTNERS CREDIT OPPORTUNITIES MASTER FUND LP AND AFFILIATED ENTITIES

STANDARDIZED FUND ACCOUNTING REPORT

Reporting Period from 10/1/2017 to 12/31/2017

FUND AG	CCOUNTING (See Instructions)			
		 PPCO	 PPLO	 Total
Line 1	Beginning Balance (As of 10/1/2017):	\$ 6,968,664	\$ 1,667,492	\$ 8,636,156
	Increases in Fund Balance:			
Line 2 Line 3 Line 4	Business Income Cash and Securities Interest/Dividend Income	-	- 2,321	- 2.321
Line 5 Line 6 Line 7	Business Asset Liquidation <sup>1</sup> Personal Asset Liquidation Third-Party Litigation Income	11,415,765 - -	75,638	11,491,403
Line 8	Miscellaneous - Other	121,255	3,146	124,401
	Total Funds Available (Lines 1-8)	\$ 18,505,685	\$ 1,748,597	\$ 20,254,282
	Decreases in Fund Balance:			
Line 9 Line 10	Disbursements to Investors/Claimants Disbursements for Receivership Operations	-	-	-
Line 10b	Disbursements to Receiver or Other Professionals Business Asset Expenses	(4,502,024) (535,117)	-	(4,502,024) (535,117)
Line 10d	Personal Asset Expenses Investment Expenses <sup>2</sup>	- (3,447,612)	-	- (3,447,612)
Line 10e	Third-Party Litigation Expenses 1. Attorney Fees 2. Litigation Expenses	-	-	- -
	Total Third-Party Litigation Expenses	-	-	-
	Tax Administrator Fees and Bonds Federal and State Tax Payments	(67,142)		(67,142)
	Total Disbursements for Receivership Operations	\$ (8,551,895)	\$ -	\$ (8,551,895)
Line 11 Line 12	Disbursements for Distribution Expenses Paid by the Fund Disbursements to Court/Other	-	-	-
	Total Funds Disbursed	\$ (8,551,895)	\$ -	\$ (8,551,895)
Line 13	Ending Balance (As of 12/31/2017):	\$ 9,953,790	\$ 1,748,597	\$ 11,702,387

(1) This amount consists primarily of net proceeds derived from dispositions associated with the following investment positions: Acceleration Bay (\$10.0 million) and Airdye (\$1.265 million).

(2) This amount consists primarily of \$3.45 million disbursed to preserve the value of the following investments, pending the commencement of a sales process: Acceleration Bay (\$1.4 million); ALS Capital Ventures LLC (\$1.7 million); LC Energy (\$270,000); and Abdala Gold (\$111,600).

Case 1:16-cv-06848-BMC Document 305-2 Filed 02/15/18 Page 1 of 2 PageID #: 6174

# EXHIBIT B

### SUMMARY OF HOURS BILLED BY PROFESSIONALS AND PARAPROFESSIONALS FOR THE STATEMENT PERIOD OF OCTOBER 1, 2017 THROUGH DECEMBER 31, 2017

Professional	Year Admitted	Rate Per Hour	No. of Hrs.	Total Compensation <sup>1</sup>
Melanie L. Cyganowski ("MLC") Partner	1982	\$1,175.00 <sup>2</sup>	151.30	\$177,777.50
Richard G. Haddad ("RGH") Partner	1988	\$995.00	3.90	\$3,880.50
Adam C. Silverstein ("ACS") Partner	1992	\$820.00	74.40	\$61,008.00
Andrew M. Kramer ("AMK") Partner	1983	\$980.00	70.00	\$68,600.00
Keith N. Costa ("KNC") Partner	1985	\$945.00	76.10	\$71,914.50
Daniel F. Fiorillo ("DFF") Partner	1998	\$995.00	66.90	\$66,565.50
Philip C. Berg ("PCB") Partner	1992	\$800.00	159.00	\$127,200.00
Jennifer S. Feeney ("JSF") Of Counsel	1998	\$765.00	265.80	\$203,643.00
Eric B. Weinick ("EBW") Of Counsel	2002	\$725.00	432.90	\$313,852.50
Andrew S. Halpern ('ASH") Associate	1986	\$735.00	29.90	\$21,976.50
Chad B. Simon ("CBS") Associate	2005	\$510.00	80.70	\$41,157.00
Robert C. Yan ("RCY") Associate	2002	\$545.00	14.50	\$7,902.50
Bennett A. Davis ("BAD") Awaiting Admission	N/A	\$295.00	53.50	\$15,782.50
Christine M. O'Brien ("CMO") Paralegal	N/A	\$285.00	4.30	\$1,225.50
	TOTAL		1483.20	\$1,182,179.50

<sup>&</sup>lt;sup>1</sup> These amounts reflect the recorded fees prior to application of the agreed upon fee accommodations.

<sup>&</sup>lt;sup>2</sup> In accordance with Otterbourg's customary practice, it reviews its hourly rates each year and adjusts the professionals' hourly billing rates as of October 1, 2017. These hourly rates reflect the rates of the Receiver and Otterbourg professionals as of October 1, 2017. As previously agreed with the SEC, the amount being requested by the Receiver in this Application, includes a discount equal to the amount of the increase in her billable rate since October 1, 2017.

Case 1:16-cv-06848-BMC Document 305-3 Filed 02/15/18 Page 1 of 6 PageID #: 6176

# EXHIBIT C

## SUMMARY OF COMPENSATION BY PROJECT CODE FOR THE STATEMENT PERIOD OF OCTOBER 1, 2017 THROUGH DECEMBER 31, 2017

Project Code	Project Category	Total Hours	Total Fees <sup>1</sup>
P01	Asset Analysis and Recovery	764.40	\$614,589.00
P02	Asset Disposition	190.30	\$139,872.00
P04	Case Administration	522.50	\$423,368.50
P13	Travel	6.00	\$4,350.00
	TOTALS:	1483.20	\$1,182,179.50

These amounts reflect the recorded fees prior to application of the agreed upon fee accommodations.

## P01 - ASSET ANALYSIS AND RECOVERY SUMMARY OF HOURS BILLED BY PROFESSIONALS AND PARAPROFESSIONALS FOR PROJECT CODE P01

Professional	Year Admitted	Rate Per Hour	No. of Hrs.	Total Compensation <sup>1</sup>
Melanie L. Cyganowski ("MLC") Partner	1982	\$1,175.00	83.10	\$97,642.50
Adam C. Silverstein ("ACS") Partner	1992	\$820.00	17.10	\$14,022.00
Andrew M. Kramer ("AMK") Partner	1983	\$980.00	66.60	\$65,268.00
Keith N. Costa ("KNC") Partner	1985	\$945.00	8.60	\$8,127.00
Daniel F. Fiorillo ("DFF") Partner	1998	\$995.00	59.10	\$58,804.50
Philip C. Berg ("PCB") Partner	1992	\$800.00	33.70	\$26,960.00
Jennifer S. Feeney ("JSF") Of Counsel	1998	\$765.00	109.10	\$83,461.50
Eric B. Weinick ("EBW") Of Counsel	2002	\$725.00	277.10	\$200,897.50
Andrew S. Halpern ("ASH") Associate	1986	\$735.00	29.90	\$21,976.50
Chad B. Simon ("CBS") Associate	2005	\$510.00	60.00	\$30,600.00
Robert C. Yan ("RCY") Associate	2002	\$545.00	3.60	\$1,962.00
Bennett A. Davis ("BAD") Awaiting Admission	N/A	\$295.00	16.50	\$4,867.50
	TOTAL		764.40	\$614,589.00

These amounts reflect the recorded fees prior to application of the agreed upon fee accommodations.

## P02 - ASSET DISPOSITION SUMMARY OF HOURS BILLED BY PROFESSIONALS AND PARAPROFESSIONALS FOR PROJECT CODE P02

Professional	Year Admitted	Rate Per Hour	No. of Hrs.	Total Compensation <sup>1</sup>
Melanie L. Cyganowski	1982	\$1,175.00	10.70	\$12,572.50
("MLC") Partner Adam C. Silverstein ("ACS") Partner	1992	\$820.00	24.00	\$19,680.00
Daniel F. Fiorillo ("DFF") Partner	1998	\$995.00	.60	\$597.00
Philip C. Berg ("PCB") Partner	1992	\$800.00	98.90	\$79,120.00
Jennifer S. Feeney ("JSF") Of Counsel	1998	\$765.00	5.40	\$4,131.00
Eric B. Weinick ("EBW") Of Counsel	2002	\$725.00	20.50	\$14,862.50
Bennett A. Davis ("BAD") Awaiting Admission	N/A	\$295.00	30.20	\$8,909.00
	TOTAL		190.30	\$139,872.00

These amounts reflect the recorded fees prior to application of the agreed upon fee accommodations.

## P04 – CASE ADMINISTRATION SUMMARY OF HOURS BILLED BY PROFESSIONALS AND PARAPROFESSIONALS FOR PROJECT CODE P04

Professional	Year Admitted	Rate Per Hour	No. of Hrs.	Total Compensation <sup>1</sup>
Melanie L. Cyganowski ("MLC") Partner	1982	\$1,175.00	57.50	\$67,562.50
Richard G. Haddad ("RGH") Partner	1988	\$995.00	3.90	\$3,880.50
Adam C. Silverstein ("ACS") Partner	1992	\$820.00	33.30	\$27,306.00
Andrew M. Kramer ("AMK") Partner	1983	\$980.00	3.40	\$3,332.00
Keith N. Costa ("KNC") Partner	1985	\$945.00	67.50	\$63,787.50
Daniel F. Fiorillo ("DFF") Partner	1998	\$995.00	7.20	\$7,164.00
Philip C. Berg ("PCB") Partner	1992	\$800.00	26.40	\$21,120.00
Jennifer S. Feeney ("JSF") Of Counsel	1998	\$765.00	151.30	\$115,744.50
Eric B. Weinick ("EBW") Of Counsel	2002	\$725.00	129.30	\$93,742.50
Robert C. Yan ("RCY") Associate	2002	\$545.00	10.90	\$5,940.50
Chad B. Simon ("CBS") Associate	2005	\$510.00	20.70	\$10,557.00
Bennett A. Davis ("BAD") Awaiting Admission	N/A	\$295.00	6.80	\$2,006.00
Christine M. O'Brien ("CMO") Paralegal	N/A	\$285.00	4.30	\$1,225.50
	TOTAL		522.50	\$423,368.50

These amounts reflect the recorded fees prior to application of the agreed upon fee accommodations.

### P13 – TRAVEL SUMMARY OF HOURS BILLED BY PROFESSIONALS AND PARAPROFESSIONALS FOR PROJECT CODE P13

Professional	Year Admitted	Rate Per Hour	No. of Hrs.	Total Compensation <sup>1</sup>
Eric B. Weinick ("EBW") Of Counsel	2002	\$725.00	6.00	\$4,350.00
	TOTAL		6.00	\$4,350.00

These amounts reflect the recorded fees prior to application of the agreed upon fee accommodations.

Case 1:16-cv-06848-BMC Document 305-4 Filed 02/15/18 Page 1 of 29 PageID #: 6182

# EXHIBIT D

Case 1:16-cv-06848-BMC Document 305-4 Filed 02/15/18 Page 2 of 29 PageID #: 6183

## OTTERBOURG P.C. 230 PARK AVENUE NEW YORK, NY 10169-0075

February 12, 2018 Client/Matter No.: 22126/0901 Matter Name: SEC v. PLATINUM MANAGEMENT (NY) LLC, et al Billing Partner: RL STEHL

For Services Rendered Through December 31, 2017:

Phase: P01

Asset Analysis & Recovery

DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
10/02/17 MLC	Draft/revise Review of draft pleadings in Katrina Barge litigation case	.60	705.00
10/02/17 MLC	Telephone Call(s) Telcon with Tad Flynn concerning Abdalla valuation	.40	470.00
10/03/17 MLC	Preparation for Conference Prepared for meeting regarding Urigen with certain principals and Goldin	.70	822.50
10/03/17 MLC	Conference(s) in Office Meeting with Houlihan and Goldin with Urigen management to discuss current financial status and circumstances of Urigen	2.00	2,350.00
10/03/17 MLC	Correspondence Correspondence concerning Navidea note and proposed resolutions	.80	940.00

BILL NO. 193133

### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0901 Page 2

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/04/17 MLC	Review Financial Documents Review of financial circumstances and proposed recovery steps to stabilize Urigen	.90	1,057.50
10/04/17 MLC	Correspondence Follow up correspondence to Urigen management meeting	.30	352.50
10/05/17 MLC	Review Financial Documents Review of analysis provided by Goldin concerning recommended course of action re Urigen	.80	940.00
10/05/17 MLC	Review Financial Documents Review of analysis re cap structure of Urigen	.90	1,057.50
10/06/17 MLC	Conference(s) in Office Weekly conference meeting with Goldin and Otterbourg team to review project disposition and status of same	1.70	1,997.50
10/07/17 MLC	Correspondence Correspondence concerning Urigen and potential steps to stabilize company	.90	1,057.50
10/07/17 MLC	Review Financial Documents Review of summary of calls and meetings concerning efforts to stabilize Urigen	1.10	1,292.50

### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0901 Page 3

DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
10/08/17 MLC	Correspondence Review of proposed terms to stabilize Urigen	.80	940.00
10/10/17 MLC	Telephone Call(s) Telcon with HL Tad Flynn concerning update to Abdala valuation report	.30	352.50
10/10/17 MLC	Conference call(s) Conference call with HL disposition team concerning life settlements and next steps to take in connection with policy which terminated prior to MLC receivership	.60	705.00
10/10/17 MLC	Telephone Call(s) Telcon with Chris Kennedy concerning inter-relationship of funds and receiverships	.90	1,057.50
10/11/17 MLC	Preparation for Mediation Meeting with EBW to prepare for Arabella mediation in Austin TX with Founders and other interested parties	.60	705.00
10/11/17 MLC	Review Financial Documents Reviewed Goldin memo concerning LC Energy and need to make certain expense payments to preserve asset	.70	822.50

230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0901 Page 4

DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
10/12/17 MLC	Correspondence Review of correspondence outlining issues re Cleveland Mining and possible retention of counsel in Australia to prevent seizure of receivership interest in Cleveland Mining	1.10	1,292.50
10/13/17 MLC	Conference(s) in Office Weekly meeting with Goldin and Otterbourg team to review status of projects including disposition efforts	1.60	1,880.00
10/13/17 MLC	Telephone Call(s) Telcon with Bill Baldiga (counsel for Stephen Gray) concerning Implant Sciences and possible document discovery demand	.60	705.00
10/13/17 MLC	Conference call(s) Conference call with Erik Weinick and Chip Hoeboeke concerning mediation settlement proposals	.60	705.00
10/13/17 MLC	Analysis of Legal Papers Review of analysis of mediation issues with respect to Arabella	.90	1,057.50
10/16/17 MLC	Correspondence Review of correspondence and report by Chip Hoebeke concerning Arabella, mediation and cash collateral issues	1.20	1,410.00

### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0901 Page 5

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/16/17 MLC	Correspondence Correspondence with Morris Weiss concerning Arabella mediation	.30	352.50
10/16/17 MLC	Correspondence Correspondence concerning release of ALS escrow funds	.50	587.50
10/16/17 MLC	Review Financial Documents Review of Goldin report and recommendation concerning Arabella	1.10	1,292.50
10/17/17 MLC	Correspondence Correspondence concerning Agera and PPVA Intermediate Fund litigation report	.40	470.00
10/17/17 MLC	Correspondence Correspondence concerning retention of Australian law firm to prevent seizure of receivership assets in Australia concerning Cleveland Mining	.80	940.00
10/18/17 MLC	Analysis of Legal Papers Analysis of potential alternatives re disposition and recovery of Arabella assets	1.30	1,527.50
10/19/17 MLC	Telephone Call(s) Telcon with Morris Weiss concerning Arabella mediation and next steps	.70	822.50

# OTTERBOURG P.C. 230 Park Avenue

## New York, NY 10169-0075

Client/Matter: 22126/0901 Page 6

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/19/17 MLC	Review Financial Documents Review of HL valuation of Abdalla	2.10	2,467.50
10/19/17 MLC	Analysis of Legal Papers Analysis of proposed alternatives to settling the Arabella litigation	1.30	1,527.50
10/19/17 MLC	Review Financial Documents Review of financial analysis concerning Urigen	1.10	1,292.50
10/20/17 MLC	Conference(s) in Office Team meeting to review certain projects and next steps	2.00	2,350.00
10/22/17 MLC	Correspondence Desert Hawk: correspondence with team concerning next steps re disposition of asset	.80	940.00
10/23/17 MLC	Correspondence Correspondence concerning Desert Hawk and next steps	.50	587.50
10/23/17 MLC	Correspondence Correspondence concerning Arabella mediation and cash collateral issues	.50	587.50

### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0901 Page 7

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/27/17 MLC	Conference call(s) Conference call with Houlihan concerning overview of status of disposition and marketing efforts	.60	705.00
10/27/17 MLC	Conference(s) in Office Team meeting with Goldin and Otterbourg concerning status of disposition of various assets and next steps for protection of assets	1.70	1,997.50
10/30/17 MLC	Conference call(s) Conference call with Morris Weiss concerning next steps re Arabella in aftermath of mediation	.70	822.50
11/02/17 MLC	Conference call(s) Conference call with Morris Weiss concerning Arabella mediation and next steps	.60	705.00
11/03/17 MLC	Conference call(s) Conference call with HL to review strategy concerning potential disposition of certain assets, including Acceleration Bay	.40	470.00
11/03/17 MLC	Conference(s) in Office Conference with Goldin and OSHR team to review status of various projects and asset dispositions, including stock sales and Arabella litigation/mediation	1.10	1,292.50

# Otterbourg p.c.

## 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0901

February 12, 2018

Page 8			BILL NO. 193133
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/03/17 MLC	Correspondence Correspondence with Morris Weiss concerning possible mediation with Judge Mott.	.40	470.00
11/03/17 MLC	Review Financial Documents Review of financial information concerning certain of the projects including Arabella	.70	822.50
11/08/17 MLC	Telephone Call(s) Telcon with EBW concerning Arabella mediation with Founders	.40	470.00
11/08/17 MLC	Telephone Call(s) Telcon with ACS and Beechwood concerning use of escrow funds	.50	587.50
11/08/17 MLC	Conference(s) in Office Meeting with CNO (Matt Hall) and Sirota (Fried Frank) re status of receivership and use of escrow funds for payment of life settlement premiums	2.00	2,350.00
11/08/17 MLC	Conference out of Office Meeting with Paul Sanbria (HL) regarding disposition of certain assets	1.00	1,175.00
11/10/17 MLC	Conference call(s) Conference call with HL team concerning status of disposition efforts	.60	705.00

### 230 PARK AVENUE NEW YORK, NY 10169-0075

February 12, 2018

Client/Matter: 22126/0901

Page 9			BILL NO. 193133
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/10/17 MLC	Review Financial Documents Reviewed AMK's memo concerning Cleveland Mining issues	1.10	1,292.50
11/13/17 MLC	Conference(s) in Office Meeting with EBW concerning Arabella negotiations and next steps	.50	587.50
11/13/17 MLC	Review Financial Documents Reviewed background memorandum concerning Arabella negotiations and mediation effort	1.60	1,880.00

11/17/17	Analysis of Legal Papers	1.10	1,292.50
MLC	Review of AMK memorandum analyzing status		
	of Cleveland Mining and potential next		
	steps		
	· · · · · · · · · · · · · · · · · · ·		

- 11/17/17Review Financial Documents1.301,527.50MLCReviewed financial analysis prepared by<br/>GoldinGoldinGoldin
- 12/04/17 Conference(s) in Office 1.40 1,645.00 MLC Meeting with Goldin and Otterbourg teams concerning status of various projects and negotiations

## 230 Park Avenue New York, NY 10169-0075

Client/Mat Page 10	cter: 22126/0901		February 12, 2018 BILL NO. 193133
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
12/04/17 MLC	Conference call(s) Conference call with Houlihan/ Goldin and Otterbourg concerning status of disposition of certain assets	.50	587.50
12/04/17 MLC	Analysis of Legal Papers Preliminary review of research litigation analysis prepared by PPVA concerning certain assets jointly held with PPCO	1.80	2,115.00
12/05/17 MLC	Correspondence Review of Goldin's update on Cokal recovery effort	.40	470.00
12/06/17 MLC	Correspondence Correspondence with Chris Kennedy concerning Agera and next steps	.40	470.00
12/06/17 MLC	Correspondence Correspondence concerning update on Arabella	.30	352.50
12/07/17 MLC	Correspondence Correspondence with Morris Weiss concerning Arabella	.40	470.00
12/07/17 MLC	Conference(s) in Office Meeting with Conway to review Desert Hawk, BLAB and other projects on which Conway is working	1.80	2,115.00

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0901 February 12, 2018 Page 11 BILL NO. 193133

DATE

ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/07/17 MLC	Analysis of Legal Papers Review of Holland & Knight memorandum on potential litigations to be pursued jointly	1.50	1,762.50
12/08/17 MLC	Conference call(s) Conference call with Conway and Otterbourg team concerning Conway's analysis of certain assets	.50	587.50
12/08/17 MLC	Conference(s) in Office Team meeting with Goldin and Otterbourg to review status of projects and next steps	1.90	2,232.50
12/08/17 MLC	Analysis of Legal Papers review of memorandum concerning Desert Hawk and proposed next steps	.70	822.50
12/08/17 MLC	Prepare for Meeting Prepared for meeting with SEC by reviewing documents concerning certain assets	1.10	1,292.50
12/08/17 MLC	Conference call(s) Conference call with Conway concerning update re Desert Hawk	.50	587.50
12/08/17 MLC	Analysis of Legal Papers Review of analysis of certain statute of limitations	1.10	1,292.50

#### 230 PARK AVENUE New York, NY 10169-0075

DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
12/08/17 MLC	Analysis of Legal Papers Review and approval of draft ALS confidentiality agreement	.30	352.50
12/11/17 MLC	Conference out of Office Conference with SEC at SEC office to review background concerning certain assets	2.50	2,937.50
12/11/17 MLC	Correspondence Correspondence with Chris Kennedy concerning PGS / DMRJ	.40	470.00
12/11/17 MLC	Correspondence Review of update provided by Goldin and Conway concerning Desert Hawk and Arabella	.50	587.50
12/12/17 MLC	Conference call(s) Conference call with Conway concerning Arabella	.70	822.50
12/12/17 MLC	Analysis of Legal Papers Review of draft of Northstar reservation of rights	.70	822.50
12/12/17 MLC	Correspondence Correspondence with former principals of the Arabella entities	.40	470.00
12/12/17 MLC	Correspondence Correspondence with Morris Weiss concerning Arabella	.30	352.50

Client/Matter: 22126/0901 Page 12

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0901 Page 13

DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
12/13/17 MLC	Correspondence Correspondence concerning Pre-Approval of Settlement Amount in Pacific Energy v. Maximilian	.40	470.00
12/13/17 MLC	Analysis of Legal Papers Review of the oral argument on the summary judgment motion in Arabella	1.70	1,997.50
12/14/17 MLC	Conference call(s) Conference call with Beechwood re PGS	.60	705.00
12/14/17 MLC	Conference(s) in Office Meeting with Otterbourg team and Conway concerning Cleveland Mining	.80	940.00
12/15/17 MLC	Conference(s) in Office Meeting with Otterbourg and Goldin teams to review status of projects and next steps	2.20	2,585.00
12/15/17 MLC	Conference call(s) Conference call with Conway concerning projects under its review	.60	705.00
12/29/17 MLC	Review Financial Documents Reviewed financials for potential sale of certain assets including life settlement policies	1.40	1,645.00

# Otterbourg P.C. 230 Park Avenue

### NEW YORK, NY 10169-0075

Client/Matter: 22126/0901 Page 14		Fe	ebruary 12, 2018 BILL NO. 193133
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/29/17 MLC	Analysis of Legal Papers Review of memorandum concerning Arabella litigation	1.30	1,527.50
TOTAL PHAS	SE PO1	83.10	\$97 <b>,</b> 642.50
Phase: P02	2	Asse	t Disposition
DATE			
ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/06/17 MLC	Conference call(s) Weekly status conference call meeting with HL to review status of disposition and marketing efforts	.60	705.00
10/09/17 MLC	Review Financial Documents Reviewed correspondence and disposition memo concerning AirDye and possible division of funds between PPCO and PPVA	.80	940.00
10/09/17 MLC	Correspondence Correspondence regarding proposal to sell receivership interest in Proteus	.60	705.00
10/13/17 MLC	Conference call(s) Weekly conference call with HL to review project disposition efforts	.50	587.50

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0901 Page 15

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/16/17 MLC	Correspondence Correspondence with HL concerning disposition efforts for Urigen	.40	470.00
10/16/17 MLC	Review Financial Documents Review of recommendation by Goldin to dispose of Cokal shares and warrants	.80	940.00
10/17/17 MLC	Correspondence Review of updated status report from Goldin concerning disposition of Cokal warrants	.70	822.50
10/18/17 MLC	Correspondence Review of possible division of assets concerning PPVA and PPCO for jointly owned assets	.70	822.50
10/20/17 MLC	Conference call(s) Conference call with HL disposition team reviewing status of projects and potential dispositions	.50	587.50
11/17/17 MLC	Conference out of Office Meeting with Morris Weiss concerning status of mediation efforts concerning Arabella and next steps	.60	705.00
12/08/17 MLC	Conference call(s) Conference call with Houlihan re HL's marketing proposal of certain assets	.50	587.50

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0901 Page 16			February 12, 2018 BILL NO. 193133
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
12/10/17 MLC	Review Financial Documents Review of draft of Project Midas description prepared by HL in anticipation of sending out to potential purchasers	.80	940.00
12/11/17 MLC	Analysis of Legal Papers Review of proposed retention papers for Schwartz Flansburg firm in connection with Maximillan litigation	.60	705.00
12/12/17 MLC	Conference(s) in Office Meeting with AMK and Mike Ryan of FTI in Perth concerning steps to be taken to protect Cleveland Mining assets	.60	705.00
12/13/17 MLC	Conference(s) in Office Con with PB to discuss latest Houlihan results from initial marketing of Acceleration Bay	.40	470.00
12/13/17 MLC	Conference call(s) Conference call with HL and team to discuss marketing of Acceleration Bay	.70	822.50
12/15/17 MLC	Conference call(s) Conference call with HL concerning its marketing efforts of Acceleration Bay	.90	1,057.50
TOTAL PHAS	SE PO2	10.70	\$12,572.50
Phase: P04	l	Cas	se Administration

# Otterbourg p.c.

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0901 Page 17

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/02/17 MLC	Correspondence Review of proposed correspondence which resolves Clifford Chance dispute over attorney fees	.60	705.00
10/02/17 MLC	Correspondence Correspondence with Neal Jacobson concerning Schaeffer and Weiner fee application	.40	470.00
10/03/17 MLC	Draft/revise Reviewed and revised draft of application describing which professionals should continue to be retained	.60	705.00
10/05/17 MLC	Review Financial Documents Review of 13 week cash projection prepared by Goldin	.70	822.50
10/06/17 MLC	Telephone Call(s) Telcon with Neal Jacobson concerning status of various pending matters, dispositions and proposed retentions	1.10	1,292.50
10/06/17 MLC	Conference(s) in Office Meeting with IT (Len Cristino and Paul) concerning relocation and movement of computer information to cloud and similar recommendations	.90	1,057.50

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0901 Page 18

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/06/17 MLC	Correspondence Correspondence with Chris Kennedy concerning potential expansion of receivership entities	.60	705.00
10/06/17 MLC	Correspondence Correspondence with SEC (Neal Jacobson) concerning Quinn & Emmanuel questions re possible expansion of receivership	.40	470.00
10/06/17 MLC	Analysis of Legal Papers Review of outline of status report concerning receivership since inception	1.60	1,880.00
10/09/17 MLC	Review Financial Documents Reviewed summaries of financials including recent settlements and dispositions	1.00	1,175.00
10/10/17 MLC	Correspondence Correspondence with SEC concerning proposed retention of Houlihan disposition team	.80	940.00
10/11/17 MLC	Review Financial Documents Reviewed proposed next steps concerning HL and Conway applications	1.30	1,527.50
10/12/17 MLC	Conference(s) in Office Meeting at Otterbourg with representatives of SHIP to review and discuss receivership	1.60	1,880.00

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0901 Page 19

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/12/17 MLC	Preparation for Conference Prepared for meeting with SHIP representatives	.70	822.50
10/12/17 MLC	Correspondence Review of summary of court proceeding which took place today in Chapter 15 PPVA	.80	940.00
10/12/17 MLC	Draft/revise Review of draft of retention of Conway McKenzie for disposition of assets other than those handled by HL	.90	1,057.50
10/12/17 MLC	Review Financial Documents Review of 13 week cash flow projection prepared by Goldin	.70	822.50
10/13/17 MLC	Correspondence Correspondence with PPVA concerning appointment of new JOL Martin Trott	.30	352.50
10/13/17 MLC	Draft/revise Review of draft of status report of receivership since appointment	1.20	1,410.00
10/16/17 MLC	Correspondence Follow up correspondence with SEC concerning HL disposition retention application	.40	470.00

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0901 Page 20

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/16/17 MLC	Draft/revise Final review of application to retain HL disposition team for filing with Court	.90	1,057.50
10/16/17 MLC	Correspondence Correspondence concerning release of ALS escrow funds for payment of life settlement policy premiums	.30	352.50
10/16/17 MLC	Draft/revise Review of proposed updates to Receivership website	.60	705.00
10/17/17 MLC	Correspondence Review of report summary of criminal case status conference	.60	705.00
10/18/17 MLC	Correspondence Correspondence between SEC and PPVA Intermediate Fund concerning certain potential receivership entities	.30	352.50
10/18/17 MLC	Analysis of Legal Papers Review of revised retention papers for Conway McKenzie	.90	1,057.50
10/19/17 MLC	Draft/revise Reviewed draft of outline of proposed status report to Court as requested by Judge Cogan	.80	940.00

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0901 Page 21			February 12, 2018 BILL NO. 193133
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/19/17 MLC	Review Financial Documents Review of Goldin's 13 week cash projection for receivership	.80	940.00
10/20/17 MLC	Conference(s) in Office Meeting at Otterbourg with Shepard Kaplan and their clients concerning status of receivership	1.40	1,645.00
10/20/17 MLC	Prepare for Court Appearance Prepared for first court appearance before Judge Cogan concerning status of receivership	1.10	1,292.50
10/20/17 MLC	Correspondence Correspondence among parties concerning upcoming status conference before Judge Cogan	.70	822.50
10/20/17 MLC	Draft/revise Review of proposed amendment to document sharing agreement with PPVA	.80	940.00
10/23/17 MLC	Draft/revise Reviewed proposed draft of declaration in support of retention of Conway MacKenzie	.60	705.00
10/27/17 MLC	Telephone Call(s) Telcon with AUSA Moira Penza concerning attorney client privilege issues	.40	470.00

#### 230 Park Avenue New York, NY 10169-0075

Client/Mat Page 22	ter: 22126/0901		February 12, 2018 BILL NO. 193133
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/27/17 MLC	Telephone Call(s) Telcon with Neal Jacobsen concerning interim fee application filed by Cooley and related issues	.20	235.00
10/27/17 MLC	Conference call(s) Conference call with Deloitte and Trey Rogers and Alois (Goldin) concerning status of tax returns	.40	470.00
10/27/17 MLC	Preparation for Conference Prepared for conference call with Deloitte regarding status of tax returns and k-1s	.40	470.00
11/02/17 MLC	Review Financial Documents Reviewed financial statements and projections provided by Goldin of next 13 weeks	.80	940.00
11/07/17 MLC	Conference call(s) Conference call with Will Edwards/ Alois and EBW concerning Shepherd Mullin's request for NAV numbers	.70	822.50
11/08/17 MLC	Review Financial Documents Review of financial projections prepared by Goldin	1.10	1,292.50
11/10/17 MLC	Conference(s) in Office Con with Goldin and Otterbourg teams to discuss and review disposition and recovery efforts	2.20	2,585.00

# Otterbourg p.c.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter:	22126/0901	February 12, 2018
Page 23		BILL NO. 193133

DATE

ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/13/17 MLC	Telephone Call(s) Telcon with Neal Jacobson re status update	.60	705.00
11/13/17 MLC	Conference(s) in Office Meeting with Trey to review certain financials of the business administration	.50	587.50
11/17/17 MLC	Review Financial Documents Review of draft financial projections for next 13 weeks as prepared by Goldin	.70	822.50
11/17/17 MLC	Correspondence Correspondence with Trey Rogers concerning status of draft tax returns for certain of PPCO entities	.80	940.00
11/17/17 MLC	Draft/revise Review of draft of Notice concerning Cooley fee application	.40	470.00
11/17/17 MLC	Conference call(s) Conference call with Deloitte re status of tax returns	1.30	1,527.50
11/20/17 MLC	Conference(s) in Office Meeting with Goldin and Otterbourg teams to review status of dispositions and recoveries	2.00	2,350.00

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Mat Page 24	ter: 22126/0901		February 12, 2018 BILL NO. 193133
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
11/20/17 MLC	Conference call(s) Conference call with HL to review status of disposition efforts	.50	587.50
11/20/17 MLC	Correspondence Correspondence with Chris Kennedy re certain shared assets with PPVA	1.30	1,527.50
12/01/17 MLC	Prepare for Court Appearance Prepared for first court appearance before Judge Cogan for status conference	1.30	1,527.50
12/01/17 MLC	Conference out of Office Conference with Neal Jacobson concerning status conference before Judge Cogan	.30	352.50
12/01/17 MLC	Conference out of Office Conference with counsel for Nordlicht concerning proposed motion to expand receivership and Nordlicht's request for investor committee	.20	235.00
12/01/17 MLC	Court Appearance - General Appeared before Judge Cogan for initial status conference	.50	587.50
12/01/17 MLC	Conference out of Office Follow-up conference with Goldin concerning status conference and next steps	.30	352.50

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Mat Page 25	ter: 22126/0901		February 12, 2018 BILL NO. 193133
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
12/04/17 MLC	Correspondence Correspondence with SEC concerning proposed motion to add certain entities to receivership	.40	470.00
12/04/17 MLC	Correspondence Correspondence with Nordlicht's counsel concerning proposed motion to expand receivership	.40	470.00
12/04/17 MLC	Correspondence Correspondence with Alan Levine concerning status of pending fee applications	.20	235.00
12/04/17 MLC	Review Financial Documents Reviewed 13-week cash projections prepared by Goldin	.70	822.50
12/05/17 MLC	Correspondence Correspondence concerning town hall - scheduling and outline of topics to review during call	.60	705.00
12/05/17 MLC	Correspondence Correspondence re certain limited scope professionals including Leite Tosto law firm	.30	352.50
12/05/17 MLC	Analysis of Legal Papers Review of cash collateral issues in Arabella bankruptcy case	.70	822.50

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0901 Page 26

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/06/17 MLC	Correspondence Correspondence with EBW concerning approval of proposed settlement of Leite Tosto attorney fees upon sale of Abdalla asset	.50	587.50
12/07/17 MLC	Correspondence Correspondence with investor concerning status of certain efforts	.30	352.50
12/07/17 MLC	Review Financial Documents Review of financial statements and requests for certain approvals	.80	940.00
12/07/17 MLC	Draft/revise Reviewed and revised draft of agenda for team meetings	.30	352.50
12/08/17 MLC	Review Financial Documents Review of draft tax statements and signing of same	.80	940.00
12/08/17 MLC	Correspondence Review of proposed statement to be placed on website concerning town hall meeting	.30	352.50
12/11/17 MLC	Draft/revise Reviewed and revised draft of motion papers re limited scope professionals	.80	940.00

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0901 Page 27

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/11/17 MLC	Analysis of Legal Papers Review of draft of Letter of Authorization for JH Darbie to transfer our shares of Bang Holdings Corp to Bulldog Capital investments LLC.	.40	470.00
12/11/17 MLC	Travel Time Travel to and from SEC for meeting (billed at half time)	.50	587.50
12/11/17 MLC	Correspondence Correspondence concerning PPVA	.30	352.50
12/11/17 MLC	Correspondence Correspondence with certain defendants' counsel concerning motion to expand receivership	.30	352.50
12/12/17 MLC	Conference call(s) Conference call with Nordlicht's counsel concerning Abdalla and other assets	.60	705.00
12/12/17 MLC	Review Financial Documents Review of financial statements and proposed payments re payroll and related expenses	1.10	1,292.50
12/13/17 MLC	Correspondence Correspondence concerning changes to draft of limited scope professionals motion	.40	470.00

# Otterbourg p.c.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0901 Page 28

DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
12/13/17 MLC	Draft/revise Final review of motion to expand receivership	.60	705.00
12/29/17 MLC	Analysis of Legal Papers Review of counsel notes re hearing before court in Arabella	1.20	1,410.00
12/29/17 MLC	Analysis of Legal Papers Review of Order entered by Receiver Court concerning expansion of receivership and next steps	.70	822.50
12/29/17 MLC	Analysis of Legal Papers Review of Order entered by Receivership Court re additional limited scope professionals	.40	470.00
12/29/17 MLC	Correspondence Correspondence with Otterbourg team re payment of certain added limited scope professionals	.60	705.00
TOTAL PHAS	SE PO4	57.50	\$67,562.50
	TOTAL FOR	SERVICES	\$177 <b>,</b> 777.50

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 1 of 289 PageID #: 6211

# EXHIBIT E

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 2 of 289 PageID #: 6212

### OTTERBOURG P.C. 230 Park Avenue New York, NY 10169-0075

Client/Matter No.: 22126/0902 February 12, 2018 Matter Name: COUNSEL TO RECEIVER IN SEC v. PLATINUM MANAGEMENT Billing Partner: RL STEHL

For Services Rendered Through December 31, 2017:

Phase: P01

Asset Analysis & Recovery

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/01/17 ACS	Review/correct Answer Review and markup Katrina Barge interpleader amended answer and counterclaim	.30	246.00
10/02/17 JSF	Prepare Legal Papers Draft Statement/Limited Objection in Arabella Matter re: Proceeds of TAR Rights and Platinum's Lien Interest	2.20	1,683.00
10/02/17 JSF	Examine Documents Analysis of Platinum's Lien Rights and Affirmation of Valid Lien by Debtor	1.60	1,224.00
10/02/17 JSF	Correspondence David Hall re: Scheduling Call to Discuss Cash Collateral in Arabella	.10	76.50
10/02/17 JSF	Examine Documents Settlement Agreement with APC and Arabella Entities	.60	459.00

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 2		February 12, 2018 BILL NO. 193134	
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/02/17 DFF	Review of Documents Cash collateral budget request in Arabella	.30	298.50
10/02/17 EBW	Preparation of Legal Papers Finalize and file amended answer to Katrina Barge interpleader.	2.10	1,522.50
10/02/17 EBW	Correspondence Correspondence with Receiver and counsel for PPVA regarding Clifford Chance/Excalibur.	.30	217.50
10/02/17 EBW	Correspondence Correspondence with CFO and portfolio manager regarding Navidea.	.20	145.00
10/02/17 EBW	Telephone Call(s) Teleconference with CFO and portfolio manager regarding Navidea.	.40	290.00
10/02/17 EBW	Telephone Call(s) Teleconference with Houlihan regarding Abdala.	.60	435.00
10/02/17 EBW	Telephone Call(s) Teleconference with Goldin and PPVA regarding China Horizon.	.40	290.00
10/02/17 EBW	Telephone Call(s) Teleconferences with B. Parlin regarding Agera.	.40	290.00

230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Mat Page 3	ter: 22126/0902		February 12, 2018 BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
10/02/17 EBW	Review Documents Review of Abdala materials including correspondence/ governing documents and reports.	2.60	1,885.00
10/02/17 PCB	Conference call(s) China Horizon - Conference call with Goldin re: China Horizon note.	.60	480.00
10/03/17 AMK	Correspondence Draft Email to Cleveland Mining re: Refinancing Proposal	.50	490.00
10/03/17 JSF	Conference(s) in Office Meeting with Houlihan, Goldin, and Urigen Team (Dan Vickery, Larry Spector, and Alan Schoenbart) re: Status of Urigen Investment	2.00	1,530.00
10/03/17 JSF	Examine Documents Review of Materials re: Status of Urigen Investment and attention to next steps	.40	306.00
10/03/17 JSF	Telephone Call(s) Call with David Hall re: TAR Rights Sale Motion and Use of Cash	.50	382.50
10/03/17 JSF	Examine Documents Analysis of Proposed TAR Sale Motion in Arabella and Objection Points	.60	459.00

# Otterbourg p.c.

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902

February 12, 2018

Page 4			BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/03/17 JSF	Correspondence David Hall and Dan Callahan re: Scheduling Founders Mediation Preparation Call	.20	153.00
10/03/17 JSF	Examine Documents Houlihan Presentation Materials re: Asset Review	.70	535.50
10/03/17 DFF	Telephone Call(s) W. David Hall re: Arabella cash collateral budget/litigation update	.50	497.50
10/03/17 DFF	Review of Documents Prep for Arabella call/review Foundry litigation papers & bankruptcy docket	.50	497.50
10/03/17 EBW	Preparation for Conference Preparation for teleconference regarding Navidea.	.40	290.00
10/03/17 EBW	Correspondence Correspondence with Receiver and B. Parlin regarding Navidea.	.30	217.50
10/03/17 EBW	Telephone Call(s) Teleconferences with PPVA regarding Navidea and Northstar Offshore	.20	145.00
10/03/17 EBW	Telephone Call(s) Teleconference with B. Weisenberg regarding Pro Player.	.40	290.00

# Otterbourg P.C. 230 Park Avenue

#### NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 5

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/03/17 EBW	Telephone Call(s) ALS-Teleconferences with Houlihan and general counsel regarding Lincoln/Rosenberg insurance policy and review of documents relating to same.	2.40	1,740.00
10/03/17 PCB	Conference call(s) Urigen - Meeting preparation call with Houlihan Lokey.	.60	480.00
10/03/17 PCB	Prepare for Meeting Urigen - review and analysis of Urigen presentation materials.	1.10	880.00
10/03/17 PCB	Conference(s) In Office Urigen - Meeting with Dan Vickery and other members of Urigen management.	2.00	1,600.00
10/03/17 PCB	Conference(s) In Office Urigen - Meetings with Houlihan Lokey and Goldin re: Urigen.	1.40	1,120.00
10/03/17 PCB	Correspondence Urigen - Correspondence with Houlihan Lokey/ Goldin and co-counsel re: Urigen.	.40	320.00
10/03/17 CBS	Correspondence TAR Sale and Cash Collateral, including review of documents related to same.	.30	153.00

#### 230 Park Avenue New York, NY 10169-0075

Client/Mat Page 6	ter: 22126/0902		February 12, 2018 BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/03/17 CBS	Correspondence Review correspondence from Brent Weisenberg and Curtis Solsvig regarding BLAB funding.	.30	153.00
10/03/17 BAD	Structure/Strategy/Analysis Meeting with Urigene re: current status of business operations incl. timeline for potential FDA approval.	1.00	295.00
10/04/17 JSF	Prepare Legal Papers Draft of Proposed Language for Insert in Tag-Along Sale Order in Arabella	.90	688.50
10/04/17 JSF	Examine Documents Arabella Loan Documents Re: Platinum Security Interest	.80	612.00
10/04/17 JSF	Examine Documents Arabella Settlement Agreement - Affirmation of Liens	.70	535.50
10/04/17 DFF	Review of Documents BLAB funding request/issues for conference call	.30	298.50
10/04/17 EBW	Telephone Call(s) Teleconferences with Brent Weisenberg regarding Northstar Offshore/Extreme/retention of limited scope professionals/ Daybreak.	.60	435.00

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 7

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/04/17 EBW	Correspondence Correspondence with portfolio manager and Receivership Team regarding Abdalla.	.10	72.50
10/04/17 EBW	Examine Documents Review correspondence regarding Agera.	.40	290.00
10/04/17 EBW	Correspondence Correspondence with Receivership Team and local counsel regarding Arabella.	.20	145.00
10/04/17 EBW	Correspondence Correspondence with counsel in Lily bankruptcy regarding LC Energy.	.20	145.00
10/04/17 EBW	Review Documents Analysis of Arabella materials re: asset disposition.	1.40	1,015.00
10/04/17 EBW	Review Documents Analysis of Urigen materials.	.80	580.00
10/04/17 CBS	Analysis of Legal Papers Review and analysis of proposed revised draft of TAR Sale Order. (Arabella)	.70	357.00
10/05/17 AMK	Examine Documents Cleveland Mining- Amendment Demand received from Borrower	.40	392.00

# Otterbourg p.c.

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 February 12, 2018 Page 8 BILL NO. 193134

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/05/17 AMK	Correspondence Cleveland Mining - Emails Re: Australian counsel	.20	196.00
10/05/17 JSF	Telephone Call(s) Conference Call with CRO and Counsel for Arabella to Prepare for Upcoming Mediation	1.90	1,453.50
10/05/17 JSF	Examine Documents Review of Mediation Briefs Re: Arabella/Founders Dispute	.70	535.50
10/05/17 JSF	Examine Documents Arabella Financial Analysis	.40	306.00
10/05/17 JSF	Prepare Legal Papers Review of Current Transactions for Team Meeting Discussion	1.20	918.00
10/05/17 JSF	Prepare Legal Papers Status Report - Current Activities and Background	1.60	1,224.00
10/05/17 DFF	Review of Documents Re: Arabella sale order re: TARS	.40	398.00
10/05/17 DFF	Review of Documents Re Arabella settlement agreement	.40	398.00

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 9

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/05/17 DFF	Review of Documents Re: Cokal diligence concerning assets	.50	497.50
10/05/17 EBW	Preparation for Mediation Preparation for Arabella mediation and teleconference.	1.20	870.00
10/05/17 EBW	Telephone Call(s) Teleconference with Arabella CRO and counsel to prepare for Arabella mediation.	1.90	1,377.50
10/05/17 EBW	Correspondence Correspondence with Goldin and A. Kramer regarding Cleveland Mining.	.20	145.00
10/05/17 EBW	Conference(s) In Office Conference with A. Kramer regarding Cleveland Mining.	.20	145.00
10/05/17 EBW	Telephone Call(s) Teleconference regarding LC Energy with local counsel.	.50	362.50
10/05/17 EBW	Review Documents Analysis of Pacific Energy issues and documents.	1.10	797.50
10/05/17 EBW	Review Documents ALS-Analysis of Rosenberg insurance policy issues.	.40	290.00

#### OTTERBOURG P.C. 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 February 12, 2018 Page 10 BILL NO. 193134

DATE

ATTORNEY DESCRIPTION HOURS AMOUNT 10/05/17 Review Documents .80 580.00 Analysis of Accutane issues and documents. EBW 2.40 10/06/17 Examine Documents 2,352.00 AMK Cleveland File/ Loan Docs 10/06/17 Telephone Call(s) .30 294.00 AMK W/ Goldin Re: Cleveland Demand 10/06/17 Conference(s) in Office 1.70 1,300.50 JSF Weekly Meeting with Goldin Team and Receiver - Update on Investments and Progress 10/06/17 Examine Documents .80 612.00 Review Report on Status of Assets and JSF Disposition 10/06/17 Preparation for Conference .40 290.00 EBW Preparation for weekly team strategy and status meetings. 10/06/17 Telephone Call(s) .60 435.00 EBW Participation in weekly teleconference with Receiver and Houlihan on sale status and strategy. 10/06/17 Conference(s) In Office 1.70 1,232.50 EBW Participation in weekly team meeting between Otterbourg and Goldin on status and strategy (EBW portion).

# Otterbourg P.C. 230 Park Avenue

#### NEW YORK, NY 10169-0075

February 12, 2018

BILL NO. 193134

Client/Matter: 22126/0902

Page 11

2			
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/06/17 EBW	Conference(s) In Office Conference with general counsel regarding Accutane.	.80	580.00
10/06/17 EBW	Correspondence Attention to correspondence regarding Agera.	.20	145.00
10/06/17 EBW	Correspondence Correspondence with Goldin regarding Beechwood.	.10	72.50
10/06/17 EBW	Review Documents Analysis of Houlihan valuation report.	.30	217.50
10/06/17 EBW	Conference(s) In Office Follow-up Meetings with Goldin Team Re: Asset Maintenance	2.80	2,030.00
10/06/17 PCB	Conference(s) In Office Weekly Otterbourg/Goldin/Platinum team meeting re: status/strategy (PCB portion).	1.70	1,360.00
10/06/17 PCB	Conference(s) In Office Cleveland Mining - Meeting and call re: Cleveland Mining legal issues.	.60	480.00

10/06/17 Conference(s) w/ CoCounsel - Other 1.50 1,230.00 ACS Meet with Receiver, Goldin principal representatives and Otterbourg principal attorneys (ACS portion)

230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902

February 12, 2018

Page 12			BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/06/17 KNC	Conference(s) In Office Partially attend Otterbourg and Goldin Team meeting with Receiver re: updated status/strategy including website and POC form issues	1.50	1,417.50
10/06/17 BAD	Conference call(s) Weekly team conference call re: status/strategy.	1.50	442.50
10/07/17 PCB	Review of Documents Urigen - Review and analysis of Goldin's proposed bridge financing structure.	.40	320.00
10/07/17 PCB	Telephone Call(s) Urigen - Teleconferences with Goldin re: structuring bridge financing.	.70	560.00
10/07/17 PCB	Preparation of Documents Urigen - Initial preparation of bridge financing term sheet.	1.20	960.00
10/07/17 PCB	Correspondence Urigen - Correspondence re: terms of bridge financing.	.40	320.00
10/07/17 PCB	Revision of Documents Urigen – Revision of proposed Urigen bridge financing term sheet.	.60	480.00

# OTTERBOURG P.C. 230 Park Avenue

#### New York, NY 10169-0075

Client/Mat Page 13	ter: 22126/0902		February 12, 2018 BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/07/17 ACS	Analysis of Memorandum Review and annotate Beechwood forensic memo	2.80	2,296.00
10/08/17 EBW	Review Documents Attention to Beechwood correspondence and memo.	.40	290.00
10/08/17 EBW	Preparation for Mediation Preparation for Arabella mediation including correspondence with Receiver and attention to Goldin memo.	.40	290.00
10/08/17 PCB	Correspondence Urigen - Correspondence with Goldin/Urigen/ PPVA and Urigen.	.40	320.00
10/08/17 PCB	Revision of Documents Urigen – Further revision of proposed bridge financing term sheet.	.60	480.00
10/08/17 PCB	Conference call(s) Urigen - Conference call with Urigen CEO and Goldin.	.50	400.00
10/09/17 AMK	Telephone Call(s) (Cleveland) W/ Steinberg Re: Demand from Cleveland Mining	.40	392.00

# Otterbourg p.c.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 14

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/09/17 AMK	Correspondence (Cleveland) Email to Receiver Re: Cleveland Mining Amendment Demand to Personal Property Registration	.70	686.00
10/09/17 JSF	Examine Documents Arabella - Proposed Sale Order for Sale of Tag-Along Rights in AEX and APC Estates	1.20	918.00
10/09/17 JSF	Examine Documents Beechwood Memo re: Overview of Transactions and Transfers Involving Beechwood	.80	612.00
10/09/17 DFF	Revision of Documents Re: revising Arabella sale order regarding tag along rights	.40	398.00
10/09/17 DFF	Memo To JSF re: comments on tag along sale order	.20	199.00
10/09/17 DFF	Review of Documents Re: Daybreak funding request/loan documentation	.50	497.50
10/09/17 DFF	Memo To PPCO team re: conference call to discuss funding request for Daybreak	.20	199.00

# Otterbourg p.C. 230 Park Avenue

#### New York, NY 10169-0075

Client/Matter: 22126/0902

correspondence.

Page 15

February 12, 2018

BILL NO. 193134

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/09/17 EBW	Correspondence Correspondence regarding Arabella with Goldin and local counsel.	1.20	870.00
10/09/17 EBW	Preparation for Mediation Preparation regarding Arabella mediation.	3.10	2,247.50
10/09/17 EBW	Telephone Call(s) Teleconference with CRO and team regarding Arabella.	.40	290.00
10/09/17 EBW	Correspondence Correspondence with Receivership Team regarding Daybreak.	1.10	797.50
10/09/17 EBW	Correspondence Correspondence with Receivership Team regarding Cleveland and review of legal research.	1.20	870.00
10/09/17 EBW	Preparation for Conference Preparation for conference regarding Beechwood.	.30	217.50
10/09/17 PCB	Conference call(s) Urigen - Conference calls with Cato CEO/ Urigen CEO and PPVA.	.70	560.00
10/09/17 PCB	Correspondence Urigen - Correspondence and review of	.50	400.00

230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 16

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/09/17 PCB	Research Urigen - Due diligence research re: Urigen Pharmaceuticals and Cato Research Ltd.	.80	640.00
10/09/17 PCB	Review of Documents Review and analysis of Cato Master Services Agreement and Work Orders.	.70	560.00
10/09/17 PCB	Revision of Documents Urigen - Revision of bridge financing term sheet to reflect discussions with Urigen/ Cato and PPVA.	1.20	960.00
10/09/17 ACS	Analysis of Legal Papers Review materials re: Lily Group bankrutpcy for call to Benesch	.40	328.00
10/09/17 ACS	Telephone Call(s) w/CoCounsel - Other Meet with C. Simon and telecon P. Fitzpatrick re: Lily Group bankruptcy	.30	246.00
10/09/17 CBS	Analysis of Legal Papers Review background materials including correspondence to B. Schwartz/ Stay Order in In Re: Lily/ and related documents in preparation for phone conference with local counsel. (LC Energy).	.80	408.00
10/09/17 CBS	Examine Documents Review correspondence from Brent Weisenberg regarding urgent issues- including funding issues. (Daybreak).	.40	204.00

# Otterbourg p.c.

230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 17

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/09/17 CBS	Telephone Call(s) Phone conference with Patrick Fitzpatrick and Peter French (local cousel) regarding Indiana litigation and related issues. (LC Energy).	.40	204.00
10/10/17 AMK	Correspondence (Cleveland) Emails to/ from Steinberg Re: Australian counsel	.20	196.00
10/10/17 AMK	Correspondence (Cleveland) Emails to/ from Australian counsel Re: possible retention regarding Registration Demand	.40	392.00
10/10/17 AMK	Examine Documents (Cleveland) Continue review of Loan Documents	1.50	1,470.00
10/10/17 JSF	Telephone Call(s) Conference Call with CRO of Arabella/ Counsel/ and Broker for Company in Preparation for Mediation/Understanding of Values	.40	306.00
10/10/17 JSF	Examine Documents Proposed Amended Tag-Along Rights Order in Arabella Action	.30	229.50
10/10/17 DFF	Telephone Call(s) with PPCO team/Goldin re: Daybreak funding issues	.50	497.50

## Otterbourg p.C. 230 Park Avenue

#### New York, NY 10169-0075

Client/Matter: 22126/0902

February 12, 2018

Page 18			BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/10/17 DFF	Review of Documents Prep for call on Daybreak funding issues	.30	298.50
10/10/17 DFF	Review of Documents Re: Arabella revised sale order	.30	298.50
10/10/17 EBW	Conference(s) In Office ALS-Conference with Houlihan Lokey and B. Weisenberg regarding Lincoln/Rosenberg insurance policy.	1.30	942.50
10/10/17 EBW	Conference(s) In Office Conference with B. Weisenberg/ A. Silverstein and D. Steinberg to discuss Beechwood background and strategy. (EBW portion).	.30	217.50
10/10/17 EBW	Telephone Call(s) Teleconference with B. Parlin regarding Agera.	.50	362.50
10/10/17 EBW	Correspondence Correspondence regarding transfer of security certificates.	.20	145.00
10/10/17 EBW	Preparation for Mediation Preparation for Arabella mediation.	2.20	1,595.00
10/10/17 EBW	Telephone Call(s) Teleconference with Arabella CRO in preparation for mediation.	.40	290.00

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 19

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/10/17 PCB	Review/Revision of Documents China Horizon - Review and comment on China Horizon ownership analysis memorandum.	.70	560.00
10/10/17 PCB	Conference call(s) Urigen - Conference call with CEO and Goldin.	.40	320.00
10/10/17 PCB	Correspondence Urigen - Correspondence with Urigen/ co-counsel/ Goldin and Cato.	.50	400.00
10/10/17 PCB	Revision of Documents Urigen - Revised proposed bridge financing term sheet.	.70	560.00
10/10/17 ACS	Conference(s) w/ CoCounsel - Other Meet with B. Weisenberg/ D. Steinberg/ T. Rogers and A. Chaboka re: Beechwood	2.10	1,722.00
10/10/17 CBS	Review Comments of Borrower's Counsel Review revisions to TAR Sale Order proposed by D. Hall	.50	255.00
10/10/17 CBS	Telephone Call(s) Phone conference with B. Weisenberg regarding Daybreak financing issues.	.40	204.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 21 of 289 PageID #: 6231

## Otterbourg p.c.

230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 February 12, 2018 Page 20 BILL NO. 193134

DATE

ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/10/17 CBS	Examine Documents Review and analysis of Lily Group sale order transferring assets to LC energy and related documents from local counsel to understand claims asserted by Committee.	1.10	561.00
10/10/17 RCY	Prepare Legal Papers Prepare draft retention application for Conway MacKenzie.	3.60	1,962.00
10/11/17 AMK	Correspondence (Cleveland Mining) Draft email in response to Amendment Demand	.90	882.00
10/11/17 JSF	Examine Documents Arabella - Analysis of Potential Settlement Ranges for Founders Mediation	.80	612.00
10/11/17 JSF	Prepare Legal Papers Report on Status of Activities with Respect to the Investments in the Third Calendar Quarter	2.70	2,065.50
10/11/17 DFF	Review of Documents Re: Prep for call with Daybreak reps/PPCO team on funding issues/waiver of interest	.40	398.00
10/11/17 DFF	Review of Documents Re: Daybreak loan docs/default notices	1.00	995.00

### Otterbourg P.C. 230 Park Avenue

#### NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 21			February 12, 2018 BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
10/11/17 DFF	Review of Documents Re: LC Energy funding request/email from Goldin	.20	199.00
10/11/17 DFF	Revision of Documents Re: Forbearance agreement for Daybreak	1.30	1,293.50
10/11/17 DFF	Telephone Call(s) W/ CBS re: comments to Daybreak forbearance	.40	398.00
10/11/17 EBW	Telephone Call(s) Teleconference with general counsel and CFO regarding Accutane.	.20	145.00
10/11/17 EBW	Telephone Call(s) ALS-Teleconference with general counsel and CFO regarding ALS.	.40	290.00
10/11/17 EBW	Preparation for Mediation Preparation for Arabella mediation (2.0)/ including conference with Receiver (.60).	2.60	1,885.00
10/11/17 EBW	Preparation for Conference Preparation for teleconference with general counsel and counsel for Pacific Energy.	.20	145.00
10/11/17 EBW	Telephone Call(s) Teleconference with general counsel and counsel for Pacific Energy.	.20	145.00

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902

Page 22

February 12, 2018

BILL NO. 193134

-			
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/11/17 PCB	Preparation for Conference Urigen - Preparation for conference call including review of underlying documentation.	.80	640.00
10/11/17 PCB	Conference call(s) Urigen - Conference calls with Goldin and GLC re: Urigen bridge financing.	.90	720.00
10/11/17 ACS	Analysis of Complaint Review CNO complaint against Beechwood	.90	738.00
10/11/17 CBS	Prepare Loan Documents Draft Forbearance Agreement. (Daybreak).	3.50	1,785.00
10/11/17 CBS	Telephone Call(s) Phone conference with Brent Weisenberg and Daybreak principals.	.20	102.00
10/11/17 CBS	Analysis of Legal Papers Review and analysis of Receiver Order and docket entry to assess authority of M. Cyganowski. (.3); confer with A. Kramer regarding same (.1). (Cleveland)	.40	204.00
10/11/17 CBS	Analysis of Legal Papers Review and analysis of loan documentation- including amendments and prior interest waivers. (Daybreak)	.60	306.00

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 23			February 12, 2018 BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/11/17 CBS	Correspondence Review and respond to correspondence from B. Weisenberg regarding Daybreak loan documentation. (Daybreak)	.40	204.00
10/11/17 CBS	Correspondence Review and respond to correspondence from Zach Weiner regarding Daybreak structure (Daybreak)	.20	102.00
10/12/17 AMK	Telephone Call(s) (Cleveland Mining) - tel con with prospective Australian counsel Re: Response to Amendment Demand	.50	490.00
10/12/17 АМК	Examine Documents (Cleveland) Emails to/ from Australian counsel Re: Registration Amendment - next steps	.40	392.00
10/12/17 АМК	Examine Documents (Cleveland Mining) Emails form Australian counsel to Borrower Re: Registration demand response	.20	196.00
10/12/17 JSF	Examine Documents Review of Active/Open Transactions	.50	382.50
10/12/17 JSF	Examine Documents Review PPVA Reports re: Implant Sciences Asset	.40	306.00

# OTTERBOURG P.C. 230 Park Avenue

NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 24

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/12/17 DFF	Review of Documents Re: Daybreak diligence/loan docs	1.10	1,094.50
10/12/17 DFF	Correspondence To Brent W. re: forbearance comments	.20	199.00
10/12/17 DFF	Correspondence To Daybreak team re: draft forbearance	.20	199.00
10/12/17 DFF	Revision of Documents Re: revise Daybreak forbearance	.50	497.50
10/12/17 DFF	Review of Documents Re: revised Arabella sale order	.40	398.00
10/12/17 DFF	Review of Documents Re: Daybreak diligence/loan docs/funding request	.40	398.00
10/12/17 DFF	Telephone Call(s) W/ Brent W. re: comments to Daybreak forbearance	.40	398.00
10/12/17 EBW	Correspondence Correspondence with B. Weisenberg regarding Pacific Energy.	.20	145.00
10/12/17 EBW	Conference Out of Office Conference with D. Callahan in preparation for Arabella mediation.	.80	580.00

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: Page 25	22126/0902	February 12, 2018 BILL NO. 193134
DATE		

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/12/17 EBW	Telephone Call(s) Teleconference with D. Hall regarding Arabella mediation.	.20	145.00
10/12/17 EBW	Telephone Call(s) Teleconference and correspondence with R. Saltzman regarding Abdala.	.20	145.00
10/12/17 PCB	Due Diligence Research Review of valuation reports re: various assets.	.80	640.00
10/12/17 PCB	Review File Urigen - Review of precedent for Cato Research letter agreement.	.30	240.00
10/12/17 PCB	Preparation of Documents Urigen - Initial preparation of Cato Research letter agreement.	1.30	1,040.00
10/12/17 PCB	Revision of Documents Urigen - Revise/ finalize and transmit draft Cato Research letter agreement.	.60	480.00
10/12/17 PCB	Review/Revision of Documents Urigen - Review of Urigen counsel's comments to Term Sheet/ revisions thereto.	.50	400.00
10/12/17 ACS	Telephone Call(s) w/CoCounsel - Other Telecon P. Fitzpatrick re: Lily Group/LC Energy Sale.	.10	82.00

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 26			February 12, 2018 BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
10/12/17 ACS	Conference(s) w/ CoCounsel - Other Meet with Receiver and representatives and counsel for SHIP	1.60	1,312.00
10/12/17 ACS	Correspondence w/CoCounsel - Other E-mails from/to P. Siroka re: meeting with CNO	.20	164.00
10/12/17 ACS	Examine Documents Prepare for Meeting with SHIP	.60	492.00
10/12/17 CBS	Prepare Loan Documents Draft revisions to Forbearance Agreement reflecting comments from Brent Weisenberg. (Daybreak).	1.20	612.00
10/12/17 CBS	Miscellaneous Review correspondence from P. Fitzpatrick and Peter French regarding strategy for proceeding with respect to mediation Re: Lily Group	.60	306.00
10/12/17 CBS	Correspondence Review correspondence from C. Solsvig regarding waiver of interest and comments to proposed forbearance agreement. (Daybreak).	.40	204.00
10/12/17 CBS	Telephone Call(s) Phone conference with B. Weisenberg regarding comments to Forbearance Agreement and related issues (Daybreak)	.70	357.00

230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 27

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/12/17 CBS	Correspondence Review correspondence from P. Fitzpatrick regarding conversation with Wendy Brewer/ the Court Appointed Chief Restructuring Officer; assess strategy for proceeding.	.30	153.00
10/13/17 JSF	Examine Documents Arabella - Proposed Additional Language to TAR Sale Order	.40	306.00
10/13/17 JSF	Telephone Call(s) Call with Houlihan Team - Update on Disposition of Assets	.50	382.50
10/13/17 JSF	Conference(s) in Office Team Meeting with Goldin to Discuss Active Transactions/ PPVA Discussions/ and Other Active Receivership Matters (JSF portion)	1.60	1,224.00
10/13/17 JSF	Examine Documents Goldin Update on Review of Portfolio Investments	.70	535.50
10/13/17 DFF	Conference(s) In Office W. PPCO team re: Status of recovery and asset monetization matters (DFF portion)	1.20	1,194.00
10/13/17 DFF	Review of Documents EMAIL from D Hall re: Arabella sale order language proposal	.30	298.50

### Otterbourg P.C. 230 Park Avenue

#### NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 28

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/13/17 DFF	Telephone Call(s) W. PPCO team re: Arabella sale order request	.30	298.50
10/13/17 EBW	Preparation for Mediation Preparation for Arabella mediation.	.50	362.50
10/13/17 EBW	Attendance at Mediation Attendance at/ and participation in/ Arabella mediation.	10.50	7,612.50
10/13/17 BAD	Structure/Strategy/Analysis Weekly meeting with Platinum team re: updated status reports & strategy going forward (partial attendance).	1.00	295.00
10/15/17 DFF	Telephone Call(s) W/ Goldin/PCB re: Cokal stock sale	.40	398.00
10/15/17 DFF	Correspondence To Goldin re: Cokal stock proposal	.30	298.50
10/15/17 PCB	Correspondence Urigen - Correspondence and review of correspondence re: structuring of Urigen bridge financing.	.30	240.00
10/16/17 AMK	Telephone Call(s) (Cleveland Mining) - w/ Australian counsel Re: Amendment Demand/ Retention Agreement/ Next Steps	.40	392.00

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 29

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/16/17 JSF	Examine Documents Review of Mediation Report and Next Steps re: Arabella and Founders Litigation	.40	306.00
10/16/17 JSF	Examine Documents Arabella - Revised and Entered Order Approving Tag-Along Rights Sale	.30	229.50
10/16/17 DFF	Review of Documents Re: Arabella revised sale order	.40	398.00
10/16/17 EBW	Correspondence Attention to correspondence and documents regarding Agera interests.	.80	580.00
10/16/17 EBW	Telephone Call(s) ALS-Teleconference with CFO and general counsel regarding ALS Infinity.	.50	362.50
10/16/17 EBW	Correspondence ALS-Analysis of correspondence regarding ALS Infinity.	.20	145.00
10/16/17 EBW	Review Documents Analysis of underlying documents regarding Pacific/Maximilian dispute.	1.80	1,305.00
10/16/17 EBW	Conference(s) In Office Analysis of next steps in Arabella Mediation; Confer w/ Receiver and A. Silverstein	.70	507.50

#### 230 Park Avenue New York, NY 10169-0075

Client/Mat Page 30	ter: 22126/0902		February 12, 2018 BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
10/16/17 EBW	Telephone Call(s) Teleconference with CFO regarding employee issues/ ALS Infinity/ Extreme Energy and LC Energy.	.20	145.00
10/16/17 EBW	Correspondence Review of correspondence and underlying documents regarding Accutane.	2.10	1,522.50
10/16/17 PCB	Conference(s) In Office Urigen - Conferences with co-counsel re: Urigen bridge loan structuring.	.40	320.00
10/16/17 PCB	Telephone Call(s) Urigen - Telephone call with Goldin re: structuring Urigen bridge financing.	.40	320.00
10/16/17 PCB	Revision of Documents Urigen - Revision of proposed Urigen bridge financing term sheet.	1.10	880.00
10/16/17 PCB	Research Urigen - Review of bridge financing term sheet precedent and provisions.	.30	240.00
10/16/17 CBS	Telephone Call(s) Phone conference with C. Solsvig/ K. Latz and K. Garnett regarding background information and strategy for proceeding with respect to Desert Hawk/ Daybreak/ and BLAB.	1.50	765.00

230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 31

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/16/17 CBS	Analysis of Legal Papers Review and analysis of additional language proposed by D. Hall in connection with TAR sale order.	.20	102.00
10/17/17 AMK	Examine Documents (Cleveland Mining) Email from Australian counsel Re: Revised Retention Agreement	.20	196.00
10/17/17 AMK	Examine Documents (Cleveland Mining) email from Australian counsel Re: tel con with Borrower's counsel	.20	196.00
10/17/17 AMK	Correspondence (Cleveland) Mining Email to Steinberg Re: Amendment Demand	.20	196.00
10/17/17 AMK	Examine Documents (Cleveland Mining) Email from Steinberg Re: Correspondence with Borrower	.30	294.00
10/17/17 JSF	Examine Documents Black Elk Settlement Terms	.30	229.50
10/17/17 DFF	Correspondence To Brent W. re: Daybreak forbearance comments	.30	298.50
10/17/17 DFF	Review of Documents Re: Diligence on Desert Hawk/introduction materials for Conway engagement	.50	497.50

### OTTERBOURG P.C. 230 Park Avenue New York, NY 10169-0075

DATE

Client/Matter:	22126/0902	February 12, 2018
Page 32		BILL NO. 193134

ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/17/17 DFF	Revision of Documents Re: Conway MacKenzie email on Desert Hawk	.30	298.50
10/17/17 DFF	Review of Documents Re: Desert Hawk sale proposals	.50	497.50
10/17/17 EBW	Telephone Call(s) Teleconference with B. Weisenberg regarding Pacific.	.20	145.00
10/17/17 EBW	Review Documents Analysis of documents relating to Pacific litigation.	1.20	870.00
10/17/17 EBW	Telephone Call(s) Teleconference with B. Parlin regarding Agera.	.10	72.50
10/17/17 EBW	Correspondence Correspondence with B. Parlin and Receiver regarding Agera.	.30	217.50
10/17/17 EBW	Correspondence ALS-Correspondence with B. Weisenberg and portfolio manager regarding Infinity (ALS) and review of underlying documents.	1.80	1,305.00
10/17/17 EBW	Correspondence Correspondence with Receivership Team regarding PPVA.	.40	290.00

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 33

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/17/17 EBW	Telephone Call(s) Teleconference with counsel for BNY regarding certificate issues.	.10	72.50
10/17/17 EBW	Review Documents Review of documents and notes regarding Agera transaction.	1.10	797.50
10/17/17 CBS	Correspondence Draft correspondence to K. Latz regarding Daybreak Forbearance and related issues. (Daybreak)	.30	153.00
10/17/17 CBS	Analysis of Legal Papers Review and analysis of 10Q filed with SEC. (Daybreak)	.30	153.00
10/17/17 CBS	Analysis of Legal Papers Review and respond to correspondence from C. Solsvig regarding background information on Conway projects.	.20	102.00
10/17/17 CBS	Correspondence Review and respond to correspondence from B. Weisenberg regarding Forbearance Agreement. (Daybreak)	.10	51.00
10/17/17 CBS	Examine Documents Review and analysis of correspondence from C. Solsvig regarding Desert Hawk background, including attached memo/ cash flow/ and report. (Desert Hawk)	.40	204.00

### OTTERBOURG P.C. 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 34

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/18/17 AMK	Examine Documents (Cleveland) Re: Review of Loan Documents	2.50	2,450.00
10/18/17 AMK	Examine Documents (Cleveland) - Continue review of Loan Docs	1.40	1,372.00
10/18/17 JSF	Telephone Call(s) Arabella - Analysis of Last Settlement Proposal re: Founders Litigation and Possible Alternatives	.90	688.50
10/18/17 JSF	Examine Documents Arabella - Review Analysis of Founders Expenses and Revenue Reconciliation	.40	306.00
10/18/17 DFF	Review of Documents Re: BLAB funding docs for Conway	.50	497.50
10/18/17 DFF	Review of Documents Re: BLAB correspondence for Conway diligence	.40	398.00
10/18/17 DFF	Telephone Call(s) W. D Hall re: Arabella cash collateral issues	.40	398.00
10/18/17 EBW	Correspondence Correspondence and teleconference with D. Callahan regarding Arabella mediation.	.20	145.00

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Mat Page 35	ter: 22126/0902		February 12, 2018 BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/18/17 EBW	Telephone Call(s) Teleconference with D. Hall regarding Arabella.	.30	217.50
10/18/17 EBW	Telephone Call(s) Teleconference and correspondence with S. Barry (Holland & Knight) regarding Navidea.	.20	145.00
10/18/17 EBW	Preparation for Conference Preparation for teleconference with APC trustee regarding Arabella.	.80	580.00
10/18/17 EBW	Telephone Call(s) Teleconference with APC trustee regarding Arabella.	.80	580.00
10/18/17 EBW	Telephone Call(s) ALS-Teleconference with general counsel/ CFO and portfolio manager regarding ALS/Infinity.	.80	580.00
10/18/17 EBW	Telephone Call(s) Teleconference with C. Solsvig regarding ALS/Infinity and Arabella.	.40	290.00
10/18/17 EBW	Review Documents Analysis of memo regarding Martin Kenny investment and previous correspondence.	.60	435.00

230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 36

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/18/17 PCB	Review of Documents Urigen - Review and analysis of Steinberg memo and materials on Urigen capitalization.	.70	560.00
10/18/17 PCB	Telephone Call(s) Teleconference with Goldin re: proposed Urigen bridge financing.	.50	400.00
10/18/17 PCB	Revision of Documents Urigen - Further revision of Urigen bridge financing term sheet.	.60	480.00
10/18/17 CBS	Correspondence Review correspondence from K. Latz; draft correspondence to C. Solvig regarding transfer of information to CM and related issues.	.20	102.00
10/18/17 CBS	Examine Documents Review and analysis of correspondence from C. Solsvig regarding requested financing and related issues (.2); review and analysis of presentation and related documents provided by C. Solsvig in connection with same (.4). (BLAB)	.60	306.00
10/18/17 CBS	Examine Documents Review correspondence and related information from B. Weisenberg. (BLAB)	.40	204.00

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 37

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/19/17 AMK	Telephone Call(s) (Cleveland Mining) w/ Steinberg Re: Response to Amendment Demand	.50	490.00
10/19/17 AMK	Examine Documents (Cleveland Mining) - Email from Steinberg Re: Outstanding obligations	.20	196.00
10/19/17 AMK	Correspondence (Cleveland Mining) Continue review of Loan Docs/ prepare email to Australian counsel Re: Summary of Loan Docs	2.50	2,450.00
10/19/17 JSF	Examine Documents Cleveland Mining Status of Litigation and Retention Letter	.40	306.00
10/19/17 JSF	Examine Documents Status of Active Transactions for Discussion with Otterbourg and Goldin Teams	.80	612.00
10/19/17 DFF	Telephone Call(s) Call with Goldin re: Daybreak/Conway transition issues	.30	298.50
10/19/17 DFF	Review of Documents Re Daybreak diligence materials/update from Goldin	.30	298.50

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 38

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/19/17 DFF	Review of Documents Re: Cash flow forecast	.40	398.00
10/19/17 EBW	Telephone Call(s) Teleconference with general counsel regarding employees/ professional claims/ Infinity and Abdalla.	.40	290.00
10/19/17 EBW	Review Documents Attention to issues relating to Cleveland mining.	1.10	797.50
10/19/17 CBS	Conference(s) in Office Meeting with K. Latz, K. Garnett (Conway), and B. Weisenberg (PPCO) at Otterbourg's office regarding background information on BLAB/ Daybreak/ and Desert Hawk and strategy for proceeding.	1.30	663.00
10/20/17 AMK	Telephone Call(s) (Cleveland Mining) w/ Australian counsel Re: Prepare for call with Borrower	.50	490.00
10/20/17 AMK	Conference(s) in Office (Cleveland Mining) Meet with Receiver and provide status update	.30	294.00
10/20/17 AMK	Correspondence (Cleveland Mining) Revise Email to Australian Counsel Re: Terms of Financing as amended	1.50	1,470.00

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 39

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/20/17 JSF	Telephone Call(s) Status Call Update from Houlihan Lokey on Status of Disposition of Assets in Its Portfolio	.50	382.50
10/20/17 JSF	Telephone Call(s) David Hall re: Founders Negotiations and Cash Collateral Usage	.50	382.50
10/20/17 JSF	Examine Documents Arabella - Analysis of Cash Position and Proposed Budget for Cash Collateral Use	.40	306.00
10/20/17 DFF	Conference(s) In Office Meeting with PPCO team for asset disposition update	1.00	995.00
10/20/17 EBW	Preparation for Conference Preparation for team meetings.	.90	652.50
10/20/17 EBW	Conference(s) In Office Participation in weekly Receivership Team meetings on status and strategy (EBW portion).	2.00	1,450.00
10/20/17 EBW	Telephone Call(s) Teleconference with CRO's counsel regarding Arabella. (EBW portion).	.30	217.50

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902

Desert Hawk

Page 40

February 12, 2018

BILL NO. 193134

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/20/17 EBW	Correspondence Correspondence with Brazilian counsel regarding Abdalla administrative matters.	.20	145.00
10/20/17 EBW	Correspondence Analysis of correspondence regarding Acceleration Bay funding.	.10	72.50
10/20/17 ACS	Conference(s) w/ CoCounsel - Other Meet with Receiver/ EBW/ W. Edwards and reps of Shepherd Kaplan (1.6) and follow-up meeting with Receiver/ EBW and W. Edwards (.3)	1.90	1,558.00
10/20/17 CBS	Correspondence Review correspondence from P. French and A. Silverstein regarding Benesch retention application. (LC Energy)	.30	153.00
10/20/17 BAD	Conference call(s) Partial attendance at weekly meeting with Goldin re: updates of stock sales & other assets w/strategy going forward.	1.00	295.00
10/21/17 DFF	Review of Documents BLAB purchase contract/emails on sale	.40	398.00
10/21/17 DFF	Correspondence To Goldin/Conway re: sale contract for	.30	298.50

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 41

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/22/17 DFF	Correspondence To Goldin/Conway re: Desert Hawk developments	.50	497.50
10/22/17 DFF	Correspondence To Brent W. re BLAB purchase offer/diligence outs	.30	298.50
10/22/17 DFF	Telephone Call(s) W. Goldin re: BLAB purchase diligence	.30	298.50
10/22/17 EBW	Correspondence Correspondence and teleconference with C. Solsvig regarding Desert Hawk.	.40	290.00
10/23/17 AMK	Examine Documents (Cleveland) Email from Austalian counsel re: Tel con with Borrower/ info regarding last settlement proposal	.40	392.00
10/23/17 AMK	Correspondence (Cleveland) draft response to Australian counsel	.20	196.00
10/23/17 JSF	Telephone Call(s) Arabella - Conference Call with CRO and Counsel to Discuss Settlement Status and Strategy	.70	535.50
10/23/17 JSF	Examine Documents Arabella - Lien Analysis	.40	306.00

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 42			February 12, 2018 BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
10/23/17 JSF	Examine Documents Arabella - Update on Closing of Brigham TAR Rights	.20	153.00
10/23/17 JSF	Examine Documents Arabella - Analysis of Potential Settlement Options and Sale Proceeds	.60	459.00
10/23/17 DFF	Telephone Call(s) With Goldin/Brent W. re: BLAB purchase contract	.40	398.00
10/23/17 DFF	Telephone Call(s) W/ BLAB reps re: Purchase offer	.60	597.00
10/23/17 DFF	Review of Documents Re: prep for BLAB purchase offer call	.30	298.50
10/23/17 DFF	Correspondence Re; Desert Hawk sale issues	.40	398.00
10/23/17 DFF	Telephone Call(s) With Goldin/Brent re: Desert Hawk sale issues	.60	597.00
10/23/17 DFF	Telephone Call(s) W. Goldin/Brent re: Desert Hawk sale issues	.50	497.50

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 43

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/23/17 EBW	Telephone Call(s) Teleconference with JOL and C. Solsvig (Goldin) regarding Desert Hawk and analysis of same.	.60	435.00
10/23/17 EBW	Telephone Call(s) Teleconference with CRO and legal advisors regarding Arabella.	.80	580.00
10/23/17 EBW	Correspondence Correspondence with C. Solsvig regarding Desert Hawk.	.30	217.50
10/23/17 EBW	Correspondence Correspondence with Goldin regarding LC Energy.	.10	72.50
10/23/17 EBW	Correspondence Correspondence with Goldin and CRO regarding Arabella valuations.	.20	145.00
10/23/17 EBW	Preparation of Legal Papers Revisions to motion to enforce receiver order.	1.30	942.50
10/23/17 EBW	Conference Out of Office Conference with C. Solsvig/ T. Rogers and B. Weisenberg regarding disposition of securities/ Rosenberg policy/ ALS Infinity/ Decision Diagnostics/ Navidea and Relocation. (EBW portion)	2.60	1,885.00

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 44			February 12, 2018 BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
10/23/17 EBW	Analysis of Legal Papers Analysis of Katrina Barge motion to dismiss and related pleadings.	.70	507.50
10/23/17 CBS	Telephone Call(s) Phone conference with K. Garnett regarding BLAB.	.20	102.00
10/23/17 CBS	Telephone Call(s) Phone conference with K. Garnett/ B. Weisenberg (PPCO) and C. Solsvig (Goldin) regarding BLAB.	.50	255.00
10/24/17 AMK	Telephone Call(s) Cleveland- w/ Houlihan Re: update on valuation	.50	490.00
10/24/17 AMK	Telephone Call(s) Cleveland - w/ Steinberg Re: Backgourd information	.20	196.00
10/24/17 AMK	Examine Documents Cleveland - Email from Australian counsel Re: possible recourse in Australia	.20	196.00
10/24/17 AMK	Correspondence Cleveland - email to Australian counsel Re: Aditional items for consideration	.40	392.00

### OTTERBOURG P.C. 230 Park Avenue

### NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 45

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/24/17 JSF	Correspondence Curt Solsvig re: Arabella Liens and Potential Impact on Values	.20	153.00
10/24/17 JSF	Examine Documents Arabella Liens and Potential Impact on Values	.30	229.50
10/24/17 JSF	Examine Documents Arabella - Closing Documents for Sale of Brigham Tag-Along Rights	.30	229.50
10/24/17 EBW	Correspondence Correspondence with Brazilian counsel and Receivership Team regarding Abdala expenditures.	.60	435.00
10/24/17 EBW	Correspondence Correspondence with Receivership Team regarding Accutane.	.20	145.00
10/24/17 EBW	Correspondence Analysis of correspondence from CRO's counsel regarding Arabella.	.20	145.00
10/24/17 EBW	Correspondence Correspondence with general counsel regarding Pro Player.	.10	72.50

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: Page 46	22126/0902	February 12, 2018 BILL NO. 193134

DATE

ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/24/17 EBW	Preparation of Legal Papers Analysis of legal filings in Katrina Barge interpleader and underlying action.	.90	652.50
10/24/17 EBW	Correspondence Analysis of correspondence and filings regarding Northstar Offshore disclosure statement and plan.	.50	362.50
10/24/17 EBW	Correspondence Analysis of correspondence and legal notices regarding LC Energy.	.40	290.00
10/24/17 EBW	Correspondence ALS-Correspondence with general counsel and outside insurance counsel regarding motion to enforce receivership order.	.40	290.00
10/25/17 JSF	Examine Documents Arabella - Review and Analyze Correspondence re: Cash Collateral Use and Budget	.60	459.00
10/25/17 DFF	Correspondence To Goldin re: Desert Hawk sale status/Conway Mackenzie transition	.40	398.00
10/25/17 DFF	Review of Documents Re: Arabella sale docs	.70	696.50

### OTTERBOURG P.C. 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 February 12, 2018 Page 47 BILL NO. 193134

DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
10/25/17 DFF	Correspondence Email to D Hall re: Cash collateral request	.20	199.00
10/25/17 DFF	Review of Documents Re: LC Energy funding request/emails	.40	398.00
10/25/17 DFF	Telephone Call(s) W. Goldin re: LC Energy security issues	.40	398.00
10/25/17 EBW	Review Documents Analysis of issues relating to Diamed investment.	.30	217.50
10/25/17 EBW	Preparation of Legal Papers Preparation of opposition to motion to dismiss Katrina Barge interpleader action and correspondence with plaintiff's counsel.	2.30	1,667.50
10/25/17 EBW	Telephone Call(s) Teleconferences with B. Weisenberg regarding Rosenberg insurance policy/ Finley litigation/ Daybreak/ Northstar Offshore and potential class actions.	.70	507.50
10/25/17 EBW	Correspondence Correspondence with Receivership Team regarding LC Energy and Desert Hawk.	.60	435.00

### Otterbourg P.C. 230 Park Avenue

#### NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 48			February 12, 2018 BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
10/25/17 EBW	Correspondence Correspondence and teleconference with CFO regarding Excalibur receivable.	.30	217.50
10/25/17 EBW	Correspondence Correspondence with B. Parlin regarding Agera.	.10	72.50
10/25/17 EBW	Correspondence Correspondence with Houlihan regarding Abdala.	.10	72.50
10/25/17 EBW	Telephone Call(s) Teleconference with B. Weisenberg regarding Lincoln/ retentions/ Daybreak/ and Northstar Offshore.	.40	290.00
10/25/17 EBW	Review Documents Attention to documents and correspondence regarding Agera and PGS.	.20	145.00
10/25/17 CBS	Review Comments of Borrower's Counsel Review and analysis of Daybreak comments to proposed Forbearance Agreement. (Daybreak).	.80	408.00
10/26/17 JSF	Examine Documents Houlihan Materials re: Update on Marketing Process	.20	153.00

### Otterbourg P.C. 230 Park Avenue

### NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 49

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/26/17 DFF	Correspondence To Goldin re: assignments for Conway MacKenzie on Desert Hawk	.40	398.00
10/26/17 DFF	Telephone Call(s) W/ David Hall re: Arabella cash collateral request/sale update	.40	398.00
10/26/17 DFF	Review of Documents Re: Arabella sale docs filed with bankruptcy court	.40	398.00
10/26/17 EBW	Preparation for Conference Preparation for conference regarding Northstar Offshore.	.30	217.50
10/26/17 EBW	Conference(s) In Office Conference with B. Weisenberg regarding Northstar Offshore.	.30	217.50
10/26/17 EBW	Conference(s) In Office Conference with Houlihan/ B. Weisenberg and M. Kirschner regarding Accutane.	1.00	725.00
10/26/17 EBW	Conference(s) In Office Conference with Goldin regarding Beechwood/PPVA.	1.30	942.50
10/26/17 EBW	Correspondence Review of correspondence regarding Pacific litigation consented extension of time.	.10	72.50

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902

February 12, 2018

Page 50			BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
ATTORNET	DESCRIPTION	NOOKS	AMOUNT
10/26/17 EBW	Preparation of Legal Papers Preparation of opposition to Katrina Barge motion to dismiss.	.40	290.00
10/26/17 EBW	Correspondence Analysis of correspondence regardin/, and issue relating to/ ALS escrow.	.30	217.50
10/26/17 ACS	Conference(s) w/ CoCounsel - Other Meet with EBW/ T. Rogers/ B. Weinsenberg/ M. Kirschner and A. Chaboka re: forensics analysis. (ACS portion)	1.20	984.00
10/27/17 AMK	Examine Documents Cleveland Mining - Email from Australian Counsel Re: PPSA Amendment Demand	.30	294.00
10/27/17 AMK	Telephone Call(s) Cleveland - tel con with Australian counsel Re: Registration Amendment Demand/ Receiver's rights in response	.80	784.00
10/27/17 AMK	Correspondence (Cleveland) Prepare a series of emails to Australian counsel Re: Loan Docs	1.40	1,372.00
10/27/17 AMK	Correspondence Cleveland) to Steinberg Re: reuqest for addtional information regardng outstanding obligations	.30	294.00

#### 230 Park Avenue New York, NY 10169-0075

February 12, 2018

Client/Matter: 22126/0902

Page 51			BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
10/27/17 JSF	Telephone Call(s) Call with Houlihan Lokey to Report on Status of Preparation of Investments for Marketing	.60	459.00
10/27/17 JSF	Conference(s) in Office Team Meeting with Goldin/ Receiver and Otterbourg to Discuss Status of Asset Dispositions and Other Administrative Receivership Matters	1.70	1,300.50
10/27/17 JSF	Examine Documents Cash Position and 13-Week Forecast	.30	229.50
10/27/17 DFF	Conference(s) In Office Meet with PPCO team to discuss status of asset monetization and preservation efforts	1.00	995.00
10/27/17 DFF	Telephone Call(s) W/ Goldin re: LC Energy security	.40	398.00
10/27/17 EBW	Preparation for Conference Preparation for weekly meetings with Houlihan/ Goldin and Receivership team.	.60	435.00
10/27/17 EBW	Conference(s) In Office Attendance at weekly meeting between Goldin and Otterbourg regarding transaction statuses and strategy (EW portion).	1.70	1,232.50

230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 52

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/27/17 EBW	Correspondence ALS-Analysis of correspondence with Lincoln insurance company regarding Rosenberg.	.80	580.00
10/27/17 EBW	Telephone Call(s) ALS-Teleconference with B. Weisenberg and Houlihan regarding Rosenberg policy.	.50	362.50
10/27/17 EBW	Telephone Call(s) ALS-Teleconference with B. Weisenberg/ Houlihan and Northstar regarding Rosenberg policy.	.60	435.00
10/27/17 EBW	Conference(s) In Office ALS-Conference with B. Weisenberg regarding correspondence with Lincoln insurance company regarding Rosenberg.	.30	217.50
10/27/17 EBW	Review Documents ALS-Analysis of life settlement materials.	.90	652.50
10/27/17 EBW	Telephone Call(s) ALS-Teleconferences with Brent Weisenberg regarding Rosenberg and ALS.	.30	217.50
10/27/17 EBW	Correspondence ALS-Correspondence with Brent Weisenberg regarding Rosenberg.	.20	145.00

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 53			February 12, 2018 BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/27/17 EBW	Correspondence Analysis of correspondence from counsel for Navidea.	.30	217.50
10/27/17 CBS	Telephone Call(s) Phone conference with K. Latz regarding update on Desert Hawk/ BLAB/ and Daybreak; confer with D. Fiorillo regarding same.	.50	255.00
10/27/17 BAD	Conference call(s) Partial attendance at weekly team meeting with Goldin re: status/strategy going forward.	1.00	295.00
10/30/17 AMK	Telephone Call(s) (Cleveland) Email from Australian counsel Re: Next Steps/ FTI Proposal	.50	490.00
10/30/17 AMK	Examine Documents (Cleveland) email from Steinberg Re: Loan status	.20	196.00
10/30/17 EBW	Analysis of Legal Papers Analysis of Quest management agreement. (LC Energy).	1.20	870.00
10/30/17 EBW	Preparation for Conference Preparation for teleconference with counsel for Navidea.	.20	145.00

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 54		February 12, 2018 BILL NO. 193134	
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/30/17 EBW	Telephone Call(s) Teleconference with counsel for Navidea regarding claims.	.20	145.00
10/30/17 EBW	Telephone Call(s) Teleconferences with Brent Weisenberg regarding employee/ life insurance policies/ Northstar/ Finley	.60	435.00
10/30/17 EBW	Preparation of Legal Papers Revisions to Clifford Chance/Excalibur settlement agreement and correspondence with PPVA regarding same.	.60	435.00
10/30/17 EBW	Correspondence Correspondence with CFO and Guidepost regarding flow of funds.	.30	217.50
10/30/17 EBW	Preparation of Legal Papers Revisions to Katrina Barge opposition to motion to dismiss/ and teleconference with counsel for interpleader plaintiff.	.80	580.00
10/30/17 EBW	Correspondence Correspondence with Receivership Team regarding custodial accounts.	.20	145.00
10/30/17 EBW	Correspondence Correspondence with APC Trustee regarding Arabella and preparation for call.	.30	217.50

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 55			February 12, 2018 BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
10/30/17 EBW	Correspondence Analysis of correspondence and documents regarding Pacific.	.40	290.00
10/30/17 CBS	Correspondence Draft correspondence to K. Garnett regarding progress on assessment of Desert Hawk/ Daybreak and BLAB.	.20	102.00
10/30/17 CBS	Examine Documents Review memorandum from C. Solsvig regarding LC Energy emergency funding; confer with D. Fiorillo regarding same. (LC Energy).	.40	204.00
10/31/17 AMK	Telephone Call(s) (Cleveland) with Australian counsel Re; Contact with Registrar/ next steps	.90	882.00
10/31/17 AMK	Examine Documents (Cleveland) email from Australian counsel Re: statement for professional services	.20	196.00
10/31/17 AMK	Examine Documents (Cleveland) Email from Australian counsel Re: Response from Registar/ draft response to Amendment Demand	.30	294.00
10/31/17 AMK	Correspondence (Cleveland) Emaisl from/ to Ryan Re: Next steps	.20	196.00

### OTTERBOURG P.C. 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 56

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/31/17 JSF	Examine Documents Disbursements Required for LC Energy	.20	153.00
10/31/17 DFF	Review of Documents Re: LC Energy security follow up emails	.20	199.00
10/31/17 EBW	Review Documents Analysis of Pacific Energy documents/ including comments to proposed confidentiality stipulation.	1.40	1,015.00
10/31/17 EBW	Preparation of Legal Papers Finalize and file opposition to motion to dismiss Katrina Barge interpleader cross-claim.	.90	652.50
10/31/17 EBW	Preparation for Conference Preparation for teleconference with PGS claimant (Agera).	.30	217.50
10/31/17 EBW	Telephone Call(s) Teleconference with counsel for PGS claimant and B. Parlin (Agera).	.50	362.50
10/31/17 EBW	Telephone Call(s) Teleconference with Walkers (Cayman counsel) regarding potential claims.	.40	290.00
10/31/17 EBW	Telephone Call(s) Teleconference with C. Solsvig regarding Arabella scenarios.	.50	362.50

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902

Page 57

February 12, 2018

BILL NO. 193134

DATE			
ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/31/17 EBW	Correspondence ALS-Correspondence with Houlihan and Northstar regarding ALS portfolio status.	.40	290.00
10/31/17 EBW	Correspondence ALS-Correspondence with insurance carrier regarding life settlement policy.	.20	145.00
11/01/17 AMK	Telephone Call(s) (Cleveland) With Ryan Re: Alternative strategies in Australia	.80	784.00
11/01/17 AMK	Telephone Call(s) (Cleveland) w/ Brazilian counsel Re: Brazilian liabilities	.20	196.00
11/01/17 AMK	Examine Documents (Cleveland) email from Australian counsel Re: Public financial information	.50	490.00
11/01/17 AMK	Examine Documents (Cleveland) Draft Notice of Demand	.30	294.00
11/01/17 AMK	Correspondence (Cleveland) emails to/from Brazilian counsel Re: Action in Brazil	.30	294.00
11/01/17 AMK	Correspondence (Cleveland) email to Platinum Re: request	.20	196.00

for outstanidng loan calculations

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter:	22126/0902	February 12, 2018
Page 58		BILL NO. 193134

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/01/17 AMK	Examine Documents (Cleveland) email from Brazilian counsel Re: Draft Retention Agreement	.20	196.00
11/01/17 DFF	Review of Documents Re: Daybreak forbearance agreement comments	.30	298.50
11/01/17 DFF	Correspondence Email to B. Weisenberg re: Forbearance Agreement discussion	.20	199.00
11/01/17 DFF	Telephone Call(s) Arabella call with David Hall re: Cash collateral issue	.30	298.50
11/01/17 DFF	Memo To Receiver re: cash collateral use/professional fees in Arabella	.20	199.00
11/01/17 EBW	Correspondence Correspondence with CRO and CRO's counsel regarding Arabella/ including use of cash collateral.	.30	217.50
11/01/17 EBW	Correspondence Correspondence with PPVA and Clifford Chance regarding revised Clifford Chance settlement agreement	.30	217.50

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 February 12, 2018 Page 59 BILL NO. 193134

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/01/17 EBW	Correspondence ALS-Preparation of ALS demand letters.	.20	145.00
11/01/17 EBW	Telephone Call(s) ALS-Teleconference with Houlihan and Northstar regarding ALS portfolio status.	.40	290.00
11/01/17 EBW	Preparation of Legal Papers Preparation of confidentiality stipulation regarding Pacific/Maximillian.	.40	290.00
11/01/17 EBW	Review Documents Attention to issues relating to retention of counsel for Cleveland Mining issues.	.30	217.50
11/01/17 EBW	Review Documents Analysis of issues relating to Arabella settlement possibilities.	1.60	1,160.00
11/01/17 CBS	Review Comments of Borrower's Counsel Review and analysis of proposed revisions to Forbearance Agreement (Daybreak).	.80	408.00
11/01/17 CBS	Review Comments of Borrower's Counsel Review and respond to correspondence regarding proposed revisions to Forbearance Agreement; confer with D. Fiorillo regarding same. (Daybreak).	.30	153.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 61 of 289 PageID #: 6271

### Otterbourg p.c.

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 60

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/01/17 CBS	Correspondence Review correspondence from Brent Weisenberg regarding extension of due diligence period; confer with D. Fiorillo regarding same. (BLAB - Buffalo Lake)	.20	102.00
11/01/17 CBS	Telephone Call(s) Phone conference with D. Hall regarding Cash Collateral Motion. (Arabella)	.30	153.00
11/02/17 AMK	Examine Documents (Cleveland) email from Platinum Re: calculation of amounts outstanding	.50	490.00
11/02/17 AMK	Examine Documents (Cleveland) Email from Australian counsel Re: Cost estimate for Voluntary Adminstration	.30	294.00
11/02/17 AMK	Examine Documents (Cleveland) email from FTI (Perth) Re: Australian proceeding	.40	392.00
11/02/17 JSF	Telephone Call(s) Arabella - Call with APC Trustee re: Founders Negotiations	.70	535.50
11/02/17 JSF	Telephone Call(s) Arabella - Call with David Hall re: Cash Position and Use of Cash Collateral	.30	229.50

230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 February 12, 2018 Page 61 BILL NO. 193134

DATE

ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/02/17 JSF	Examine Documents Arabella - Review of Analysis of Potential PPCO Recovery on Asset Sales Under Varying Assumptions	.70	535.50
11/02/17 JSF	Examine Documents Black Elk -Correspondence From Trustee re: Document Requests and PPLO	.20	153.00
11/02/17 DFF	Telephone Call(s) With B. Weisenberg and C. Solsvig re: BLAB offer/diligence	.30	298.50
11/02/17 DFF	Correspondence To C. Solsvig re: Diligence issues in BLAB offer	.20	199.00
11/02/17 DFF	Review of Documents Re: BLAB emails on purchase offer	.20	199.00
11/02/17 DFF	Telephone Call(s) Re: with PPCO team re: Daybreak forbearance agreement comments	.50	497.50
11/02/17 DFF	Review of Documents Re: Prep for Daybreak forbearance call	.30	298.50
11/02/17 DFF	Conference(s) In Office Meet with Receiver and A. Silverstein re: asset monetization strategies/Arabella	.50	497.50

### Otterbourg P.C. 230 Park Avenue

#### New York, NY 10169-0075

Client/Matter: 22126/0902 Page 62

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/02/17 DFF	Review of Documents Re: Cash flow analyses from Goldin	.70	696.50
11/02/17 DFF	Correspondence To K Latz re: BLAB offer/status of negotiations	.30	298.50
11/02/17 DFF	Review of Documents Re: Cash flow report from Goldin	.30	298.50
11/02/17 EBW	Telephone Call(s) Teleconference with E. Bertram regarding Abdala/ including preparation time.	.20	145.00
11/02/17 EBW	Correspondence Correspondence with Clifford Chance regarding settlement of Excalibur claim.	.20	145.00
11/02/17 EBW	Correspondence Correspondence with local counsel regarding Finley status conference.	.30	217.50
11/02/17 EBW	Conference(s) In Office Conference with C. Solsvig regarding Arabella outcomes.	.60	435.00
11/02/17 EBW	Conference(s) In Office Conference with Receiver in preparation for teleconference with APC Trustee.	.40	290.00

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

February 12, 2018

Client/Matter: 22126/0902

Page 63	cter: 22126/0902		BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/02/17 EBW	Telephone Call(s) Teleconference with APC Trustee and Receiver regarding settlement of Arabella.	.80	580.00
11/02/17 EBW	Telephone Call(s) Teleconference with B. Weisenberg regarding Martin Kenney and employee issues.	.20	145.00
11/02/17 EBW	Review Documents Analysis of documents relating to Arabella outcomes.	2.40	1,740.00
11/02/17 CBS	Telephone Call(s) Phone conference with Brent Weisenberg and Curtis Solsvig regarding Forbearance Agreement and strategy for proceeding. (Daybreak)	.50	255.00
11/02/17 CBS	Telephone Call(s) Review and analysis of multiple e-mails regarding due diligence period and potential offer; confer with D. Fiorillo regarding same. (BLAB)	.40	204.00
11/02/17 CBS	Prepare for Meeting Prepare for phone conference regarding Daybreak Forbearance.	.30	153.00
11/03/17 AMK	Telephone Call(s) (Cleveland) w/ Australian counsel Re: Enforcement options	1.00	980.00

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 64

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/03/17 AMK	Examine Documents (Cleveland) email from Australian Counsel Re: Australian Insolvency Trading Laws	.30	294.00
11/03/17 JSF	Examine Documents Arabella - Offer and Resolution for Use of Cash Collateral	.20	153.00
11/03/17 JSF	Examine Documents Arabella – Analysis of Potential Sale Values	.40	306.00
11/03/17 JSF	Telephone Call(s) Call with Houlihan - Update on Marketing Process	.40	306.00
11/03/17 DFF	Conference(s) In Office Meeting with PPCO team re: status of asset monetization process w/ status updates & strategy going forward (partial attendance).	1.30	1,293.50
11/03/17 DFF	Telephone Call(s) W. D Hall re: Cash collateral proposal	.50	497.50
11/03/17 DFF	Memo To Receiver re: Arabella cash collateral terms	.40	398.00

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 65

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/03/17 DFF	Correspondence To B. Weisenberg and C. Solsvig re: Daybreak and BLAB sale issues	.30	298.50
11/03/17 DFF	Review of Documents Conway report on BLAB	.30	298.50
11/03/17 EBW	Conference(s) In Office Attendance at weekly conference with Goldin and Otterbourg receivership teams to discuss status and strategy (EBW portion of meetings).	2.50	1,812.50
11/03/17 EBW	Review Documents Analysis of Arabella issues/ including settlement status.	.60	435.00
11/03/17 EBW	Correspondence ALS-Preparation of demand letters to non-responsive insureds/ and teleconferences with B. Weisenberg regarding same.	1.70	1,232.50
11/03/17 CBS	Miscellaneous Review and analysis of CM update regarding BLAB.	.30	153.00
11/03/17 CBS	Conference(s) in Office Partial attendance at weekly team meeting with Otterbourg and Goldin to discuss selected matters and strategy for proceeding (CBS Portion).	1.10	561.00

230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 February 12, 2018 Page 66 BILL NO. 193134

DATE

ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/03/17 CBS	Miscellaneous Review proposed Cash Collateral agreement and confer with J. Feeney and D. Fiorillo regarding same. (Arabella)	.30	153.00
11/03/17 KNC	Conference(s) In Office Partial attendance at Team Meeting with Receiver- et al. and Goldin Associates re: issues/ updated status and strategy going forward (KNC Portion)	1.10	1,039.50
11/03/17 BAD	Structure/Strategy/Analysis Weekly team meeting with Receivership Team (Goldin/ Otterbourg/ Receiver) re: status/strategy (BAD Portion).	1.80	531.00
11/05/17 DFF	Correspondence To K Latz re: BLAB update	.20	199.00
11/06/17 AMK	Examine Documents (Cleveland) Statement received from Australian Counsel Re: services through 10/27/17	.20	196.00
11/06/17 JSF	Examine Documents Arabella - Outline of Structure of Potential Settlement with Founders	.30	229.50
11/06/17 JSF	Telephone Call(s) Arabella - Call with AEX CRO and Counsel re: Settlement Strategy with Founders	.90	688.50

## OTTERBOURG P.C. 230 PARK AVENUE

#### NEW YORK, NY 10169-0075

Client/Mat Page 67	ter: 22126/0902		February 12, 2018 BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/06/17 JSF	Examine Documents Arabella - Draft Cash Collateral Motion and	.80	612.00

11/06/17	Review of Documents	.30	298.50
DFF	Re Arabella cash collateral budget		

Budget

- .20 11/06/17 Correspondence 199.00 To D Hall re: Arabella cash collateral DFF budget
- 11/06/17 Telephone Call(s) .40 398.00 DFF Re: Daybreak call with Brent W./Westmoreland re: Forbearance
- 11/06/17 Review of Documents .30 298.50 DFF Re: Cokal update report from Goldin
- 4.20 11/06/17 Correspondence 3,045.00 EBW ALS-Revisions to life insurance demand letters and correspondence and teleconferences with B. Weisenberg regarding same.
- .10 72.50 11/06/17 Telephone Call(s) EBW Teleconference with C. Solsvig regarding Arabela.

230 PARK AVENUE New York, NY 10169-0075

February 12, 2018

BILL NO. 193134

Client/Matter: 22126/0902

Page 68

DATE ATTORNEY DESCRIPTION HOURS AMOUNT 11/06/17 Telephone Call(s) .90 652.50 EBW Teleconference with CRO's professionals regarding Arabella settlement discussions and strategy 11/06/17 Prepare for Meeting .30 153.00 CBS Prepare for phone conference with B. Weisenberg and Daybreak's counsel regarding Forbearance Agreement,/including review of loan documents/ internal comments/ etc. (Daybreak). 11/06/17 Prepare for Meeting .50 255.00 Review and analysis of correspondence from CBS Jessica Blacklock (Daybreak counsel) regarding additional comments to proposed Forbearance Agreement (.3); confer with Brent W. regarding same and strategy for proceeding (.1); confer with D. Fiorillo regarding same (.1). (Daybreak). 11/07/17 Examine Documents 2.90 2,842.00 (Cleveland) Notes Re: Australian AMK Receiverships/ Voluntary Administration procedures 11/07/17 Correspondence .40 392.00 AMK (Cleveland) email to Australian Counsel Re: issues regarding Australian Procedures

### Otterbourg P.C. 230 Park Avenue

#### NEW YORK, NY 10169-0075

Client/Matter:	22126/0902	February 12, 2018
Page 69		BILL NO. 193134

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/07/17 AMK	Correspondence (Cleveland) Emails from/ to Ryan (FTI) Re: Australian Prcceedings	.20	196.00
11/07/17 JSF	Examine Documents Arabella – Proposal from Founders	.30	229.50
11/07/17 JSF	Examine Documents Arabella - Proposed Cash Collateral Motion and Order	.50	382.50
11/07/17 DFF	Review of Documents Re: BLAB purchase agreement	.40	398.00
11/07/17 DFF	Review of Documents Re: Cash flow analysis of PPCO prepared by Goldin	.30	298.50
11/07/17 EBW	Correspondence ALS-Correspondence with Houlihan and B. Weisenberg regarding demands on insureds.	.40	290.00
11/07/17 EBW	Preparation for Conference ALS-Preparation for teleconference with Lincoln Insurance regarding Rosenberg.	.40	290.00
11/07/17 EBW	Telephone Call(s) ALS-Teleconferences with B. Weisenberg regarding Lincoln Insurance Rosenberg policy.	.60	435.00

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 70

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/07/17 EBW	Telephone Call(s) ALS-Teleconference with B. Weisenberg and Lincoln Insurance regarding Rosenberg.	.40	290.00
11/07/17 EBW	Telephone Call(s) Teleconference with T. Farrier regarding Arabella status and settlement discussions.	.20	145.00
11/07/17 EBW	Correspondence Correspondence with C. Rich regarding Finley status conference.	.20	145.00
11/07/17 EBW	Telephone Call(s) Teleconferences with E. Bertram and B. Weisenberg regarding Abdala.	.30	217.50
11/07/17 EBW	Review Documents Analysis of Arabella settlement issues including financial analysis.	2.10	1,522.50
11/07/17 ACS	Analysis of Subpoena Review draft Black Elk subpoena and Black Elk adversary proceeding docket	.30	246.00
11/07/17 CBS	Analysis of Legal Papers Review and analysis proposed agreement with Leo Fischer (BLAB).	.60	306.00

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 71

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/07/17 CBS	Correspondence Review and respond to correspondence from B. Weisenberg Daybreak Forbearance and related issues. (Daybreak).	.20	102.00
11/08/17 AMK	Examine Documents (Cleveland) Email from Butler Re: Australian procedures	.20	196.00
11/08/17 AMK	Examine Documents (Cleveland) Email from Ryan Re: Sale of publlic shell	.20	196.00
11/08/17 AMK	Memo (Cleveland) prepare Memo to Receiver Re: Options	2.90	2,842.00
11/08/17 AMK	Correspondence (Cleveland) Re: Alternative fiduciary proposals	.20	196.00
11/08/17 JSF	Examine Documents Arabella - Review and Analysis of Founders' Proposal	.80	612.00
11/08/17 JSF	Examine Documents Review and Analysis of Participation Agreement re: Arabella Loan and Response to Purported Participant	.70	535.50

#### 230 Park Avenue New York, NY 10169-0075

 Client/Matter:
 22126/0902
 February 12, 2018

 Page 72
 BILL NO. 193134

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/08/17 JSF	Examine Documents Arabella Mediation Settlement Agreement with APC re: APC Trustee Position on Settlement with Founders	.60	459.00
11/08/17 JSF	Conference(s) in Office Receiver re: Update on Arabella Settlement Status and Response to APC Trustee	.50	382.50
11/08/17 JSF	Examine Documents Analysis of Request by Black Elk Trustee and PPVA for Documents	.20	153.00
11/08/17 EBW	Telephone Call(s) Teleconference and correspondence with E. Bertram regarding Abdala.	.20	145.00
11/08/17 EBW	Telephone Call(s) Teleconference with R. Saltzman regarding Abdala.	.10	72.50
11/08/17 EBW	Review Documents Analysis of issues relating to Arabella participation agreement.	1.10	797.50
11/08/17 EBW	Review Documents Analysis of Arabella settlement proposals/ including financial analysis.	.60	435.00

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 73			February 12, 2018 BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/08/17 EBW	Telephone Call(s) Teleconference with D. Steinberg regarding cardio equipment and Black Elk documentation.	.20	145.00
11/08/17 EBW	Telephone Call(s) Teleconference with B. Weisenberg and E. Bertram regarding Abdala issues.	.20	145.00
11/08/17 EBW	Correspondence Correspondence with counsel for 30294 LLC regarding Arabella issues.	.20	145.00
11/08/17 EBW	Review Documents Analysis of issues regarding potential Arabella settlement.	1.60	1,160.00
11/08/17 EBW	Correspondence Correspondence with D. Steinberg regarding Bahamas properties.	.20	145.00
11/08/17 EBW	Review Documents Analysis of Pro Player information re: potential recovery.	.80	580.00
11/08/17 EBW	Telephone Call(s) Teleconference with C. Solsvig regarding ALS Infinity and Arabella.	.10	72.50

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 74

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/08/17 EBW	Telephone Call(s) Teleconference with J. Postinkoff regarding Arabella accounting.	.10	72.50
11/08/17 EBW	Telephone Call(s) ALS-Teleconferences and correspondence with B. Weisenberg/ and analysis of documents/ relating to Rosenberg policy.	.40	290.00
11/08/17 EBW	Review Documents ALS-Analysis of issues and documents regarding ALS Infinity.	.30	217.50
11/08/17 CBS	Correspondence Review correspondence from B. Weisenberg to Leo Fischer regarding agreement/ scope of authority/ and related issues. (BLAB - Buffalo Lake)	.20	102.00
11/09/17 AMK	Telephone Call(s) (Cleveland) - w/ Australian counsel Re: local procedures/ options	.50	490.00
11/09/17 AMK	Examine Documents (Cleveland) Email from Mendelawitz Re: Junior Debt	.20	196.00
11/09/17 AMK	Correspondence (Cleveland) email to Butler Re: Additional Bid	.20	196.00

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

February 12, 2018

BILL NO. 193134

Client/Matter: 22126/0902

Page 75

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/09/17 AMK	Correspondence (Cleveland) to Butler Re: Additional questions regarding Australian Procedures	.20	196.00
11/09/17 AMK	Examine Documents (Cleveland) emails from/ to Butler Re: Australian procedures- additional information	.30	294.00
11/09/17 AMK	Examine Documents (Cleveland) Email from Peterson - email from Mendelawitz re: GGC Claim	.20	196.00
11/09/17 AMK	Correspondence (Cleveland) email to Butler Re: Additional questions - Australian Procedures	.20	196.00
11/09/17 AMK	Correspondence (Cleveland) Email to Peterson Re: Mendelawitz email	.20	196.00

- 11/09/17Examine Documents.20196.00AMK(Cleveland) email from Peterson Re: GGCFirm; issues.196.00
- 11/09/17 Memo 1.40 1,372.00 AMK (Cleveland) Continue to draft memo Re: Options

### Otterbourg P.C. 230 Park Avenue

#### New York, NY 10169-0075

Client/Mat Page 76	ter: 22126/0902		February 12, 2018 BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
11/09/17 JSF	Examine Documents Status of Active Transactions/Marketing Efforts	.80	612.00
11/09/17 JSF	Examine Documents Arabella Cash Collateral Motion	.40	306.00
11/09/17 DFF	Review of Documents BLAB funding agreement	.30	298.50
11/09/17 EBW	Legal Research Legal research regarding statutes of limitation and examination of potential causes of action.	1.80	1,305.00
11/09/17 EBW	Correspondence Correspondence with CRO regarding Arabella accounting issues.	.30	217.50
11/09/17 EBW	Correspondence Analysis of correspondence from principals of Cleveland Mining.	.20	145.00
11/09/17 EBW	Review Documents Analysis of documents and pleadings relating to lawsuit filed by Pro Player borrower and motion.	1.20	870.00
11/09/17 PCB	Review File Pro Player - Initial review and analysis of borrower files.	1.30	1,040.00

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Mat Page 77	ter: 22126/0902		February 12, 2018 BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
11/09/17 PCB	Correspondence Pro Player and China Horizon - Correspondence with co-counsel/ Goldin and Platinum re: Pro Player and China Horizon assets.	.80	640.00
11/09/17 CBS	Correspondence Review correspondence from B. Weisenberg regarding funding agreement; confer with D. Fiorillo regarding same.	.20	102.00
11/10/17 AMK	Examine Documents (Cleveland) Email from/to Australian counsel Re: Voluntary administration	.30	294.00
11/10/17 AMK	Correspondence (Cleveland) email to Australian counsel Re: Email from Mendelawitz	.20	196.00
11/10/17 AMK	Examine Documents (Cleveland) Email from Australian Counsel Re: Company searches	.40	392.00
11/10/17 AMK	Memo (Cleveland) Draft and revise Memo Re: Options	1.90	1,862.00
11/10/17 JSF	Examine Documents Arabella - Update on Cash Collateral Motion and Discussions with Purported Participant	.50	382.50

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 78		February 12, 2018 BILL NO. 193134	
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
11/10/17 EBW	Conference(s) In Office Conference with Receiver regarding Abadala.	.20	145.00
11/10/17 EBW	Conference(s) In Office Weekly conference with Receiver/ Goldin and Otterbourg re: updated status/strategy going forward (EBW Portion).	1.30	942.50
11/10/17 EBW	Telephone Call(s) Teleconference with A. Silverstein and counsel for Arabella participant claimant.	.90	652.50
11/10/17 EBW	Telephone Call(s) Teleconference with D. Callahan regarding Arabella.	.10	72.50
11/10/17 EBW	Telephone Call(s) Teleconference with D. Hall regarding Arabella.	.20	145.00
11/10/17 EBW	Telephone Call(s) Teleconference with Brazilian counsel regarding Abdala.	.30	217.50
11/10/17 EBW	Conference(s) In Office Conference with B. Weisenberg regarding Abdala strategies.	.60	435.00

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902

February 12, 2018

Page 79		BILL NO. 193	
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/10/17 EBW	Telephone Call(s) Teleconference with B. Weisenberg and M. Paneth regarding Rosenberg policy.	.50	362.50
11/10/17 EBW	Correspondence Preparation of correspondence to counsel for Pro Player plaintiff.	.20	145.00
11/10/17 EBW	Review Documents Analysis of issues relating to Arabella including potential settlement and use of cash collateral.	.80	580.00
11/10/17 CBS	Telephone Call(s) Prepare for phone conference with Conway MacKenzie/ Brent Weisenberg and Curtis Solsvig regarding BLAB (.2); phone conference with Conway MacKenzie/ Brent Weisenberg and Curtis Solsvig regarding BLAB funding agreement and strategy for proceeding (.5).	.70	357.00
11/10/17 CBS	Analysis of Legal Papers Review proposed Cash Collateral Order; confer with D. Fiorillo regarding same. (Arabella)	.70	357.00
11/10/17 BAD	Conference call(s) Partial attendance at weekly status and strategy meeting with Godling/ Otterbourg/ and Receiver (BAD Portion).	1.00	295.00

#### 230 Park Avenue New York, NY 10169-0075

Client/Mat Page 80	ter: 22126/0902		February 12, 2018 BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/13/17 AMK	Correspondence (Cleveland) Email to Steinberg Re: Email received from Mendelawitz	.20	196.00
11/13/17 AMK	Correspondence (Cleveland) emails to/ from Australian counsel Re: Potential receivers/ voluntary administators	.20	196.00
11/13/17 AMK	Telephone Call(s) (Cleveland) w/ Peterson Re: Response to Mendelawitz email	.40	392.00
11/13/17 JSF	Examine Documents Correspondence from Dan Callahan re: APC Upcoming Hearing	.10	76.50
11/13/17 EBW	Correspondence Preparation of correspondence to C. Taylor regarding Arabella.	.40	290.00
11/13/17 EBW	Review Documents Analysis of issues relating to Harris v Pro Player litigation.	.60	435.00
11/13/17 EBW	Telephone Call(s) Teleconference with counsel for Harris in Pro Player litigation.	.20	145.00

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 81		February 12, 2018 BILL NO. 193134	
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/13/17 EBW	Correspondence Correspondence with counsel for Harris in Pro Player litigation.	.30	217.50
11/13/17 EBW	Correspondence Correspondence and teleconference with potential additional counsel regarding Abdala.	.40	290.00
11/13/17 EBW	Telephone Call(s) Teleconference with B. Weisenberg regarding Pro Player and TARs.	.30	217.50
11/13/17 EBW	Review Documents Analysis of issues relating to Levin settlement and Bahamas real property/along with correspondence to prior Platinum counsel regarding same.	.60	435.00
11/13/17 EBW	Correspondence Correspondence with co-counsel/ CRO and C. Solsvig regarding Arabella pleadings/ reports and status.	.30	217.50
11/13/17 EBW	Correspondence Correspondence and conference with A. Kramer regarding Cleveland Mining.	.20	145.00
11/14/17 AMK	Examine Documents (Cleveland) email from Peterson Re: variation to proposal	.20	196.00

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: Page 82	22126/0902	February 12, 2018 BILL NO. 193134
DATE		

ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/14/17 AMK	Examine Documents (Cleveland) Email from Butler Re: email to Mendelawitz	.20	196.00
11/14/17 AMK	Correspondence (Cleveland) emails to/ from Australian counsel Re: Mendelawitz Response	.30	294.00
11/14/17 DFF	Telephone Call(s) W. Goldin re: Urigen issues	.50	497.50
11/14/17 DFF	Review of Documents Re; Urigen docs/consent to recap	.50	497.50
11/14/17 DFF	Revision of Documents Re: Arabella cash collateral order	1.00	995.00
11/14/17 EBW	Correspondence Correspondence with Brazilian counsel regarding Abdala.	.20	145.00
11/14/17 EBW	Telephone Call(s) Teleconferences with Brazilian counsel regarding Abdala.	.60	435.00
11/14/17 EBW	Correspondence Correspondence with C. Solsvig and CRO regarding Arabella revenues and costs.	.20	145.00

230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 83			February 12, 2018 BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/14/17 EBW	Telephone Call(s) Teleconference with C. Solsvig regarding LC Energy and Urigen.	.30	217.50
11/14/17 EBW	Telephone Call(s) Correspondence and teleconferences with B. Weisenberg regarding Levin/ Pro Player/ Rosenberg/ TARS/ Relocation/ Northstar/ limited scope professionals and employee issues.	.90	652.50
11/14/17 EBW	Preparation for Conference Preparation for teleconference with Platinum's prior counsel regarding Levin settlement.	.30	217.50
11/14/17 EBW	Telephone Call(s) Teleconference with Platinum's prior counsel regarding Levin settlement.	.50	362.50
11/14/17 EBW	Preparation for Conference Preparation for teleconference with Houlihan regarding TARS litigation.	.30	217.50
11/14/17 EBW	Telephone Call(s) Teleconference with Houlihan regarding TARS litigation.	.30	217.50
11/14/17 EBW	Review Documents Attention to issues relating to Arabella cash collateral.	.30	217.50

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Mat Page 84	ter: 22126/0902		February 12, 2018 BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
11/14/17 EBW	Review Documents Analysis of issues relating to vendor claim relative to Northstar Offshore.	.40	290.00
11/14/17 EBW	Telephone Call(s) ALS-Teleconference with representative of named insured in life settlement portfolio and correspondence with Northstar and Houlihan regarding same.	.20	145.00
11/14/17 EBW	Telephone Call(s) Teleconference with D. Callahan regarding Arabella hearings.	.10	72.50
11/14/17 EBW	Correspondence Correspondence with C. Solsvig and Lily Group counsel regarding LC Energy.	.30	217.50
11/14/17 CBS	Revise Loan Documents Draft revisions to proposed Cash Collateral Order. (Arabella)	2.70	1,377.00
11/15/17 AMK	Examine Documents (Cleveland) email from Australian counsel Re: Mendelawitz info request/ KPMG Proposal	.30	294.00
11/15/17 AMK	Memo (Cleveland) Revise draft memo Re: Options	.50	490.00

### OTTERBOURG P.C. 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 85

DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
11/15/17 JSF	Examine Documents SFAR Quarterly Report	.60	459.00
11/15/17 DFF	Telephone Call(s) W. Curtis S. re: Urigen issues for proposed recap	.50	497.50
11/15/17 DFF	Correspondence To Goldin/Abe re: Urigen closing issues	.30	298.50
11/15/17 DFF	Telephone Call(s) W. Curtis S. re: LC Energy funding and sale proposal	.50	497.50
11/15/17 DFF	Review of Documents Re: Urigen memo recommending to receiver certain actions	.40	398.00
11/15/17 DFF	Telephone Call(s) W/ Curt S. re: Urigen memo	.30	298.50
11/15/17 EBW	Telephone Call(s) Teleconference with Houlihan regarding Abdala.	.30	217.50
11/15/17 EBW	Telephone Call(s) Teleconference and correspondence with Brazilian counsel regarding Abdala.	.30	217.50

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter:	22126/0902	February 12, 2018
Page 86		BILL NO. 193134

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/15/17 EBW	Correspondence Correspondence and teleconference with B. Weisenberg regarding Abdala	.10	72.50
11/15/17 EBW	Telephone Call(s) Teleconference with counsel for Pro Player plaintiff.	.10	72.50
11/15/17 EBW	Preparation of Legal Papers Preparation of stipulation regarding Pro Player plaintiff.	.40	290.00
11/15/17 EBW	Correspondence Correspondence with D. Callahan regarding Arabella hearings.	.20	145.00
11/15/17 EBW	Correspondence Correspondence with plaintiff's counsel regarding TARS.	.30	217.50
11/15/17 EBW	Correspondence Correspondence with counsel for BNY regarding custodial accounts.	.10	72.50
11/15/17 EBW	Telephone Call(s) Teleconferences with B. Weisenberg regarding employee status/ TARS/ limited scope professionals/ Pro Player/ Rosenberg and D&O.	.70	507.50

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 87

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/15/17 EBW	Correspondence Correspondence with plaintiff's counsel and B. Weisenberg regarding Pacific.	.10	72.50
11/15/17 EBW	Review Documents Analysis of issues relating to Reed Smith loan.	.40	290.00
11/15/17 EBW	Review Documents Analysis of Abdala issues.	.40	290.00
11/15/17 EBW	Review Documents Analysis of documents regarding employee status/ TARS/ limited scope professionals/ Pro Player/ Rosenberg and D&O.	.90	652.50
11/15/17 CBS	Revise Loan Documents Conference with D. Fiorillo regarding Cash Collateral Order; draft revisions to Cash Collateral Order. (Arabella)	.60	306.00
11/16/17 АМК	Correspondence (Cleveland) email to Receiver Re: Options	.30	294.00
11/16/17 AMK	Examine Documents (Cleveland) Email from Australian counsel Re: KPMG fiduciary proposal	.30	294.00
11/16/17 JSF	Examine Documents Arabella - Report on Summary Judgment Proceedings re: Founders Litigation	.20	153.00

### OTTERBOURG P.C. 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 88

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/16/17 DFF	Correspondence To Abe re: Urigen recap decision	.10	99.50
11/16/17 DFF	Correspondence To C. Solsvig re: Urigen recap issues	.20	199.00
11/16/17 DFF	Telephone Call(s) W. C. Solsvig Urigen recap issues/parameters of deal	.40	398.00
11/16/17 DFF	Memo To Receiver re: Urigen deal points	.20	199.00
11/16/17 DFF	Telephone Call(s) W/ Receiver re: Urigen deal	.30	298.50
11/16/17 DFF	Revision of Documents Re: revised cash collateral order	.70	696.50
11/16/17 DFF	Memo To C. Simon re: Cash collateral issues	.30	298.50
11/16/17 DFF	Revision of Documents Re: Cash Collateral order	.60	597.00

230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 89			February 12, 2018 BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/16/17 EBW	Telephone Call(s) ALS-Teleconference with accountant for life settlement policy insured regarding updated medical information/ as well as correspondence with Northstar and Houlihan regarding same.	.30	217.50
11/16/17 EBW	Correspondence Correspondence with Receiver/ local counsel/ CRO and counsel for CRO regarding Founders summary judgment hearing in Arabella bankruptcy.	.40	290.00
11/16/17 EBW	Telephone Call(s) Teleconference with T. Farrier regarding Founders summary judgment hearing.	.40	290.00
11/16/17 EBW	Telephone Call(s) Teleconference with T. Rogers and counsel for BNY regarding joint instruction letter.	.50	362.50
11/16/17 EBW	Telephone Call(s) Teleconference with B. Weisenberg regarding Pacific and review of documents relating to same.	.90	652.50
11/16/17 EBW	Preparation of Legal Papers Preparation of stipulation/ documentation and correspondence to and with/ counsel for Pro Player plaintiff (Harris).	.60	435.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 91 of 289 PageID #: 6301

## Otterbourg p.c.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 90			February 12, 2018 BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/16/17 EBW	Correspondence Correspondence with B. Weisenberg and P. Berg regarding Reed Smith loan balance and documentation.	.20	145.00
11/16/17 EBW	Analysis of Legal Papers ALS-Analysis of state court lawsuit filed against ALS seeking an accounting and related documents.	.80	580.00
11/16/17 EBW	Correspondence Correspondence with A. Kramer regarding Cleveland Mining analysis.	.20	145.00
11/16/17 EBW	Correspondence Analysis of correspondence from APC trustee (Arabella).	.20	145.00
11/16/17 EBW	Telephone Call(s) ALS-Teleconference and correspondence with B. Weisenberg regarding Rosenberg policy.	.20	145.00
11/16/17 EBW	Review Documents Analysis of payment records regarding Bahamas real property.	.40	290.00
11/16/17 CBS	Revise Loan Documents Review and revise Cash Collateral Order. (Arabella)	.60	306.00

## Otterbourg p.c.

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 February 12, 2018 Page 91 BILL NO. 193134

DATE

ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/16/17 CBS	Revise Loan Documents Review D. Fiorillo comments to Cash Collateral Order.	.40	204.00
11/16/17 CBS	Revise Loan Documents Draft further revisions Cash Collateral Order; confer with D. Fiorillo regarding same. (Arabella)	.50	255.00
11/17/17 AMK	Examine Documents (Cleveland) Email from Australian counsel Re: financial information received from Mendelawitz	.20	196.00
11/17/17 AMK	Examine Documents (Cleveland) Meeting Agenda	.20	196.00
11/17/17 JSF	Examine Documents Correspondence from Morris Weiss re: APC/AEX and Sale of JIBS in Arabella Matter	.30	229.50
11/17/17 JSF	Examine Documents Asset Portfolio - Schedule of Assets/ Types and Position	.40	306.00
11/17/17 DFF	Revision of Documents Re: Arabella cash collateral order	.50	497.50
11/17/17 DFF	Correspondence To D Hall re: Arabella cash collateral order	.20	199.00

## Otterbourg P.C. 230 Park Avenue

### NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 92

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/17/17 EBW	Analysis of Legal Papers ALS-Analysis of ALS lawsuit.	1.60	1,160.00
11/17/17 EBW	Telephone Call(s) ALS-Teleconference with T. Rogers and B. Weisenberg regarding ALS lawsuit.	.80	580.00
11/17/17 EBW	Correspondence Correspondence with C. Solsvig regarding Arabella.	.20	145.00
11/17/17 EBW	Preparation for Conference ALS-Preparation for teleconference with M. Paneth regarding Rosenberg.	.20	145.00
11/17/17 EBW	Telephone Call(s) ALS-Teleconference with B. Weisenberg and M. Paneth regarding Rosenberg.	1.00	725.00
11/17/17 EBW	Correspondence Correspondence with counsel for Pro Player plaintiff.	.10	72.50
11/17/17 EBW	Preparation for Conference Preparation for teleconference with counsel for Pacific.	.20	145.00
11/17/17 EBW	Telephone Call(s) Teleconference with counsel for Pacific.	.40	290.00

## OTTERBOURG P.C. 230 Park Avenue

#### New York, NY 10169-0075

Client/Matter: 22126/0902 Page 93

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/17/17 EBW	Correspondence Correspondence with counsel for Pacific.	.30	217.50
11/17/17 EBW	Telephone Call(s) Teleconference with Brazilian counsel regarding Abdala.	.40	290.00
11/17/17 EBW	Correspondence Correspondence with Brazilian counsel regarding Abdala.	.20	145.00
11/17/17 EBW	Telephone Call(s) Teleconference with Houlihan regarding Abdala.	.10	72.50
11/17/17 EBW	Preparation for Conference Preparation for weekly status and strategy meetings.	3.20	2,320.00
11/20/17 AMK	Examine Documents (Cleveland) Review financial information submitted by Cleveland	1.20	1,176.00
11/20/17 AMK	Conference(s) in Office Team meeting Re: Cleveland status/strategy going forward.	.40	392.00
11/20/17 AMK	Telephone Call(s) (Cleveland) w/ Receiver Re: options/ next steps	.20	196.00

# OTTERBOURG P.C.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 94

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/20/17 AMK	Correspondence (Cleveland) to Australian counsel Re: Financial information	.20	196.00
11/20/17 AMK	Telephone Call(s) (Cleveland) w/ Australian counsel Re: Additional options	.40	392.00
11/20/17 JSF	Telephone Call(s) Houlihan Update Call on Status of Due Diligence and Marketing	.60	459.00
11/20/17 JSF	Conference(s) in Office Weekly Update and strategy Meeting with Receiver/ Otterbourg and Goldin to Review Asset Portfolio	1.80	1,377.00
11/20/17 JSF	Examine Documents Schedule of Portfolio Assets	.90	688.50
11/20/17 JSF	Examine Documents Update from Houlihan Lokey on Disposition Process	.30	229.50
11/20/17 DFF	Conference(s) In Office Re: status of asset dispositions with PPCO team (DFF portion)	1.00	995.00
11/20/17 DFF	Review of Documents Re: Cash flow forecast/analysis prepared by Goldin	.30	298.50

# OTTERBOURG P.C.

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 95

DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
11/20/17 DFF	Telephone Call(s) With David Hall re: Cash collateral order comments	.40	398.00
11/20/17 DFF	Review of Documents Re: Prep for call with David Hall re: Arabella cash collateral order call	.20	199.00
11/20/17 EBW	Conference(s) In Office Weekly conference with Receiver/ Otterbourg and Goldin and other members of Receivership Team regarding status and strategy (EBW portion).	4.10	2,972.50
11/20/17 EBW	Telephone Call(s) Teleconference with CRO and C. Solsvig regarding Arabella.	.40	290.00
11/20/17 EBW	Correspondence ALS-Correspondence with ALS plaintiff's counsel.	.10	72.50
11/20/17 EBW	Correspondence ALS-Correspondence with Northstar and Houlihan regarding ALS portfolio status.	.20	145.00
11/20/17 EBW	Correspondence Correspondence with C. Solsvig and CRO regarding Arabella status.	.30	217.50

## Otterbourg P.C. 230 Park Avenue

#### NEW YORK, NY 10169-0075

Client/Matter: Page 96	22126/0902	February 12, 2018 BILL NO. 193134
DATE		

ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/20/17 EBW	Correspondence Correspondence with D. Steinberg and JOLs regarding Black Elk.	.20	145.00
11/20/17 EBW	Correspondence Correspondence with Pro Player plaintiff's counsel.	.20	145.00
11/20/17 EBW	Review Documents Analysis of Pro Player documents.	.60	435.00
11/20/17 EBW	Analysis of Legal Papers ALS-Analysis of issues relating to ALS and ALS litigation.	.60	435.00
11/20/17 PCB	Review File Pro Players - Review and analysis of additional borrower background information.	1.00	800.00
11/20/17 CBS	Telephone Call(s) Prepare for phone conference with D. Hall regarding Cash Collateral Order (.3); phone conference with D. Hall regarding Cash Collateral Order (.4). (Arabella)	.70	357.00
11/20/17 BAD	Conference call(s) Weekly conference call with Houlihan Lokey re: asset disposition status/strategy going forward.	.50	147.50

# OTTERBOURG P.C.

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 97

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/20/17 BAD	Conference call(s) Weekly meeting with Goldin/ Receiver/ and Otterbourg teams re: updated status & strategy going forward.	1.50	442.50
11/21/17 JSF	Examine Documents Review of Correspondence re: Trustee Request for Information and JIB Sales	.40	306.00
11/21/17 JSF	Examine Documents Arabella Cash Collateral Order	.30	229.50
11/21/17 JSF	Prepare Legal Papers Overview of Receivership Assets and Status	1.80	1,377.00
11/21/17 DFF	Conference(s) In Office W/ CBS re: Arabella Carve out/cash collateral comments	.40	398.00
11/21/17 ASH	Research re Legal Papers Statutes of limltations	1.20	882.00
11/21/17 ASH	Examine Documents Review background summary	.20	147.00
11/21/17 ASH	Analysis of Court Decision Analyze Memorandum and Order regarding Houlihan Lokey	.30	220.50

## Otterbourg P.C. 230 Park Avenue

#### NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 98

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/21/17 EBW	Correspondence Revisions to Pro Player demand letters.	.20	145.00
11/21/17 EBW	Telephone Call(s) ALS-Teleconference with B. Weisenberg and counsel for ALS plaintiffs.	.30	217.50
11/21/17 EBW	Analysis of Legal Papers Analysis of/ and correspondence with Receivership Team regarding/ Memorandum Opinion on Houlihan retention.	.80	580.00
11/21/17 EBW	Telephone Call(s) Teleconference with. E. Bertram regarding Abdala.	.10	72.50
11/21/17 EBW	Correspondence Correspondence with Brazilian counsel regarding Abdala.	.20	145.00
11/21/17 EBW	Telephone Call(s) Teleconference with counsel for PPVA regarding Black Elk.	.30	217.50
11/21/17 EBW	Telephone Call(s) ALS-Teleconference with B. Weisenberg and M. Paneth regarding Rosenberg.	.30	217.50
11/21/17 EBW	Preparation for Conference ALS-Preparation for teleconference with counsel for ALS plaintiffs.	.40	290.00

# OTTERBOURG P.C.

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

February 12, 2018 BILL NO. 193134

Client/Matter: 22126/0902

confirming write-off.

Page 99

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/21/17 EBW	Correspondence ALS-Correspondence with counsel for ALS plaintiffs.	.20	145.00
11/21/17 EBW	Correspondence Correspondence with counsel for Pro Player plaintiff.	.20	145.00
11/21/17 EBW	Analysis of Legal Papers Analysis of Pacific materials.	1.40	1,015.00
11/21/17 PCB	Review File Reed Smith - Review and analysis of Reed Smith litigation finance documentation	.80	640.00

- 11/21/17 Telephone Call(s) .80 408.00 CBS Phone conference with Committee and lien claimants from In re: Lily Group. (LC Energy)
- 11/21/17 Telephone Call(s) .40 204.00 CBS Prepare for phone conference with Committee and lien claimants from In re: Lily Group.

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 101 of 289 PageID #: 6311

### OTTERBOURG P.C.

230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 100

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/21/17 CBS	Telephone Call(s) Prepare for phone conference with D. Hall regarding Cash Collateral Order; phone conference with D. Hall regarding carve-out provisions of Cash Collateral order; confer with D. Fiorillo and J. Feeney regarding same.	.70	357.00
11/21/17 CBS	Telephone Call(s) Phone conference with Pat Fitzpatrick regarding mechanics lien issues and follow-up from call with Committee. (LC Energy).	.30	153.00
11/22/17 AMK	Examine Documents (Cleveland) email from Australian counsel Re: Revised cost estimate	.20	196.00
11/22/17 JSF	Examine Documents Arabella - Revised Cash Collateral Order	.40	306.00
11/22/17 JSF	Examine Documents Order Granting Liquidators Fee Application in Chapter 15 of Arabella and Request for Payment	.30	229.50
11/22/17 JSF	Examine Documents Black Elk - Correspondence re: Subpoena of Documents	.20	153.00

## Otterbourg p.c.

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 February 12, 2018 Page 101 BILL NO. 193134

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/22/17 DFF	Review of Documents Re: Cash collateral order (Arabella) with final changes	.40	398.00
11/22/17 DFF	Correspondence To David Hall re: Cash collateral order revisions (Arabella)	.20	199.00
11/22/17 EBW	Telephone Call(s) Teleconferences with Brazilian counsel regarding Abdala.	1.20	870.00
11/22/17 EBW	Telephone Call(s) Teleconference with E. Bertram regarding Abdala.	.10	72.50
11/22/17 EBW	Correspondence Correspondence with Brazilian counsel regarding Abdala.	.40	290.00
11/22/17 EBW	Correspondence ALS-Correspondence with Houlihan and Northstar regarding ALS policies and status.	.20	145.00
11/22/17 EBW	Correspondence Correspondence with A. Silverstein regarding Black Elk subpoena.	.10	72.50

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 103 of 289 PageID #: 6313

### OTTERBOURG P.C.

230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 February 12, 2018 Page 102 BILL NO. 193134

DATE

ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/22/17 EBW	Correspondence Correspondence with B. Weisenberg and B. Parlin regarding Golden Gate documents.	.20	145.00
11/22/17 EBW	Correspondence ALS-Correspondence with local counsel and agent regarding Northstar Offshore case filings.	.10	72.50
11/22/17 EBW	Correspondence Correspondence with B. Weisenberg and P. Berg regarding Reed Smith loan.	.10	72.50
11/22/17 EBW	Correspondence ALS-Correspondence with Houlihan and Northstar regarding ALS policies.	.20	145.00
11/22/17 EBW	Analysis of Legal Papers Analysis of Pacific materials re: status/strategy going forward.	1.10	797.50
11/22/17 CBS	Analysis of Legal Papers Review and analysis of proposed revisions to Cash Collateral Order from D. Hall; review correspondence regarding same. (Arabella)	.60	306.00
11/24/17 AMK	Correspondence (Cleveland) to Australian counsel Re: options/.strategy	.20	196.00

## Otterbourg p.c.

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 103

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/24/17 ASH	Research re Legal Papers Legal research regarding statute of limitations	1.30	955.50
11/25/17 ASH	Research re Legal Papers Legal research regarding potential causes of action	2.30	1,690.50
11/26/17 ASH	Research re Legal Papers Legal research regarding statutes of limitation	6.30	4,630.50
11/26/17 ASH	Memorandum to CoCounsel - Other Prepare memo summarizing legal research regarding statutes of limitation	5.10	3,748.50
11/26/17 CBS	Correspondence Draft correspondence to Conway MacKenzie regarding status of disposition process. (Desert Hawk).	.20	102.00
11/27/17 AMK	Examine Documents (Cleveland) Review of memos from Australian counsel re:proposed budgets	.60	588.00
11/27/17 AMK	Telephone Call(s) (Cleveland) w/ Australian counsel and Ryan (FTI) Re: Receivership and other options	.90	882.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 105 of 289 PageID #: 6315

#### OTTERBOURG P.C.

230 PARK AVENUE NEW YORK, NY 10169-0075

February 12, 2018

BILL NO. 193134

Client/Matter: 22126/0902

Page 104

DATE ATTORNEY DESCRIPTION HOURS AMOUNT 11/27/17 Conference(s) in Office 1.00 765.00 Meeting wtih Joint Liquidators for PPVA JSF Intermediate Fund and Master Fund (by phone) 11/27/17 Telephone Call(s) w/Client 1.10 808.50 Telephone calls with Trey Rogers (0.3) and ASH Erik Weinick (0.8) regarding facts relating to statute of limitations (ASH portion) 11/27/17 Preparation of Legal Papers .70 514.50 Prepare list of questions for Trey Rogers ASH regarding statute of limitations issues; review background documents memo regarding same 11/27/17 Memorandum to CoCounsel - Other .90 661.50 Prepare memo regarding statute of ASH limitations issues 11/27/17 Correspondence .10 72.50 EBW Correspondence with C. Solsvig regarding Desert Hawk. 11/27/17 Correspondence .20 145.00 EBW Correspondence with Brazilian counsel regarding Abdala.

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 106 of 289 PageID #: 6316

## OTTERBOURG P.C.

230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 105			February 12, 2018 BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
11/27/17 EBW	Telephone Call(s) Teleconference with T. Rogers and A. Halpern regarding forensic investigation (EBW Portion).	1.20	870.00
11/27/17 EBW	Analysis of Legal Papers Analysis of Katrina Barge court filings re: updated status report.	.30	217.50
11/27/17 EBW	Telephone Call(s) Teleconference with B. Parlin regarding Golden Gate and Navidea.	.10	72.50
11/27/17 EBW	Correspondence Correspondence with Receiver regarding Navidea/ ALS/ Northstar Offshore. Pro Player and PPVA.	.90	652.50
11/27/17 EBW	Correspondence Correspondence with B. Weisenberg and Agent regarding Northstar Offshore.	.40	290.00
11/27/17 EBW	Telephone Call(s) Teleconference with counsel for Pro Player plaintiff.	.10	72.50
11/27/17 EBW	Telephone Call(s) Teleconference with B. Weisenberg regarding Northstar and ALS/ status and strategy.	.50	362.50

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 107 of 289 PageID #: 6317

#### OTTERBOURG P.C.

230 PARK AVENUE NEW YORK, NY 10169-0075

February 12, 2018

BILL NO. 193134

Client/Matter:

Page 106

22126/0902

DATE ATTORNEY DESCRIPTION HOURS AMOUNT 11/27/17 Preparation of Legal Papers .40 290.00 EBW ALS-Revisions to ALS confidentiality stipulation. 11/27/17 Correspondence .40 204.00 CBS Review and respond to correspondence from B. Weisenberg regarding funding agreement. 11/27/17 Correspondence .20 102.00 Draft correspondence from Pat Fitzpatrick CBS regarding mechanics liens. (LC Energy) 392.00 11/28/17 Correspondence .40 (Cleveland) email to Receiver Re: Business AMK review 11/28/17 Examine Documents .40 306.00 Black Elk Settlement re: Expansion of JSF Receivership 11/28/17 Conference(s) In Office .30 298.50 With C. Simon re: BLAB demand letter DFF 11/28/17 .30 217.50 Correspondence EBW Correspondence with Brazilian counsel regarding Abdala and teleconference with E. Bertram regarding same.

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 108 of 289 PageID #: 6318

## OTTERBOURG P.C.

230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 107

DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
11/28/17 EBW	Correspondence Correspondence with Pro Player plaintiff's counsel re: updated status & remaining issues going forward.	.60	435.00
11/28/17 EBW	Analysis of Legal Papers Analysis of issues relating to Navidea indemnification demand and preparation of correspondence to Navidea's counsel.	.80	580.00
11/28/17 EBW	Conference(s) In Office Conference with D. Steinberg regarding Golden Gate.	.20	145.00
11/28/17 EBW	Correspondence Revisions to Pro Player demand letters.	.30	217.50
11/28/17 EBW	Correspondence Correspondence with B. Weisenberg regarding Pacific and analysis of related documents.	.30	217.50
11/28/17 EBW	Correspondence Correspondence with co-counsel and CRO regarding Arabella pending issues.	.20	145.00
11/28/17 EBW	Correspondence Correspondence with A. Kramer regarding Cleveland Mining.	.10	72.50

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 109 of 289 PageID #: 6319

## OTTERBOURG P.C.

230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 108			February 12, 2018 BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/28/17 EBW	Preparation of Legal Papers ALS-Preparation of ALS settlement agreement.	1.70	1,232.50
11/28/17 CBS	Telephone Call(s) Phone conference with B. Weisenberg regarding financing agreement (.3); confer with D. Fiorillo regarding same (.1); review and respond to correspondence from Conway team regarding same (.2). (BLAB)	.60	306.00
11/29/17 AMK	Examine Documents (Cleveland) Email from Australian counsel re: draft Statement through 11/17/17	.30	294.00
11/29/17 JSF	Examine Documents Houlihan Update on Asset Disposition	.40	306.00
11/29/17 JSF	Examine Documents Bill of Sale for Diamed Equipment	.20	153.00
11/29/17 JSF	Examine Documents Arabella Cash Collateral Order - Requested Language from Taxing Authorities	.20	153.00
11/29/17 JSF	Examine Documents Review of Weekly Team Meeting Agenda and Notes re: Status of Asset Dispositions	.80	612.00

## OTTERBOURG P.C.

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 109			February 12, 2018 BILL NO. 193134
DATE			
ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/29/17 DFF	Correspondence To David Hall re: revision to Arabella cash collateral order	.20	199.00
11/29/17 DFF	Telephone Call(s) With Conway MacKenzie re: Desert Hawk memo	.60	597.00

11/29/17 DFF	Telephone Call(s) W. Goldin re: Desert Hawk	.40	398.00
11/29/17 EBW	Correspondence Correspondence with Brazilian counsel regarding Abdala.	.40	290.00
11/29/17	Correspondence	.30	217.50

11/29/1/	Correspondence	.30	217.50
EBW	ALS-Correspondence with B. Weisenberg		
	regarding ALS litigation.		

11/29/17	Correspondence	.30	217.50
EBW	Correspondence with C. Solsvig and CRO		
	regarding Arabella.		

11/29/17 Correspondence .30 217.50 EBW Correspondence with local counsel regarding Pacific/Maximillian.

11/29/17 Telephone Call(s) .90 652.50 EBW Teleconferences with B. Weisenberg regarding ALS litigation/ Pacific/ employees/ Diamed/ and relocation.

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 111 of 289 PageID #: 6321

### OTTERBOURG P.C.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 110			February 12, 2018 BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
11/29/17 CBS	Telephone Call(s) Review and respond to correspondence from Ken Garnett and D. Fiorillo regarding asset disposition meeting. (BLAB)	.20	102.00
11/29/17 CBS	Telephone Call(s) Review correspondence from Curtis Solsvig and R. Havenstrite phone conference with Ken Garnett regarding same. (Desert Hawk).	.60	306.00
11/30/17 DFF	Conference(s) In Office With Conway re: Daybreak/Desert Hawk/BLAB	1.20	1,194.00
11/30/17 DFF	Review of Documents Re; Conway projections for BLAB/Desert Hawk/Daybreak	.40	398.00
11/30/17 EBW	Analysis of Legal Papers Analysis of issues and documents regarding Agera.	.70	507.50
11/30/17 EBW	Correspondence Correspondence with Northstar and Houlihan regarding ALS insureds and teleconference with representative of insured.	.30	217.50
11/30/17 EBW	Correspondence ALS-Correspondence with Receiver regarding ALS insured.	.10	72.50

## Otterbourg p.C.

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 111			February 12, 2018 BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/30/17 EBW	Preparation for Conference Preparation for teleconference with agent in Northstar Offshore.	.20	145.00
11/30/17 EBW	Telephone Call(s) Teleconference with B. Weisenberg and agent in Northstar Offshore.	1.20	870.00
11/30/17 EBW	Telephone Call(s) Teleconference with B. Weisenberg and S. O'Connell regarding Pacific.	.30	217.50
11/30/17 EBW	Correspondence Correspondence and teleconference with Pro Player plaintiff's counsel.	.30	217.50
11/30/17 EBW	Telephone Call(s) Teleconference with T. Rogers regarding Proteus.	.10	72.50
11/30/17 EBW	Telephone Call(s) Teleconference with Black Elk trustee's counsel regarding subpoena.	.50	362.50
11/30/17 EBW	Analysis of Legal Papers Analysis of pending transactions/ litigations and administrative matters/ including Agera/ Northstar Offshore/ Pro Player/ BNY/ employee retention and relocation.	1.30	942.50

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 113 of 289 PageID #: 6323

### OTTERBOURG P.C.

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Mat Page 112	ter: 22126/0902		February 12, 2018 BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
11/30/17 CBS	Prepare for Meeting Meeting with Conway MacKenzie to discuss BLAB/ Desert Hawk/ and Daybreak investments.	1.40	714.00
11/30/17 CBS	Prepare for Meeting Prepare for meeting with Conway MacKenzie to discuss BLAB/ Desert Hawk/ and Daybreak investments.	.50	255.00
11/30/17 CBS	Correspondence Draft correspondence from Pat Fitzpatrick regarding lien breakdown; confer with A. Silverstein and D. Fiorillo regarding same. (LC Energy).	.20	102.00
11/30/17 CBS	Analysis of Legal Papers Review and analysis of select provisions of Sale Order entered in In re Lily Group in connection with asserted claims. (LC Energy).	.70	357.00
12/01/17 DFF	Telephone Call(s) With Conway MacKenzie re: Desert Hawk sale issues	.40	398.00
12/01/17 DFF	Correspondence To K Latz re: Desert Hawk conference call	.20	199.00
12/01/17 EBW	Telephone Call(s) Teleconferences with R. Saltzman and E. Bertram regarding Abdala.	.40	290.00

## Otterbourg p.c.

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 113

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/01/17 EBW	Telephone Call(s) Teleconference with Brazilian counsel regarding Abdala.	.10	72.50
12/01/17 EBW	Correspondence Correspondence with Brazilian counsel regarding Abdala.	.30	217.50
12/01/17 EBW	Telephone Call(s) Teleconference with C. Solsvig regarding Arabella.	.10	72.50
12/01/17 EBW	Correspondence Correspondence with Receivership team regarding Arabella.	.20	145.00
12/01/17 EBW	Telephone Call(s) Teleconference and correspondence with T. Rogers regarding Car Charging and Proteus.	.30	217.50
12/01/17 EBW	Correspondence ALS-Correspondence with ALS plaintiffs' counsel.	.20	145.00
12/01/17 EBW	Review Documents Analysis of Agera background materials.	1.90	1,377.50
12/01/17 PCB	Review Documents Review and analysis of updated asset tracker.	.40	320.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 115 of 289 PageID #: 6325

### OTTERBOURG P.C.

230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 February 12, 2018 Page 114 BILL NO. 193134

DATE

ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/01/17 CBS	Telephone Call(s) Phone conference with Conway MacKenzie team/ Brent Weisenberg and Curtis Solsvig regarding Desert Hawk/ BLAB/ and Daybreak.	1.00	510.00
12/01/17 CBS	Telephone Call(s) Phone conference with Conway MacKenzie regarding disposition of Desert Hawk. (Desert Hawk).	.30	153.00
12/04/17 JSF	Telephone Call(s) Update Call with Houlihan on Status of Marketing Assets	.50	382.50
12/04/17 JSF	Conference(s) in Office Team Meeting - Update on Transactions and Administrative Matters w/ strategy going forward.	1.20	918.00
12/04/17 JSF	Examine Documents Prepare for Team Meeting - Status of Transactions	.40	306.00
12/04/17 JSF	Correspondence Chip Hoebeke and Curt Solsvig re: Arabella Conference Call	.10	76.50
12/04/17 JSF	Examine Documents Documents re: Potential Options for Recovery on Arabella and Variables	.90	688.50

## Otterbourg p.c.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 115

DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
12/04/17 DFF	Telephone Call(s) W. Conway re: Assets to be included in expanded engagement	.50	497.50
12/04/17 ASH	Analysis of Legal Papers Analyze engagement letters received from Trey Rogers	.40	294.00
12/04/17 ASH	Review of e-mail(s) E-mails from Erik Weinick and Trey Rogers regarding documents	.10	73.50
12/04/17 EBW	Conference(s) In Office Attendance at weekly meeting with Receiver/ Otterbourg and Goldin. (EBW Portion)	1.50	1,087.50
12/04/17 EBW	Telephone Call(s) ALS-Teleconference with counsel for ALS plaintiff.	.50	362.50
12/04/17 EBW	Telephone Call(s) ALS-Teleconference with B. Weisenberg regarding ALS litigation.	.30	217.50
12/04/17 EBW	Telephone Call(s) Teleconferences and correspondence with R. Saltzman regarding Abdala.	.60	435.00

## Otterbourg p.C.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter:	22126/0902	February 12, 2018
Page 116		BILL NO. 193134

DATE

ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/04/17 EBW	Telephone Call(s) Teleconference with Brazilian counsel and Houlihan regarding Abdala.	.30	217.50
12/04/17 EBW	Telephone Call(s) Teleconference with JDS and Houlihan regarding Abdala.	.30	217.50
12/04/17 EBW	Telephone Call(s) Teleconference with B. Forshey regarding Arabella.	.20	145.00
12/04/17 EBW	Telephone Call(s) Teleconferences and conferences with D. Fiorillo and J. Feeney regarding Arabella cash collateral.	.60	435.00
12/04/17 EBW	Correspondence Correspondence with D. Calahan regarding Arabella.	.10	72.50
12/04/17 EBW	Correspondence Preparation of correspondence to Receiver regarding Abdala.	.30	217.50
12/04/17 EBW	Correspondence ALS-Correspondence with Northstar and Houlihan regarding ALS portfolio.	.20	145.00

## Otterbourg p.c.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 117

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/04/17 EBW	Correspondence Correspondence with E. Bertram regarding Abdala.	.40	290.00
12/04/17 EBW	Telephone Call(s) Teleconference and correspondence with Goldin regarding Agera.	.20	145.00
12/04/17 EBW	Correspondence Correspondence with Receivership Team regarding Pro Player demand letters.	.20	145.00
12/04/17 EBW	Correspondence Correspondence with borrowers counsel/ and analysis of/ issues relating to TARS.	.20	145.00
12/04/17 CBS	Correspondence Draft correspondence to K. Garnett in connection with disposition of Desert Hawk.	.20	102.00
12/04/17 CBS	Telephone Call(s) Phone conference with party regarding potential acquisition of Desert Hawk interests; confer with D. Fiorillo regarding same.	.70	357.00
12/04/17 CBS	Analysis of Legal Papers Review and analysis of documents in connection with potential objection to Cash Collateral Order. (Arabella)	.80	408.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 119 of 289 PageID #: 6329

### OTTERBOURG P.C.

230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 February 12, 2018 Page 118 BILL NO. 193134

ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/04/17 CBS	Conference(s) in Office Conference with D. Fiorillo regarding potential objection to Cash Collateral Order. (Arabella)	.30	153.00
12/04/17 CBS	Conference(s) in Office Participate in meeting with Receiver/ Otterbourg and Goldin teams regarding status and strategy for proceeding (Partial Attendance).	1.00	510.00
12/04/17 KNC	Conference(s) In Office Partial attendance at Team Meeting with MLC and Goldin Associates re: status/strategy (1.2)	1.20	1,134.00
12/04/17 BAD	Conference call(s) Weekly meeting with Receivership Team regarding status and strategy.	1.00	295.00
12/05/17 JSF	Examine Documents Arabella - Analysis of Issues Re: Next Steps on Settlement and Cash Collateral	1.60	1,224.00
12/05/17 DFF	Telephone Call(s) W/ Ford re: Desert Hawk	.40	398.00
12/05/17 DFF	Correspondence W/ Ford re: Desert Hawk	.20	199.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 120 of 289 PageID #: 6330

# OTTERBOURG P.C.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 119

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/05/17 DFF	Review of Documents Goldin asset disposition summary	.40	398.00
12/05/17 DFF	Review of Documents Re: Cockal update	.20	199.00
12/05/17 EBW	Correspondence Correspondence with P. Poteat regarding Black Elk subpoena response.	.20	145.00
12/05/17 EBW	Correspondence Correspondence with Brazilian counsel and E. Bertram regarding Abdala.	.30	217.50
12/05/17 EBW	Telephone Call(s) ALS-Teleconferences to ALS insureds and/or representatives.	.20	145.00
12/05/17 EBW	Review Documents Analysis of Agera background materials.	2.30	1,667.50
12/05/17 EBW	Correspondence ALS-Correspondence with ALS plaintiffs' counsel.	.20	145.00
12/05/17 EBW	Preparation of Legal Papers ALS-Revisions to ALS litigation confidentiality stipulation.	.40	290.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 121 of 289 PageID #: 6331

### OTTERBOURG P.C.

230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 120

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/05/17 EBW	Correspondence Correspondence with local counsel/ and analysis of issues relating to Arabella cash collateral and related issues.	.80	580.00
12/05/17 EBW	Correspondence Correspondence with Goldin regarding Cokal.	.10	72.50
12/05/17 EBW	Correspondence Correspondence with T. Rogers and A. Halpern regarding forensics.	.20	145.00
12/05/17 EBW	Conference(s) In Office Conference with B. Davis regarding Pro Player letters.	.10	72.50
12/05/17 EBW	Telephone Call(s) ALS-Teleconference with Northstar and Houlihan regarding ALS portfolio.	.40	290.00
12/05/17 EBW	Analysis of Legal Papers Analysis of correspondence and materials from TARS counsel.	.60	435.00
12/05/17 CBS	Analysis of Legal Papers Review and analysis of RHSW objection to Cash Collateral Motion (.9); confer with D. Fiorillo regarding same (.2). (Arabella)	1.10	561.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 122 of 289 PageID #: 6332

## OTTERBOURG P.C.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 121

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/05/17 CBS	Miscellaneous Analysis of issues relating to use of Cash Collateral and strategy for proceeding.	.50	255.00
12/06/17 AMK	Examine Documents (Cleveland) Email from Australian counsel Re:options	.20	196.00
12/06/17 JSF	Prepare Legal Papers Arabella - Outline Response to Cash Collateral Objection	.70	535.50
12/06/17 JSF	Examine Documents Professionals' Cash Collateral Objection	.30	229.50
12/06/17 ASH	Analysis of Legal Papers Analyze engagement letters/ financial statements and independent auditor's reports	.70	514.50
12/06/17 ASH	Memorandum to CoCounsel - Other Memorandum regarding statute of limitations issues	.80	588.00
12/06/17 EBW	Conference Out of Office Conferences with B. Weisenberg/ E. Bertram and T. Rogers regarding administrative matters and Proteus.	.90	652.50

## OTTERBOURG P.C.

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

February 12, 2018 BILL NO. 193134

Client/Matter: 22126/0902

Page 122

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/06/17 EBW	Telephone Call(s) Teleconference with C. Kennedy regarding Arabella.	.20	145.00
12/06/17 EBW	Correspondence Correspondence with counsel for PPVA/ CRO/ and JOL regarding Arabella.	.90	652.50
12/06/17 EBW	Telephone Call(s) Teleconference with D. Hall regarding Arabella.	.20	145.00
12/06/17 EBW	Telephone Call(s) ALS-Teleconferences with ALS insureds and/or representatives.	.20	145.00
12/06/17 EBW	Analysis of Legal Papers Analysis of Arabella objections and related legal documents.	1.30	942.50
12/06/17 CBS	Analysis of Legal Papers Review objections to Cash Collateral	.70	357.00

- CBS Review objections to Cash Collateral Motion and analysis of alternative strategies for proceeding.
- 12/06/17Review of Documents.40204.00CBSPrepare for meeting with Conway MacKenzie<br/>regarding Desert Hawk/ Daybreak/ and BLAB..40204.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 124 of 289 PageID #: 6334

## Otterbourg p.c.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 123

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/07/17 JSF	Examine Documents Arabella - Objections of Professionals of Cash Collateral - Purported Guaranty	2.20	1,683.00
12/07/17 JSF	Prepare Legal Papers Arabella - Outline of Response to Objection to Cash Collateral Motion	1.80	1,377.00
12/07/17 JSF	Telephone Call(s) Arabella - Call with Dan Callahan re: Cash Collateral Hearing	.30	229.50
12/07/17 JSF	Telephone Call(s) Call with David Hall re: Objections to Cash Collateral Motion	.30	229.50
12/07/17 JSF	Conference(s) in Office Meeting with Receiver and Curt Solsvig re: Arabella and Potential Options; Sale of JIBS	.80	612.00
12/07/17 JSF	Telephone Call(s) Chip Hoebeke and Receiver re: Arabella Options on JIBS and Next Steps	.90	688.50
12/07/17 JSF	Examine Documents Update on Status of Active Transactions/Investment Review	.20	153.00

## OTTERBOURG P.C.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902

February 12, 2018

Page 124			BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/07/17 DFF	Review of Documents Re Conway MacKenzie agenda/prep for call with CM	.20	199.00
12/07/17 ASH	Research re Legal Papers Re: potential claims	1.30	955.50
12/07/17 ASH	Analysis of Legal Papers Analyze and organize engagement letters/ financial statements and audit opinions	1.10	808.50
12/07/17 ASH	Preparation of e-mail(s) E-mails to Trey Rogers regarding additional documents needed; e-mails to Jennifer Feeney and Erik Weinick regarding same	.80	588.00
12/07/17 ASH	Analysis of Order Entered Second Receiver Order	.20	147.00
12/07/17 EBW	Analysis of Legal Papers Analysis of issues relating to Arabella cash collateral including review of objections.	.80	580.00
12/07/17 EBW	Research Analysis of issues relating to forensics and applicable choices of law.	.30	217.50

## Otterbourg p.c.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902

Page 125

February 12, 2018

BILL NO. 193134

Idyc IZJ			DIII NO. 199194
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/07/17 EBW	Correspondence ALS-Correspondence with ALS plaintiffs' counsel.	.20	145.00
12/07/17 EBW	Telephone Call(s) Teleconference with B. Weisenberg and S. O'Connel regarding Pacific.	.40	290.00
12/07/17 EBW	Correspondence Correspondence and teleconference with D. Callahan regarding Arabella.	.20	145.00
12/07/17 EBW	Conference(s) In Office Conference with Receivership Team and Conway regarding disposition strategies (EBW portion).	.90	652.50
12/07/17 EBW	Conference(s) In Office Multiple Conferences with Receiver and Receivership Team regarding Arabella/ including teleconference with CRO. (EBW portions).	2.40	1,740.00
12/07/17 EBW	Preparation of Legal Papers Revisions to Northstar Offshore objection.	.80	580.00
12/07/17 EBW	Conference(s) In Office Conference with Goldin regarding Agera.	.50	362.50
12/07/17 EBW	Analysis of Legal Papers Evaluation of Proteus issues.	.30	217.50

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 127 of 289 PageID #: 6337

### OTTERBOURG P.C.

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 126			February 12, 2018 BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
12/07/17 EBW	Analysis of Legal Papers ALS-Review of revisions to ALS litigation confidentiality stipulation.	.30	217.50
12/07/17 CBS	Conference(s) in Office Meeting with Conway MacKenzie regarding analysis of disposition alternatives for Desert Hawk/ Daybreak/ and BLAB and strategy for proceeding.	2.00	1,020.00
12/07/17 CBS	Telephone Call(s) Phone conference with D. Callahan regarding strategy for proceeding with Cash Collateral Motion (.5); review and analysis of memo from D. Callahan regarding local practice and procedure in connection with anticipated Cash Collateral hearing (.2). (Arabella)	.70	357.00
12/07/17 CBS	Analysis of Legal Papers Review and analysis of additional objections to Arabella Cash Collateral Motion and witness lists filed with court; confer with J. Feeney and D. Fiorillo regarding responses to objections and strategy for proceeding. (Arabella).	.90	459.00
12/07/17 CBS	Telephone Call(s) Phone conference with D. Hall regarding Cash Collateral Motion and plan for proceeding. (Arabella)	.30	153.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 128 of 289 PageID #: 6338

## OTTERBOURG P.C.

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 127			February 12, 2018 BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/08/17 AMK	Examine Documents (Cleveland) email from Australian counsel Re: accrued fees	.20	196.00
12/08/17 AMK	Correspondence (Cleveland) Email to Australian counsel Re: Independent Busines Review procedures	.20	196.00
12/08/17 AMK	Examine Documents (Cleveland) Email form Australian counsel Re: IBR Procedures	.20	196.00
12/08/17 JSF	Telephone Call(s) Status Update Call wtih Conway MacKenzie Team	.50	382.50
12/08/17 JSF	Telephone Call(s) Status Update Call wtih Houlihan Team	.50	382.50
12/08/17 JSF	Conference(s) in Office Team Meeting to Discuss Status of Assets Under Review	1.60	1,224.00
12/08/17 JSF	Examine Documents Arabella - Objections to Cash Collateral Motion	1.30	994.50
12/08/17 JSF	Examine Documents Arabella - Notice of Transfer of Claim by Participant	.40	306.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 129 of 289 PageID #: 6339

## Otterbourg p.c.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902

Page 128

February 12, 2018

BILL NO. 193134

raye 120			BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
12/08/17 JSF	Examine Documents Arabella - Analysis of Issues re: Participant and Professionals and Next Steps	1.20	918.00
12/08/17 JSF	Examine Documents Prepare for Team Meeting and Agenda Items	.40	306.00
12/08/17 DFF	Telephone Call(s) W. Ford E. re: Desert Hawk settlementq	.40	398.00
12/08/17 ASH	Preparation of e-mail(s) E-mail to Trey Rogers regarding documentation needed	.20	147.00
12/08/17 ASH	Preparation of Legal Papers Prepare chart regarding statutes of limitations	.60	441.00
12/08/17 ASH	Analysis of Legal Papers Analyze chart of Platinum entities	.20	147.00
12/08/17 EBW	Conference(s) In Office Participation in weekly team meeting between Receiver/ Otterbourg and Goldin regarding pending issues and strategy. (EBW portions).	3.50	2,537.50

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 130 of 289 PageID #: 6340

## Otterbourg p.c.

230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 129

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/08/17 EBW	Analysis of Legal Papers Analysis of issues relating to Arabella/ including correspondence with co-counsel and debtor's counsel.	.80	580.00
12/08/17 EBW	Conference(s) In Office Strategy conferences with A. Silverstein and J. Feeney regarding Arabella.	.80	580.00
12/08/17 EBW	Correspondence Correspondence with Pro Player plaintiff's counsel.	.10	72.50
12/08/17 EBW	Correspondence ALS-Correspondence with ALS plaintiffs' counsel and preparation of confidentiality stipulation.	.40	290.00
12/08/17 EBW	Correspondence Correspondence with co-counsel in Pacific.	.10	72.50
12/08/17 CBS	Miscellaneous Phone conference with D. Hall regarding adjournment of Cash Collateral Motion (.2); review and respond to correspondence from D. Hall regarding adjournment of Cash Collateral hearing (.2); confer with D. Fiorillo regarding adjournment (.2). (Arabella)	.60	306.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 131 of 289 PageID #: 6341

## OTTERBOURG P.C.

230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 130

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/08/17 CBS	Analysis of Legal Papers Review and analysis of Participant's objection to Cash Collateral Order. (Arabella)	.60	306.00
12/08/17 CBS	Telephone Call(s) Phone conference with Receiver and Ford Elsaesser regarding Desert Hawk.	.40	204.00
12/08/17 CBS	Analysis of Legal Papers Analysis of US Trustee objection to Cash Collateral Motion. (Arabella).	.40	204.00
12/08/17 KNC	Conference(s) In Office Attend Team Meeting with Receiver and Goldin Associates re: updated status/strategy with attention to additional FAQ's and related website upgrades (KNC Portion)	1.70	1,606.50
12/08/17 BAD	Conference call(s) Weekly meeting with Goldin regarding status and strategy.	1.70	501.50
12/10/17 ASH	Memorandum to CoCounsel - Other Prepare memo regarding statute of limitations issues	3.60	2,646.00
12/10/17 ASH	Examine Documents Analyze Alvarez & Marsal engagement letter	.30	220.50

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 131

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/10/17 EBW	Analysis of Legal Papers Review of Pro Player Settlement.	.40	290.00
12/10/17 EBW	Analysis of Legal Papers Review of common interest agreement.	.40	290.00
12/11/17 AMK	Telephone Call(s) (Cleveland) w/ Ryan Re: Prep for Business review	.20	196.00
12/11/17 AMK	Correspondence (Cleveland) emails to/ from Australian counsel Re:proceidrues for commencing IBR	.20	196.00
12/11/17 JSF	Examine Documents Analysis of Issues re: Participation Agreement in Arabella	.70	535.50
12/11/17 DFF	Review of Documents Re; Conway engagement terms for new asset groups	.30	298.50
12/11/17 DFF	Correspondence To Conway re: additional assets to add to engagement	.20	199.00
12/11/17 EBW	Preparation of Legal Papers Revisions to Pro Player settlement agreement and correspondence with Plaintiff's counsel.	1.30	942.50

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 133 of 289 PageID #: 6343

## OTTERBOURG P.C.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 132

DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
12/11/17 EBW	Correspondence Correspondence with B. Weisenberg regarding Pacific.	.10	72.50
12/11/17 EBW	Analysis of Legal Papers Review of revisions to Northstar Offshore objections and correspondence with B. Weisenberg regarding same.	.40	290.00
12/11/17 CBS	Telephone Call(s) Phone conference with K. Garnett regarding Arabella background information; review and respond to e-mails regarding same.	.30	153.00
12/12/17 AMK	Conference(s) in Office (Cleveland) w/ Ryan (FTI) Re: Independent Business Review	1.00	980.00
12/12/17 AMK	Examine Documents (Cleveland) Email from Ryan (FTI) Re: Proposed scope of Services	.20	196.00
12/12/17 AMK	Correspondence (Cleveland)Email to Lavan Re: Statement reconciliation	.30	294.00
12/12/17 AMK	Correspondence (Cleveland) email to Australian counsel Re: Instructions as to Course of Action	.40	392.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 134 of 289 PageID #: 6344

## OTTERBOURG P.C.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: Page 133	22126/0902	February 12, 2018 BILL NO. 193134

DATE

ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/12/17 JSF	Examine Documents Motion for Default Judgement Against PPVA Entities in Black Elk Adversary Proceeding	.30	229.50
12/12/17 JSF	Telephone Call(s) Chris Kennedy and Counsel re: Update on PPVA Liquidation and Agera	.80	612.00
12/12/17 JSF	Examine Documents Agera – Issues re: Potential Litigation	.30	229.50
12/12/17 JSF	Examine Documents Arabella Cash Collateral Response	1.40	1,071.00
12/12/17 JSF	Examine Documents Black Elk Trustee Subpoena	.20	153.00
12/12/17 JSF	Examine Documents Status of Asset Review and Disposition	.80	612.00
12/12/17 EBW	Telephone Call(s) Teleconference with D. Steinberg regarding Diamed and Pedevco.	.10	72.50
12/12/17 EBW	Preparation of Legal Papers Preparation of motion for stay/transfer of venue in Pacific.	.90	652.50

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Mat Page 134	ter: 22126/0902		February 12, 2018 BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/12/17 EBW	Telephone Call(s) Teleconference with Conway regarding Arabella.	.50	362.50
12/12/17 EBW	Telephone Call(s) Teleconference with B. Weisenberg regarding Beechwood/ Northstar Offshore and Pacific.	.40	290.00
12/12/17 EBW	Telephone Call(s) Teleconference with counsel for Pacific and follow-up with B. Weisenberg.	.40	290.00
12/12/17 EBW	Telephone Call(s) Teleconference with PPVA JOLs regarding Agera/ plus pre and follow-up conferences with Receiver. (EBW portion)	1.20	870.00
12/12/17 EBW	Analysis of Legal Papers Analysis of Katrina Barge pleadings.	.40	290.00
12/12/17 EBW	Correspondence Correspondence with local counsel/ B. Weisenberg and PPVA regarding Northstar Offshore.	.40	290.00
12/12/17 EBW	Review Documents Analysis of issues and documents regarding ALS litigation.	.80	580.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 136 of 289 PageID #: 6346

## OTTERBOURG P.C.

230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 135

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/12/17 EBW	Review Documents Analysis of issues and documents/ including correspondence from Plaintiff's counsel/ regarding Pro Player litigation.	.40	290.00
12/12/17 CBS	Telephone Call(s) Phone conference with Conway MacKenzie regarding Arabella.	.50	255.00
12/13/17 AMK	Examine Documents (Cleveland) email from Australian counsel Re: Draft Notice/ Retention of Consultant	.20	196.00
12/13/17 AMK	Examine Documents (Cleveland) Draft Additional Limited Scope Professionals Motion	.20	196.00
12/13/17 AMK	Correspondence (Cleveland) To Australian Counsel Re: FTI Retention	.20	196.00
12/13/17 JSF	Telephone Call(s) Dan Callahan re: PPVA Inquiry	.10	76.50
12/13/17 JSF	Telephone Call(s) Chris Kennedy/ Barry Lynch and David Steinberg re: Black Elk Subpoena	.40	306.00
12/13/17 JSF	Examine Documents Black Elk Subpoena	.20	153.00

## Otterbourg p.c.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 February 12, 2018 Page 136 BILL NO. 193134

DATE

ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/13/17 JSF	Examine Documents Correspondence from S&W Firm re: Arabella Cash Collateral Motion	.10	76.50
12/13/17 JSF	Examine Documents Arabella - Purported Professional Participation Agreement	.40	306.00
12/13/17 DFF	Review of Documents Re: BLAB funding request/documentation	.40	398.00
12/13/17 DFF	Correspondence To PPCO team re: BLAB funding request	.20	199.00
12/13/17 EBW	Correspondence Attention to issues relating to Pacific/ including correspondence with Receiver regarding strategy.	1.30	942.50
12/13/17 EBW	Preparation of Legal Papers Revisions to Pro Player settlement/ preparation of stipulated extension of time/ and correspondence with Plaintiff's counsel and Receiver.	.60	435.00
12/13/17 EBW	Preparation for Conference Preparation for conference with PPVA regarding Black Elk.	.20	145.00

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 137			February 12, 2018 BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/13/17 EBW	Telephone Call(s) Teleconference with D. Steinberg regarding Black Elk.	.30	217.50
12/13/17 EBW	Telephone Call(s) Teleconference with PPVA regarding Black Elk.	.40	290.00
12/13/17 EBW	Analysis of Legal Papers Review of Black Elk subpoena.	.20	145.00
12/13/17 EBW	Telephone Call(s) Teleconference and correspondence with D. Callahan regarding Arabella.	.10	72.50
12/13/17 EBW	Analysis of transcript of Hearing Analysis of Arabella summary judgment hearing transcript.	.60	435.00
12/13/17 EBW	Correspondence Correspondence with Brazilian counsel regarding Abdala and review of pleadings.	.40	290.00
12/13/17 CBS	Correspondence Review and analysis of correspondence to/from Curtis Solsvig and Brent Weisenberg regarding terms of proposed agreement with Leo. (BLAB)	.40	204.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 139 of 289 PageID #: 6349

## OTTERBOURG P.C.

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 138

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/14/17 AMK	Telephone Call(s) (Cleveland) Conference Call Re: Response to letter received from Cleveland	.50	490.00
12/14/17 AMK	Conference(s) in Office (Cleveland) W/ Receiver and team Re: next steps	.30	294.00
12/14/17 AMK	Telephone Call(s) (Cleveland) w/ Brazilian counsel Re: liabilities in Brazil	.20	196.00
12/14/17 AMK	Examine Documents (Cleveland) Emails from Australian counsel Re: Statement for Fees/ Trust Statement	.30	294.00
12/14/17 AMK	Examine Documents (Cleveland) Letter form Cleveland Re: ASIC Notice	.20	196.00
12/14/17 AMK	Examine Documents (Cleveland) Email from Mendelawitz Re: Brazilian liabilities	.20	196.00
12/14/17 AMK	Telephone Call(s) (Cleveland) w/ Goldin Re: Letter received from Cleveland	.20	196.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 140 of 289 PageID #: 6350

#### OTTERBOURG P.C.

230 PARK AVENUE NEW YORK, NY 10169-0075

February 12, 2018

BILL NO. 193134

Client/Matter: 22126/0902

Page 139

DATE ATTORNEY DESCRIPTION HOURS AMOUNT 12/14/17 Correspondence .20 196.00 (Cleveland) Email to Australian counsel AMK Re: letter received from Cleveland - ASIC Notice 12/14/17 Examine Documents .40 392.00 (Cleveland) email from Australian counsel AMK Re: Revised Notice of Demand/ FTI Retention 12/14/17 1.00 980.00 Correspondence

- AMK (Cleveland) Draft Responsive letter to letter received from Cleveland
- 12/14/17 Telephone Call(s) .30 294.00 AMK (Cleveland) w/ Australian Counsel Re: Notice of Demand/ FTI retention/ Cleveland Letter
- 12/14/17 Correspondence .20 196.00 AMK (Cleveland) email to ACS/ EBW Re: Draft Responsive Letter
- 12/14/17 Correspondence .30 294.00 AMK (Cleveland) Email to EBW Re: Australian counsel fee statements
- 12/14/17 Correspondence .40 392.00 AMK (Cleveland) email to MLC Re: Australain Notice of Demand/ FTI Retention/ Brazilian issues

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 141 of 289 PageID #: 6351

## OTTERBOURG P.C.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 February 12, 2018 Page 140 BILL NO. 193134

DATE

ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/14/17 AMK	Examine Documents (Cleveland) Revised FTI Retention Letter	.20	196.00
12/14/17 JSF	Examine Documents Correspondence from Cleveland Mining re: Debt and Compliance with Australian Securities and Investment Commission	.30	229.50
12/14/17 JSF	Telephone Call(s) Call wih Trey Rogers and Curtis Solsvig re: Cleveland Mining	.40	306.00
12/14/17 JSF	Examine Documents Analysis of Issues re: Arabella Cash Collateral Motion and Transfer of Claim	.60	459.00
12/14/17 JSF	Conference(s) in Office Receiver - Cleveland Mining Options	.20	153.00
12/14/17 JSF	Examine Documents Acceleration Bay - Bid Proposals	.20	153.00
12/14/17 JSF	Examine Documents Open Transactions for Discussion at Team Meeting	.70	535.50
12/14/17 EBW	Correspondence Correspondence with borrower (Cleveland).	.20	145.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 142 of 289 PageID #: 6352

## OTTERBOURG P.C.

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 141			February 12, 2018 BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
12/14/17 EBW	Correspondence Correspondence with Receivership team regarding Cleveland.	.20	145.00
12/14/17 EBW	Conference(s) In Office Conference with Receiver and team regarding Cleveland. (EBW portion).	.60	435.00
12/14/17 EBW	Telephone Call(s) Teleconferences with counsel for Beechwood and then with B. Weisenberg regarding PGS (Agera).	.50	362.50
12/14/17 EBW	Telephone Call(s) Teleconferences with B. Weisenberg regarding Pacific/ ALS/ investor communications and administrative issues.	.80	580.00
12/14/17 EBW	Telephone Call(s) Teleconference with counsel for Pro Player plaintiff.	.20	145.00
12/14/17 EBW	Telephone Call(s) Teleconference with Brazilian counsel and A. Kramer regarding Abdala and Cleveland.	.30	217.50
12/14/17 EBW	Telephone Call(s) Teleconference with Pacific Plaintiff's counsel and Pacific/ and follow-up call with B. Weisenberg.	.80	580.00

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902

February 12, 2018

Page 142	cter: 22126/0902		BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
12/14/17 EBW	Telephone Call(s) Teleconference with Conway regarding Arabella.	.40	290.00
12/14/17 EBW	Conference(s) In Office Separate conferences with D. Fiorillo and A. Silverstein regarding Arabella strategy.	.30	217.50
12/14/17 EBW	Telephone Call(s) Teleconference with Houlihan regarding TARS.	.40	290.00
12/14/17 EBW	Telephone Call(s) ALS-Teleconferences with ALS insured representatives.	.30	217.50
12/14/17 EBW	Analysis of Legal Papers Analysis of correspondence/ prior pleadings/ policies and relevant documents and initial legal research re: ALS.	2.30	1,667.50
12/14/17 PCB	Conference(s) In Office Cleveland Mining - Conference with Receiver.	.50	400.00
12/15/17 AMK	Correspondence (Cleveland) Revise draft letter to Cleveland	.30	294.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 144 of 289 PageID #: 6354

## OTTERBOURG P.C.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 143

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/15/17 AMK	Examine Documents (Cleveland) Email from Australian counsel Re: Letter received from Mendelawitz	.30	294.00
12/15/17 AMK	Examine Documents (Cleveland) Draft Ordinary Course Professional Declaration	.20	196.00
12/15/17 AMK	Examine Documents (Cleveland) Email from Ryan Re: Comments to Mendelawitz Letter	.20	196.00
12/15/17 AMK	Correspondence (Cleveland) to Australian COunsel Re: Executed Notice of Demand/ FTI Retention/ Letter to Mendelawitz	.30	294.00
12/15/17 JSF	Examine Documents Arabella - Analysis of Strategy re: Cash Collateral and Sale and Settlemetn Options	.50	382.50
12/15/17 JSF	Telephone Call(s) Conway MacKenzie - Update on Status of Marketing and Due Diligence	.50	382.50
12/15/17 JSF	Conference(s) in Office Team Meeting with Goldin and Otterbourg re: Update on Transactions	2.00	1,530.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 145 of 289 PageID #: 6355

#### OTTERBOURG P.C.

230 PARK AVENUE NEW YORK, NY 10169-0075

February 12, 2018

BILL NO. 193134

Client/Matter: 22126/0902

Page 144

DATE ATTORNEY DESCRIPTION HOURS AMOUNT 12/15/17 Conference(s) In Office 1.00 995.00 Re: PPCO team meeting/asset monitization DFF status 12/15/17 Conference(s) In Office .50 362.50 EBW Conference with D. Fiorillo/ A. Silverstein/ J. Feeney and C. Solsvig regarding Arabella strategy. 2.60 12/15/17 Conference(s) In Office 1,885.00 Conference with Receiver and Goldin EBW regarding case status and strategy. (EBW Portion). 12/15/17 Telephone Call(s) .60 435.00 Teleconference with counsel for insurers EBW regarding Beechwood subpoena/ and follow-up call with B. Weisenberg. 12/15/17 Telephone Call(s) .10 72.50 EBW ALS-Teleconference with D. Steinberg regarding ALS insureds. 72.50 12/15/17 Analysis of Legal Papers .10 Attention to Pro Player stipulation. EBW 12/15/17 Telephone Call(s) .50 255.00 Weekly status update with Conway MacKenzie CBS regarding assessment and disposition of various assets.

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 146 of 289 PageID #: 6356

## Otterbourg p.c.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 145

DATE

ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/15/17 KNC	Conference(s) In Office Attend team meeting with Goldin Associates re: updated status and strategy going forward (KNC Portion)	1.70	1,606.50
12/15/17 BAD	Conference call(s) Weekly meeting with Conway Mackenzie the current status of the stock sales.	.50	147.50
12/15/17 BAD	Conference call(s) Weekly call with Houlihan Lokey regarding the status of Acceleration Bay.	.70	206.50
12/15/17 BAD	Conference call(s) Weekly conference with Goldin regarding the status and strategy (BAD Portion)	2.30	678.50
12/18/17 AMK	Examine Documents (Cleveland) Email from Australian counsel Re; Service of Notice of Demand/ Appointment of Independent Business review	.40	392.00
12/18/17 AMK	Examine Documents (Cleveland) email from Australian counsel Re: Response received from Mark Mendelawitz	.20	196.00
12/18/17 AMK	Correspondence (Cleveland) to FTI Re: Meeting with Borrower	.20	196.00

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

February 12, 2018

BILL NO. 193134

Client/Matter: 22126/0902

Page 146

DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
12/18/17 AMK	Correspondence (Cleveland) email to MLC/ team Re: Notices served in Australia	.30	294.00
12/18/17 AMK	Correspondence (Cleveland) to Australiain counsel Re: form of Declaration to Support Retention	.20	196.00
12/18/17 AMK	Examine Documents (Cleveland) emails from/ to Australian counsel Re: Borrower's response to notices	.20	196.00
12/18/17 AMK	Examine Documents (Cleveland) Emails from FTI Re: Meeting with Borrower	.20	196.00
	Examine Documents (Cleveland) Email from Australian counsel Re: December Statement	.20	196.00
12/18/17	Examine Documents	.30	229.50

12/18/17Examine Documents.30229.50JSFArabella - Proposed Settlement from Chris<br/>Kennedy re: Participant and Professional<br/>FeesFees

12/18/17 Preparation of e-mail(s) .20 147.00 ASH E-mails to Bennett Davis regarding Cohn Reznick; review independent auditors opinions regarding same Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 148 of 289 PageID #: 6358

# OTTERBOURG P.C.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 February 12, 2018 Page 147 BILL NO. 193134

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/18/17 EBW	Correspondence Correspondence with Brazilian counsel regarding Abdala.	.20	145.00
12/18/17 EBW	Correspondence ALS-Correspondence with ALS plaintiffs' counsel.	.10	72.50
12/18/17 EBW	Correspondence Correspondence with CRO's counsel and local counsel regarding Arabella.	.20	145.00
12/18/17 EBW	Correspondence Review of correspondence from parties-in-interest regarding Arabella.	.40	290.00
12/18/17 EBW	Correspondence Correspondence with local counsel regarding Northstar Offshore.	.30	217.50
12/18/17 EBW	Telephone Call(s) Teleconference with B. Parlin regarding Northstar Offshore.	.20	145.00
12/18/17 EBW	Analysis of Legal Papers Analysis of Pacific stipulation.	.20	145.00
12/18/17 EBW	Correspondence Correspondence with B. Weisenberg and Conway regarding Pacific/Greentown.	.20	145.00

## Otterbourg p.c.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 148

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/18/17 EBW	Analysis of Legal Papers Analysis of issues relating to Northstar Offshore.	.80	580.00
12/19/17 AMK	Telephone Call(s) (Cleveland) w/ FTI Re: meeting with Borrower	.30	294.00
12/19/17 AMK	Examine Documents (Cleveland) emails from/ to FTI Re: Meeting with Borrower	.20	196.00
12/19/17 JSF	Examine Documents Review and Analysis of Approach to Arabella Cash Collateral Motion and Objections Thereto	.70	535.50
12/19/17 JSF	Examine Documents Arabella - Proposal on Payment of Fees to Professionals and Participant	.30	229.50
12/19/17 EBW	Review Documents Review of Abdala documents and correspondence with Houlihan and E. Bertram regarding same.	.90	652.50
12/19/17 EBW	Telephone Call(s) Teleconferences with B. Weisenberg regarding Northstar Offshore/ employee issues and Pacific.	.40	290.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 150 of 289 PageID #: 6360

## OTTERBOURG P.C.

230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 149

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/19/17 EBW	Telephone Call(s) Teleconference with B. Weisenberg and local counsel regarding Northstar Offshore.	.40	290.00
12/19/17 EBW	Analysis of Legal Papers Analysis of proposed resolution of Arabella cash collateral issues.	.70	507.50
12/19/17 EBW	Conference(s) In Office Conferences with Otterbourg team regarding Arabella cash collateral strategy.	.30	217.50
12/19/17 EBW	Preparation of Legal Papers Preparation of response to Arabella transfer of claim.	.70	507.50
12/19/17 CBS	Analysis of Legal Papers Analysis of various strategies for proceeding with Cash Collateral Motion. (Arabella)	.50	255.00
12/20/17 JSF	Telephone Call(s) David Hall re: Cash Collateral Motion and Hearing	.30	229.50
12/20/17 EBW	Conference(s) In Office Conference with T. Rogers regarding Golden Globe.	.10	72.50

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 151 of 289 PageID #: 6361

## Otterbourg p.C.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902

Page 150

February 12, 2018

BILL NO. 193134

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/20/17 EBW	Correspondence Correspondence with D. Callahan regarding Arabella.	.10	72.50
12/21/17 EBW	Telephone Call(s) Teleconference with B. Parlin and B. Weisenberg regarding Northstar Offshore.	.30	217.50
12/21/17 EBW	Telephone Call(s) Teleconferences with B. Weisenberg regarding Northstar Offshore.	.30	217.50
12/21/17 EBW	Telephone Call(s) Teleconferences with representatives of ALS insureds.	.20	145.00
12/21/17 EBW	Correspondence Correspondence with counsel for Northstar Offshore.	.40	290.00
12/21/17 EBW	Telephone Call(s) Teleconference with counsel for J. Hosiger regarding Arabella.	.30	217.50
12/21/17 EBW	Correspondence Correspondence with Brazilian counsel regarding Abdala.	.30	217.50
12/21/17 EBW	Correspondence ALS-Correspondence with Northstar regarding ALS policies.	.20	145.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 152 of 289 PageID #: 6362

## OTTERBOURG P.C.

230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 151

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/21/17 EBW	Analysis of Legal Papers Analysis of issues regarding Arabella/ including summary judgment decision/ preparation of objection to transfer of claim and cash collateral.	3.10	2,247.50
12/21/17 EBW	Conference(s) In Office Conference with B. Weisenberg regarding Pacific strategy.	.20	145.00
12/21/17 EBW	Correspondence Analysis of correspondence from counsel for Pro Player plaintiff.	.40	290.00
12/21/17 CBS	Correspondence Review correspondence from Curt Solsvig and Ben Anderson regarding proposed sale. (Desert Hawk).	.30	153.00
12/21/17 KNC	Conference(s) In Office Conference with MLC and Trustee Mandarino re: plan of reorganization issues	.30	283.50
12/22/17 JSF	Telephone Call(s) Report from Conway MacKenzie on Marketing Efforts	.50	382.50
12/22/17 JSF	Prepare Legal Papers Arabella - Objection to Transfer of Claim by 30294 Participant	1.40	1,071.00

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902

February 12, 2018

Page 152	LLEI: 22120/0902		BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/22/17 JSF	Prepare Legal Papers Black Elk - Revisions to Objection to Subpoena	.60	459.00
12/22/17 JSF	Examine Documents Report on Court's Oral Decision on Motion for Summary Judgment re: Founders/Arabella Adversary	.40	306.00
12/22/17 DFF	Telephone Call(s) Arabella - call with David Hall re: Cash collateral order revisions	.40	398.00
12/22/17 DFF	Review of Documents Arabella – revised cash collateral order from D Hall	.30	298.50
12/22/17 EBW	Preparation of Legal Papers Preparation of Arabella transfer of claim objection.	2.10	1,522.50
12/22/17 EBW	Correspondence Correspondence with Brazilian counsel regarding Abdala.	.20	145.00
12/22/17 EBW	Correspondence Correspondence and teleconference with local counsel regarding Arabella.	.40	290.00
12/22/17 EBW	Analysis of Legal Papers Analysis of filings in Arabella.	.30	217.50

230 PARK AVENUE NEW YORK, NY 10169-0075

February 12, 2018

BILL NO. 193134

Client/Matter: 22126/0902

Page 153

DATE ATTORNEY DESCRIPTION HOURS AMOUNT 12/22/17 Analysis of Legal Papers .40 290.00 Analysis of issues relating to Northstar EBW Offshore confirmation. 12/22/17 Conference(s) In Office 1.10 1,039.50 KNC Attend meeting with Otterbourg and Goldin teams re: status and strategy with Receiver going forward 12/26/17 3.60 Prepare Legal Papers 2,754.00 Arabella - Objection to 30294's Notice of JSF Transfer of Platinum Claims 12/26/17 Examine Documents .60 459.00 Arabella - Participant's Notice of JSF Transfer of Claim Examine Documents 12/26/17 .90 688.50 JSF Participation Agreement in Arabella 12/26/17 Examine Documents .40 306.00 Black Elk - Objection to Subpoena of JSF Trustee 612.00 12/27/17 Prepare Legal Papers .80 Revise and Finalize Objection to Black Elk JSF Subpoena for Service .20 12/27/17 Correspondence 153.00 JSF Service of Black Elk Subpoena on Black Elk Trustee

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 155 of 289 PageID #: 6365

## Otterbourg p.c.

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 154			February 12, 2018 BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
12/27/17 JSF	Examine Documents Filed Response of Arabella to Objections to Cash Collateral Motion	.40	306.00
12/27/17 JSF	Examine Documents Proposed Order Approving Cash Collateral Request in Arabella	.30	229.50
12/27/17 CBS	Analysis of Legal Papers Review and analysis of proposed revisions to Cash Collateral Order and confer with D. Fiorillo regarding same. (Arabella)	.80	408.00
12/28/17 AMK	Correspondence (Cleveland) Email Re: Lavan statement	.20	196.00
12/28/17 JSF	Telephone Call(s) Arabella - Call with Trustee for APC re: Next Steps	.60	459.00
12/28/17 JSF	Examine Documents Arabella - Report from Local Counsel re: Cash Collateral Hearing	.20	153.00
12/28/17 JSF	Examine Documents Arabella - Analysis of Issues Impacting Recovery for Platinum	.80	612.00
12/28/17 JSF	Examine Documents Arabella - Review and Revise Objection to Notice of Transfer of Claim	.90	688.50

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 156 of 289 PageID #: 6366

## OTTERBOURG P.C.

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 February 12, 2018 Page 155 BILL NO. 193134

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/28/17 JSF	Examine Documents Arabella -Check Citations and Document Cits re: Objection to Notice of Transfer of Claim	1.10	841.50
12/28/17 JSF	Examine Documents Dan Callahan's Comments to Objection to Notice of Transfer in Arabella	.40	306.00
12/28/17 DFF	Telephone Call(s) Arabella - W. D Hall re: revisions to cash collateral order	.40	398.00
12/28/17 DFF	Review of Documents Arabella re: revised cash collateral order	.30	298.50
12/28/17 ACS	Review/correct Legal Papers Edit objection to 30294 notice to transfer Arabella claims	2.30	1,886.00
12/28/17 CBS	Analysis of Legal Papers Review and analysis of further revisions to proposed Cash Collateral Order. (Arabella)	.40	204.00
12/29/17 AMK	Correspondence (Cleveland) Emails from/ to Rogers Re: Australian counsel fee statements	.30	294.00
12/29/17 АМК	Examine Documents (Cleveland) Emails Re: Australian counsel retention	.20	196.00

## Otterbourg p.c.

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 February 12, 2018 Page 156 BILL NO. 193134

DATE

ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/29/17 JSF	Prepare Legal Papers Finalize Objection to Participant's Transfer of Claim in Arabella	1.20	918.00
12/29/17 JSF	Correspondence Dan Callahan re: Objection to Transfer of Claim	.10	76.50
12/29/17 DFF	Review of Documents Arabella re: comments to Cash collateral order	.40	398.00
12/29/17 DFF	Correspondence To David Hall re: Arabella cash collateral order	.20	199.00
12/29/17 ACS	Review/correct Legal Papers Further edit objection to 30294 notice to transfer claims	.60	492.00
12/29/17 CBS	Correspondence Review correspondence from David Hall and Chip Hoebeke regarding Cash Collateral Order.	.40	204.00
TOTAL PHAS	SE PO1	681.30	\$516,946.50
Phase: P02		Ass	et Disposition
DATE			
ATTORNEY	DESCRIPTION	HOURS	AMOUNT

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 158 of 289 PageID #: 6368

### OTTERBOURG P.C.

## 230 PARK AVENUE

### NEW YORK, NY 10169-0075

Client/Mat Page 157	ter: 22126/0902		February 12, 2018 BILL NO. 193134
10/02/17 PCB	Review/Revision of Documents Houlihan Lokey - Review and comment on form of NDA.	.70	560.00
10/02/17 PCB	Review/Revision of Documents Houlihan Lokey - Review and comment on Intralinks Virtual Data Room Agreement and Deal Team Exchange Agreement.	.80	640.00
10/02/17 PCB	Conference call(s) Abdala - Conference call with Houlihan Lokey re: Abdala.	.70	560.00
10/04/17 PCB	Preparation of Documents Houlihan Lokey - compilation and transmittal of executed Intralinks contracts.	.30	240.00
10/04/17 PCB	Correspondence Urigen - Review and analysis of Goldin's proposed financing structure and feedback thereon.	.40	320.00
10/05/17 PCB	Correspondence Urigen - Corrspondence with Urigen and Houlihan Lokey re: Urigen capitalization.	.40	320.00
10/05/17 PCB	Review of Documents Accutane - Review of Accutane analysis materials from Houlihan Lokey.	.80	640.00

230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 158

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/06/17 JSF	Telephone Call(s) Update Call with Houlihan Team - Status of Disposistions and Bringing Assets to Market for Sale	.60	459.00
10/06/17 PCB	Conference call(s) Houlihan Lokey - Weekly M&A review conference call.	.50	400.00
10/06/17 PCB	Conference(s) In Office Goldin - Followup meeting with Goldin re: various asset dispositions.	1.40	1,120.00
10/06/17 PCB	Correspondence Correspondence with Goldin and Platinum re: various asset dispositions.	.60	480.00
10/09/17 JSF	Examine Documents Analysis of Asset Dispositions and Assets In Line for Disposition	.80	612.00
10/09/17 PCB	Correspondence AirDye - Correspondence with PPVA counsel and co-counsel re: AirDye closing.	.40	320.00
10/09/17 PCB	Memo Prepared status memorandum re: AirDye/ Bang/ Martin Kenney and Blumont.	1.20	960.00

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 159			February 12, 2018 BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/09/17 BAD	Due Diligence Research Research re: Cleveland disposition of assets.	2.50	737.50
10/10/17 PCB	Review/Revision of Documents Proteus - Review and revision of Assignment and Bill of Sale.	.80	640.00
10/10/17 PCB	Correspondence Proteus - Correspondence re: Assignment and Bill of Sale.	.30	240.00
10/10/17 PCB	Conference call(s) ALS-Life Settlements - Conference call with Houlihan Lokey re: certain life insurance policies.	.60	480.00
10/10/17 PCB	Correspondence AirDye - Correspondence re: closing and proceeds of sale.	.30	240.00
10/10/17 ACS	Telephone Call(s) w/CoCounsel - Other Counsel to C. Kennedy re: Agera (ACS limited time on call)	.50	410.00
10/11/17 PCB	Correspondence Various Asset Dispositions - Correspondence and review of correspondence re: AirDye/ Urigen and Proteus.	.90	720.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 161 of 289 PageID #: 6371

## OTTERBOURG P.C.

230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 160

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/12/17 PCB	Telephone Call(s) AirDye/Urigen - Telephone calls with Goldin re: various asset dispositions.	.60	480.00
10/12/17 PCB	Conference call(s) Urigen - Conference call with Urigen CEO and counsel re: structuring bridge loan and Cato agreement.	.50	400.00
10/12/17 PCB	Preparation of Documents Proteus - Assembly of original executed Purchase Agreement and Assignment & Bill of Sale; transmittal of same.	.60	480.00
10/12/17 PCB	Correspondence AirDye/ Proteus/ Urigen - Correspondence regarding various asset dispositions.	.60	480.00
10/12/17 BAD	Due Diligence Research Research re: Urigen assets.	1.20	354.00
10/13/17 JSF	Examine Documents Review of Assets Liquidated During Current Receivership	.60	459.00
10/13/17 JSF	Examine Documents Houlihan Update on Asset Disposition Status	.40	306.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 162 of 289 PageID #: 6372

## OTTERBOURG P.C.

230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 161

DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
10/13/17 PCB	Conference call(s) Houlihan Lokey - Weekly conference call with Houlihan Lokey re: various asset dispositions.	.50	400.00
10/13/17 PCB	Review File Cokal - Review and analysis of materials and memorandum re: ownership of Cokal Warrants.	.50	400.00
10/15/17 PCB	Conference call(s) Cokal - Conference call with Goldin and co-counsel re: Cokal warrants.	.60	480.00
10/15/17 BAD	Due Diligence Research Cont'd research re: Urigen assets.	2.50	737.50
10/16/17 PCB	Correspondence AirDye/Cokal/Urigen - Correspondence and review of correspondence with Goldin re: various asset dispositions	.60	480.00
10/16/17 PCB	Review of Documents Cokal - Review and sign-off on Goldin memorandum re: Cokal warrants.	.30	240.00
10/16/17 ACS	Conference(s) w/ CoCounsel - Other Meet with EBW and JSF re: Arabella status and Next Steps	.70	574.00

# Otterbourg p.c.

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 162			February 12, 2018 BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/16/17 BAD	Preparation of Documents Drafted, edited and revised attorney notes from 10/13 meeting.	1.10	324.50
10/17/17 DFF	Review of Documents Re: Cokal warrants issues	.40	398.00
10/17/17 DFF	Review of Documents Cokal warrant emails from Goldin	.20	199.00
10/17/17 PCB	Conference call(s) Urigen - Conference call with CEO of Urigen and Goldin re: bridge loan structuring and update on Cato.	.70	560.00
10/18/17 PCB	Memo Multiple Assets - Prepared summary memo re: update on disposition of PPCO/PPVA shared assets.	.50	400.00
10/18/17 PCB	Review of Documents Martin Kenney - Review and sign-off on draft memo re: sale of Martin Kenney loan supplemental interest.	.30	240.00
10/18/17 ACS	Conference(s) w/ CoCounsel - Other Meet with Receiver and EBW and JSF and telecon M. Weiss re: Arabella mediation (.8) and followup meeting re: status (.5)	1.30	1,066.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 164 of 289 PageID #: 6374

### OTTERBOURG P.C.

230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 163

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/19/17 EBW	Correspondence Correspondence with Goldin regarding disposition process administrative issues.	.20	145.00
10/19/17 EBW	Correspondence Correspondence with Houlihan/ Goldin and portfolio manager regarding Urigen.	.20	145.00
10/19/17 PCB	Review File Urigen - Review and analysis of Houlihan Lokey materials re: preliminary market pricing.	.40	320.00
10/19/17 PCB	Conference call(s) Urigen - Conference call with Houlihan Lokey re: Urigen preliminary market pricing.	.50	400.00
10/19/17 PCB	Telephone Call(s) Urigen - Telephone call with Goldin re: followup on Urigen.	.40	320.00
10/20/17 EBW	Conference(s) In Office Participation in weekly meeting between Receiver and Houlihan.	.50	362.50
10/20/17 PCB	Conference(s) In Office Urigen - Conference with Goldin re: Urigen.	.30	240.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 165 of 289 PageID #: 6375

### OTTERBOURG P.C.

230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 164

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/20/17 PCB	Conference call(s) Houlihan Lokey - Weekly status call with Houlihan Lokey re: various asset dispositions.	.50	400.00
10/20/17 PCB	Conference call(s) LC Energy - Conference call with Houlihan/ LC Energy and Quest re: information gathering and update on business.	.70	560.00
10/20/17 BAD	Conference call(s) Weekly call with Houlihan Lokey re: strategy for asset disposition and potential outcomes.	.50	147.50
10/20/17 BAD	Preparation of Documents Drafted/ edited/ and revised attorney notes from weekly team meeting re: asset disposition.	1.50	442.50
10/23/17 PCB	Review/Revision of Documents Acceleration Bay - Review and comment on Houlihan Lokey draft Acceleration Bay teaser materials.	.60	480.00
10/23/17 PCB	Correspondence Correspondence with Houlihan Lokey and Goldin re: various asset dispositions.	.40	320.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 166 of 289 PageID #: 6376

### OTTERBOURG P.C.

230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 165

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/23/17 PCB	Telephone Call(s) Telephone calls with Goldin (0.5) and with Houlihan Lokey (0.3) re: various asset dispositions.	.80	640.00
10/23/17 PCB	Conference call(s) LC Energy - Follow-up conference call with LC Energy.	.50	400.00
10/23/17 ACS	Review/correct Brief for motion Edit Conway MacKenzie application and declaration	.80	656.00
10/23/17 ACS	Analysis of Opposing brief for motion Review and annotate Shepherd Kaplan opposition to Houlihan retention motion	.30	246.00
10/24/17 EBW	Review Documents Analysis of issues relating to Acceleration Bay data room.	.40	290.00
10/24/17 EBW	Correspondence Correspondence and teleconference with C. Solsvig regarding Desert Hawk status and process.	.30	217.50
10/24/17 PCB	Telephone Call(s) Urigen - Telephone calls with Goldin re: structuring of bridge loan.	.60	480.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 167 of 289 PageID #: 6377

# Otterbourg p.c.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 166

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/24/17 PCB	Conference call(s) LC Energy - Conference call LC Energy re: various issues.	.70	560.00
10/24/17 PCB	Conference call(s) Urigen - Conference call with Urigen and Goldin re: bridge loan.	.60	480.00
10/24/17 PCB	Due Diligence Research Acceleration Bay - Review of Houlihan Lokey data room documents re: Acceleration Bay.	.50	400.00
10/24/17 ACS	Telephone Call(s) w/CoCounsel - Other Telecon JSF re: comments on Conway MacKenzie application	.20	164.00
10/24/17 ACS	Preparation of Opposing aff for motion Draft Receiver declaration attaching Shepherd Kaplan opposition to Houlihan retention motion	.20	164.00
10/25/17 PCB	Conference call(s) Desert Hawk - Conference call with Goldin re: Desert Hawk status.	.50	400.00
10/25/17 PCB	Telephone Call(s) LC Energy/Urigen - Telephone call with Houlihan Lokey re: LC Energy and Urigen dispositions.	.40	320.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 168 of 289 PageID #: 6378

#### OTTERBOURG P.C.

230 PARK AVENUE NEW YORK, NY 10169-0075

February 12, 2018

Client/Matter: 22126/0902

Page 167 BILL NO. 193134 DATE ATTORNEY DESCRIPTION HOURS AMOUNT 10/25/17 Correspondence .40 320.00 PCB Acceleration Bay - Correspondence with Houlihan Lokey re: Acceleration Bay materials and data room. 10/25/17 Correspondence .40 320.00 PCB AirDye - Correspondence with PPVA counsel and co-counsel re: closing of AirDye disposition. Review of Documents 10/25/17 .30 240.00 PCB Urigen - Review and analysis of Urigen's markup of proposed bridge loan markup. .20 10/25/17 Review/correct Opposing brief for motion 164.00 Finalize Receiver declaration re: Shepherd ACS Kaplan opposition to Houlihan retention motion 10/26/17 Telephone Call(s) 1.10 880.00 PCB Various Assets - Telephone calls with Goldin (0.6) and Houlihan Lokey (0.5) re: various asset dispositions. 10/26/17 Review/Revision of Documents .50 400.00 Various Assets - Reviewed and commented on PCB proposed Memorandum re: assets with ownership shared with PPVA. 10/27/17 Examine Documents .40 306.00 JSF Houlihan Materials - Update on Status of Assets for Disposition

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 169 of 289 PageID #: 6379

### Otterbourg p.C.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 168			February 12, 2018 BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
10/27/17 EBW	Conference(s) In Office Attendance at weekly meeting with Houlihan regarding sales process.	.60	435.00
10/27/17 PCB	Conference call(s) Various Assets - Weekly conference call with Houlihan Lokey re: status of various asset dispositions.	.50	400.00
10/27/17 PCB	Conference call(s) Desert Hawk - Conference call introducing management to Conway MacKenzie.	.60	480.00
10/27/17 ACS	Correspondence w/CoCounsel - Other E-mail to R. Salzman re: Shepherd Kaplan opposition to Houlihan retention motion	.10	82.00
10/27/17 ACS	Telephone Call(s) w/CoCounsel - Other Meet with EBW and telecon R. Salzman and P. Salabria re: Shepherd Kaplan opposition to Houlihan retention motion	.60	492.00
10/27/17 BAD	Conference call(s) Weekly call with Houlihan Lokey re: updated status/strategy going forward concerning sale of Acceleration Bay.	.60	177.00
10/28/17 ACS	Preparation of Reply brief for motion Draft reply brief on Houlihan retention motion	1.30	1,066.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 170 of 289 PageID #: 6380

### Otterbourg p.c.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 169

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/29/17 ACS	Preparation of Reply brief for motion Draft and edit reply brief on Houlihan retention motion	1.40	1,148.00
10/30/17 JSF	Examine Documents Report from Goldin on Possible Upcoming Cash Inflow	.20	153.00
10/30/17 EBW	Telephone Call(s) Teleconference with R. Saltzman regarding retention application/ Abdala and Northstar.	.20	145.00
10/30/17 EBW	Correspondence ALS-Correspondence with B. Weisenberg and Houlihan regarding life settlements portfolio.	.80	580.00
10/30/17 PCB	Review of Documents LC Energy - Review and analysis of Quest LC Energy services agreement.	.60	480.00
10/30/17 ACS	Review/correct Reply brief for motion Edit reply brief on Houlihan retention motion	.50	410.00
10/30/17 ACS	Review/correct Reply brief for motion Further edit reply brief on Houlihan retention motion	1.20	984.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 171 of 289 PageID #: 6381

### OTTERBOURG P.C.

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Mat Page 170	ter: 22126/0902		February 12, 2018 BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
10/30/17 BAD	Preparation of Documents Drafted/ edited and revised weekly Receivership Team meeting's attorney notes.	1.20	354.00
10/30/17 BAD	Due Diligence Research Researched Quest service agreement and Receivership Order to determine the best next steps in the LC Energy transaction.	1.30	383.50
10/31/17 PCB	Telephone Call(s) Urigen - Telephone call with Goldin re: Urigen.	.30	240.00
10/31/17 PCB	Conference(s) In Office LC Energy - Conference with co-counsel re: LC Energy.	.50	400.00
10/31/17 PCB	Review of Documents Houlihan Lokey - Review and sign-off on proposed form of evaluation material NDA.	.60	480.00
10/31/17 PCB	Review of Documents Urigen - Review and analysis of proposed Urigen equity facility Term Sheet.	.40	320.00
11/01/17 EBW	Correspondence Correspondence and conferences with Receivership Team regarding analysis of LC Energy governing agreements.	1.80	1,305.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 172 of 289 PageID #: 6382

### OTTERBOURG P.C.

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Mat Page 171	ter: 22126/0902		February 12, 2018 BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
11/01/17 EBW	Preparation for Conference ALS-Preparation for teleconference with Houlihan and Northstar regarding ALS portfolio status	.20	145.00
11/01/17 PCB	Review of Documents Wintercrest - Review and sign-off on recommendation letter re: sale of certain shares owned by Wintercrest.	.40	320.00
11/01/17 PCB	Telephone Call(s) LC Energy - Teleconference with Goldin re: LC Energy and Quest Management.	.40	320.00
11/01/17 PCB	Review/Revision of Documents LC Energy - Review and revision of draft memorandum re: LC Energy/Quest recommendations.	.60	480.00
11/01/17 PCB	Correspondence LC Energy - Correspondence and review of correspondence re: LC Energy asset disposition.	.40	320.00
11/01/17 PCB	Review of Documents Urigen - Review and analysis of Urigen corporate finance documents including Convertible Promissory Notes/ Senior Convertible Promissory Notes/ Note and Warrant Purchase Agreement/ Warrants/ Bridge Note and Amendment to Transaction Documents.	2.80	2,240.00

# Otterbourg p.c.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 172

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/01/17 BAD	Preparation of Documents Revised memo re: the sale of LC Energy.	.30	88.50
11/02/17 EBW	Telephone Call(s) Teleconference with Receiver and Houlihan regarding litigation finance portfolio.	.40	290.00
11/02/17 PCB	Revision of Documents Urigen - Revision of draft Urigen term sheet.	.60	480.00
11/02/17 PCB	Telephone Call(s) ALS and Urigen - Telephone calls with Goldin and Houlihan Lokey re: ALS and Urigen dispositions.	1.00	800.00
11/02/17 PCB	Conference call(s) Litigation Finance - Conference call with Houlihan Lokey re: update on litigation finance portfolio disposition.	.50	400.00
11/02/17 PCB	Correspondence AirDye - Correspondence and review of correspondence re: AirDye closing.	.30	240.00
11/03/17 EBW	Telephone Call(s) Weekly teleconference with Houlihan regarding status of disposition process and strategy.	.50	362.50

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 174 of 289 PageID #: 6384

### OTTERBOURG P.C.

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902

Page 173

February 12, 2018

BILL NO. 193134

DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
11/03/17 PCB	Conference(s) In Office Various Assets - Pre-meeting with Goldin re: various asset dispositions.	.50	400.00
11/03/17 PCB	Conference call(s) Houlihan Lokey - Weekly update call with Houlihan Lokey re: asset valuation issues.	.50	400.00
11/03/17 BAD	Structure/Strategy/Analysis Weekly call with Houlihan Lokey re: status/strategy going forward.	.50	147.50
11/04/17 PCB	Conference call(s) Urigen - All hands conference call re: investment structuring.	.70	560.00
11/04/17 ACS	Review/correct Brief for motion Edit Conway MacKenzie retention brief	.30	246.00
11/06/17 EBW	Correspondence Correspondence with Clifford Chance and T. Rogers regarding receipt of settlement funds (Excalibur).	.20	145.00
11/06/17 PCB	Telephone Call(s) Urigen - Teleconference with Goldin re: follow-up on Urigen conference call; next steps.	.60	480.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 175 of 289 PageID #: 6385

### OTTERBOURG P.C.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902

February 12, 2018

Page 174	22120/0302		BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
11/06/17 PCB	Review/Revision of Documents Various Securities - Review and revision of draft BNY Mellon Custody Holdings Joint Instructions.	.80	640.00
11/06/17 ACS	Telephone Call(s) w/CoCounsel - Other Meet with EBW and JSF and telecon C. Hoebeke/ et al. re: Arabella - Founders settlement	.90	738.00
11/07/17 PCB	Correspondence China Horizons - Correspondence and review of correspondence re: China Horizons disposition.	.70	560.00
11/07/17 PCB	Review of Documents ALS-ALS/Infinity Augmented Reality - Review and analysis of Infinity Certificate of Incorporation and Preferred stock designations.	.60	480.00
11/08/17 PCB	Memo ALS-ALS/Infinity Augmented Reality - Prepared summary memorandum re: rights of first refusal in disposition of Infinity securities.	1.00	800.00
11/08/17 PCB	Correspondence ALS-ALS/Infinity Augmented Reality - Followup correspondence re: right of first refusal memorandum.	.40	320.00

### OTTERBOURG P.C.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 175

DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
11/08/17 ACS	Conference(s) w/ CoCounsel - Other Meet with EBW and JSF re: Arabella settlement strategy	.70	574.00
11/08/17 ACS	Conference(s) w/ Client Meet with Receiver/ EBW and JSF re: Arabella settlement talks and strategy	.50	410.00
11/08/17 ACS	Telephone Call(s) w/CoCounsel - Other Meet with Receiver and telecon J. Newville and C. Thomas re: Beechwood	.80	656.00
11/09/17 PCB	Preparation for Conference Urigen - Preparation for all hands Urigen financing conference call including review of term sheets and correspondence.	.50	400.00
11/09/17 PCB	Conference call(s) Urigen - Conference call with all parties re: structure of Urigen financing and next steps.	1.00	800.00
11/09/17 ACS	Analysis of Memorandum Review and annotate memo on Cleveland Mining	.20	164.00
11/09/17 ACS	Telephone Call(s) w/CoCounsel - Other Telecon S. Dumain/ C. Kennedy and B. Weisenberg re: CBOE	.40	328.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 177 of 289 PageID #: 6387

### OTTERBOURG P.C.

230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 176

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/10/17 EBW	Telephone Call(s) Weekly teleconference with Houlihan regarding sales status and strategy.	.60	435.00
11/10/17 PCB	Conference(s) In Office Houlihan Lokey - Weekly Houlihan Lokey update call re: asset valuation issues.	.50	400.00
11/10/17 PCB	Review of Documents Various Securities - Review and sign-off on revised BNY Mellon Custody Holdings Joint Instructions.	.50	400.00
11/10/17 PCB	Correspondence Various Securities - Correspondence re: BNY Mellon Custody Holdings Joint Instructions.	.30	240.00
11/10/17 ACS	Telephone Call(s) w/CoCounsel - Other Meet with EBW and telecon C. Taylor re: Bush participation	.80	656.00
11/10/17 BAD	Conference call(s) Weekly meeting with Houlihan Lokey re: updated status report/strategy.	.60	177.00
11/13/17 EBW	Correspondence Correspondence with D. Steinberg regarding Diamed.	.10	72.50

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 178 of 289 PageID #: 6388

### OTTERBOURG P.C.

230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 February 12, 2018 Page 177 BILL NO. 193134

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/13/17 PCB	Correspondence Acceleration Bay - Correspondence and review of correspondence with Houlihan Lokey re: Acceleration Bay sale process.	.60	480.00
11/14/17 EBW	Telephone Call(s) Teleconference and correspondence with D. Steinberg regarding Diamed.	.20	145.00
11/14/17 PCB	Review of Documents LC Energy - Review and analysis of Quest Energy proposal.	.70	560.00
11/14/17 PCB	Correspondence Urigen and Acceleration Bay - Correspondence with Golding/ Houlihan Lokey and co-counsel re: Urigen financing and Acceleration Bay disposition.	.70	560.00
11/14/17 PCB	Conference call(s) Urigen - Financing update conference call and followup call with Goldin.	1.10	880.00
11/14/17 PCB	Memo Urigen - Preparation of memorandum re: Urigen anti-dilution protections.	1.20	960.00
11/14/17 ACS	Correspondence w/CoCounsel - Other E-mails from/to P. Fitzpatrick re: Lily Group	.20	164.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 179 of 289 PageID #: 6389

### OTTERBOURG P.C.

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

February 12, 2018

BILL NO. 193134

Client/Matter: 22126/0902

Page 178

DATE			
ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/15/17 EBW	Correspondence Correspondence with D. Steinberg regarding Diamed.	.10	72.50
11/15/17 EBW	Correspondence Correspondence with Receivership team regarding Urigen issues.	.20	145.00
11/15/17 PCB	Review/Revision of Documents Acceleration Bay - Review and comment on initial batch of 4 Acceleration Bay NDAs.	1.50	1,200.00
11/15/17 PCB	Review/Revision of Documents Urigen - Review and comment on Goldin memorandum re: Urigen financing.	1.10	880.00
11/15/17 PCB	Correspondence Urigen - correspondence re: Urigen financing.	.30	240.00
11/15/17	Preparation of Documents	.60	177.00

- BAD
   Revised and circulated NDAs for hedgehog<br/>project Acceleration Bay.

   11/16/17
   Correspondence
   .30
   217.50
- EBW Correspondence with P. Berg and Houlihan regarding Acceleration Bay bidding and NDAs.

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 180 of 289 PageID #: 6390

### OTTERBOURG P.C.

230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 February 12, 2018 Page 179 BILL NO. 193134

DATE

ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/16/17 EBW	Correspondence Correspondence with Receivership team regarding Urigen negotiations & strategy re: same.	.20	145.00
11/16/17 EBW	Review Documents Analysis of materials regarding Pro Player borrowers & related collection issues.	.30	217.50
11/16/17 PCB	Conference(s) In Office Urigen and Acceleration Bay - Conference with co-counsel re: Urigen and Acceleration Bay processes.	.50	400.00
11/16/17 PCB	Correspondence Acceleration Bay - Correspondence with co-counsel and Houlihan Lokey re: privilege issues in data room disclosure and Acceleration Bay marketing process.	.60	480.00
11/16/17 PCB	Review/Revision of Documents Accleration Bay - Review and comment on additional prospective purchaser NDAs.	.90	720.00
11/17/17 PCB	Telephone Call(s) Acceleration Bay - Telephone conference with Houlihan Lokey re: Acceleration Bay process update/questions.	.40	320.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 181 of 289 PageID #: 6391

# Otterbourg p.c.

### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 180		February 12, 2018 BILL NO. 193134	
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
11/19/17 BAD	Due Diligence Research Researched Pro Player debtors to assess plausibility of collecting payment/specific assets.	4.20	1,239.00
11/20/17 EBW	Telephone Call(s) Weekly teleconference with Houlihan regarding status and strategy regarding disposition.	.60	435.00
11/20/17 PCB	Conference call(s) Houlihan Lokey - Weekly update conference call with Houlihan Lokey.	.50	400.00
11/20/17 PCB	Correspondence Acceleration Bay and Pro Players - Correspondence with Houlihan Lokey/ Goldin/ Platinum and co-counsel re: Acceleration Bay and Pro Players.	.70	560.00
11/20/17 PCB	Review/Revision of Documents Acceleration Bay - Review and comment on additional Acceleration Bay prospect NDAs.	.60	480.00
11/21/17 EBW	Correspondence Correspondence with Receiver and D. Steinberg regarding Diamed.	.20	145.00
11/21/17 PCB	Telephone Call(s) Various Asset Dispositions - Call with Houlihan Lokey re: various asset dispositions.	.40	320.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 182 of 289 PageID #: 6392

### OTTERBOURG P.C.

230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 February 12, 2018 Page 181 BILL NO. 193134

DATE

ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/21/17 BAD	Due Diligence Research Reviewed Reed Smith loan agreement	.90	265.50
11/22/17 EBW	Correspondence Correspondence with B. Weisenberg and D. Steinberg regarding Diamed sale.	.20	145.00
11/22/17 PCB	Correspondence LC Energy - Correspondence with Houlihan Lokey and Receiver re: LC Energy sale process and planned site visit.	.50	400.00
11/27/17 EBW	Correspondence Correspondence with B. Weisenberg and counter-party regarding Diamed sale.	.30	217.50
11/27/17 PCB	Conference(s) In Office Various Assets - Conference with co-counsel re: various asset dispositions.	.40	320.00
11/27/17 BAD	Preparation of Documents Revised and reviewed NDA Acceleration Bay	1.60	472.00
11/28/17 EBW	Analysis of Legal Papers Analysis of issues relating to Diamed sale.	.40	290.00
11/29/17 EBW	Correspondence Correspondence with Receiver and B. Weisenberg regarding Diamed sale.	.20	145.00

### OTTERBOURG P.C.

### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 182			February 12, 2018 BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/29/17 EBW	Telephone Call(s) Teleconference with Houlihan regarding Acceleration Bay and Abdala.	.70	507.50
11/29/17 PCB	Review/Revision of Documents Acceleration Bay - Review and revision of additional NDAs/ including research on special provision for insiders.	1.20	960.00
11/29/17 PCB	Review/Revision of Documents Acceleration Bay - Review and comment on draft first round Bid Process Letter.	.80	640.00
11/29/17 PCB	Conference call(s) Acceleration Bay - Conference call with Houlihan Lokey re: first round Bid Process Letter.	.40	320.00
11/29/17 PCB	Conference call(s) Abdala - Conference call with Houlihan Lokey re: Abdala.	.50	400.00
11/29/17 BAD	Preparation of Documents Provided comments to an NDA for Acceleration Bay.	.80	236.00
11/30/17 PCB	Conference call(s) Acceleration Bay - Conference call with counsel to potential purchaser re: NDA comments.	.70	560.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 184 of 289 PageID #: 6394

### OTTERBOURG P.C.

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 183			February 12, 2018 BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/30/17 PCB	Review of Documents Acceleration Bay - Review and sign-off on revised NDA.	.30	240.00
11/30/17 BAD	Preparation of Documents Negotiated Acceleration Bay NDA with counsel for potential purchaser.	.80	236.00
12/01/17 EBW	Correspondence Correspondence with C. Solsvig and B. Weisenberg regarding dispositions including Bahamas/ Khorami/ NJ Ethanol.	.20	145.00
12/01/17 EBW	Correspondence Correspondence with B. Weisenberg and counter-party regarding closing of Diamed sale.	.30	217.50
12/01/17 EBW	Correspondence Correspondence with B. Weisenberg and T. Rogers regarding NJ Ethanol.	.20	145.00
12/04/17 JSF	Examine Documents Houlihan Update on Asset Dispositions	.30	229.50
12/04/17 EBW	Conference(s) In Office Attendance at weekly meeting with Houlihan.	.50	362.50

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 185 of 289 PageID #: 6395

# Otterbourg p.c.

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 184

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/04/17 EBW	Correspondence Correspondence with counterparty regarding Proteus closing matters.	.20	145.00
12/04/17 PCB	Conference call(s) Houlihan Lokey - Weekly Houlihan Lokey team conference call.	.50	400.00
12/04/17 BAD	Conference call(s) Weekly meeting with Houlihan Lokey re: asset disposition.	1.00	295.00
12/05/17 PCB	Review Documents China Horizon - Preparation for China Horizon settlement/purchase negotiation meeting.	.70	560.00
12/05/17 PCB	Correspondence China Horizon - correspondence re: China Horizon settlement/purchase negotiation.	.50	400.00
12/05/17 PCB	Telephone Call(s) China Horizon - Telephone call with Goldin re: China Horizon negotiation.	.40	320.00
12/05/17 PCB	Conference call(s) China Horizon - China Horizon settlement/purchase negotiation meeting.	1.70	1,360.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 186 of 289 PageID #: 6396

### Otterbourg p.C.

### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 185			February 12, 2018 BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
12/05/17 PCB	Telephone Call(s) MacKenzie Conway - Introductory telephone calls with MacKenzie Conway.	.40	320.00
12/05/17 PCB	Correspondence MacKenzie Conway - Correspondence with MacKenzie Conway re: setting up regular weekly meetings and reporting protocol.	.50	400.00
12/05/17 BAD	Preparation of Documents Reviewed NDA change for Acceleration Bay.	.40	118.00
12/06/17 PCB	Telephone Call(s) Bang Holdings - Telephone call with Platinum re: post closing matters.	.20	160.00
12/07/17 PCB	Review/Revision of Documents Acceleration Bay - Review and comment on NDA revisions.	.50	400.00
12/07/17 PCB	Conference(s) In Office Various Asset Dispositions - Meeting with Goldin to review asset tracker/asset dispositions.	1.40	1,120.00
12/07/17 ACS	Conference(s) w/ CoCounsel - Other Meet with EBW/ JSF and Receiver re: Arabella (.6) and telecon C. Hoebeker (.6) (ACS time on call)	1.20	984.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 187 of 289 PageID #: 6397

### Otterbourg p.c.

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 February 12, 2018 Page 186 BILL NO. 193134

DATE

ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/07/17 BAD	Preparation of Documents Provided comments to prospective buyer's NDA for Acceleration Bay.	.40	118.00
12/08/17 JSF	Examine Documents Houlihan Update on Asset Disposition	.30	229.50
12/08/17 EBW	Preparation for Conference Preparation for team meetings.	.60	435.00
12/08/17 EBW	Telephone Call(s) Participation in conference call with Conway regarding disposition strategies.	.50	362.50
12/08/17 EBW	Telephone Call(s) Participation in conference call with Conway regarding disposition strategies.	.50	362.50
12/08/17 EBW	Correspondence Correspondence with Brazilian counsel regarding Abdala.	.20	145.00
12/08/17 PCB	Conference call(s) Houlihan Lokey and Conway MacKenzie - Weekly conference call with M&A advisors.	1.00	800.00
12/08/17 PCB	Telephone Call(s) Acceleration Bay - Telephone calls with Houlihan Lokey.	.40	320.00

# OTTERBOURG P.C.

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 February 12, 2018 Page 187 BILL NO. 193134

DATE

ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/11/17 EBW	Review Documents Analysis of Houlihan materials regarding Abdala.	.20	145.00
12/11/17 EBW	Telephone Call(s) Teleconference with Houlihan regarding Abdala.	.20	145.00
12/11/17 EBW	Correspondence Correspondence with E. Bertram regarding Abdala.	.10	72.50
12/11/17 PCB	Review/Revision of Documents Abdala - Review and sign-off on Houlihan Lokey teaser.	.40	320.00
12/11/17 ACS	Conference(s) w/ CoCounsel - Other Meeting with SEC re: Agera	2.50	2,050.00
12/12/17 PCB	Conference call(s) Conway MacKenzie – Conference call re: asset dispositions.	.70	560.00
12/13/17 EBW	Telephone Call(s) Teleconference with Houlihan regarding Acceleration Bay.	.80	580.00
12/13/17 PCB	Telephone Call(s) Acceleration Bay - Telephone calls with Houlihan.	.60	480.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 189 of 289 PageID #: 6399

### OTTERBOURG P.C.

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Mat Page 188	ter: 22126/0902		February 12, 2018 BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
12/13/17 PCB	Correspondence Acceleration Bay - Correspondence with Houlihan Lokey.	.40	320.00
12/13/17 PCB	Conference(s) In Office Acceleration Bay - Conference with Receiver including conference call with Houlihan Lokey re: Accleration Bay disposition.	1.10	880.00
12/13/17 ACS	Conference(s) w/ CoCounsel - Other Meet with PCB re: escrow release documents	.30	246.00
12/13/17 ACS	Analysis of Legal Papers Review 30294 objection to cash collateral and transfer of claim in Arabella	.30	246.00
12/13/17 ACS	Telephone Call(s) w/CoCounsel - Other Telecon Houlihan Lokey/ PCB and Receiver re: Acceleration Bay	.80	656.00
12/14/17 PCB	Review Documents Acceleration Bay - Review and analysis of existing Acceleration Bay documentation.	.70	560.00
12/14/17 PCB	Research Acceleration Bay - Review and analysis of asset assignment and purchase precedent.	.80	640.00

### Otterbourg p.C.

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902

February 12, 2018

Page 189			BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/14/17 ACS	Analysis of Correspondence Review Mandelowitz letter and e-mail re: Cleveland Mining	.20	164.00
12/14/17 ACS	Conference(s) w/ Client Meet with Receiver/ EBW/ JSF and A. Kramer re: Cleveland Mining	.50	410.00
12/14/17 ACS	Telephone Call(s) w/CoCounsel - Other Meet with EBW and telecon T. Rogers and B. Weisenberg re: H. Werblowsky and Simony	.50	410.00
12/14/17 ACS	Telephone Call(s) w/CoCounsel - Other Telecon T. Rogers re: Werblowsky and Simony	.10	82.00
12/15/17 JSF	Telephone Call(s) Houlihan Lokey - Update on Disposition of Acceleration Bay Investment	.90	688.50
12/15/17 JSF	Examine Documents Houlihan Lokey Review of Bids for Acceleration Bay	.30	229.50
12/15/17 JSF	Examine Documents Conway MacKenzie Agenda/Summary of Asset Review	.30	229.50
12/15/17 EBW	Preparation for Conference Preparation for conferences regarding disposition strategy.	.80	580.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 191 of 289 PageID #: 6401

### OTTERBOURG P.C.

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 190

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/15/17 EBW	Telephone Call(s) Teleconference with Conway/ Receiver and Goldin regarding disposition strategies.	.60	435.00
12/15/17 EBW	Telephone Call(s) Teleconference with Houlihan/ Receiver and Goldin regarding disposition strategies.	.70	507.50
12/15/17 PCB	Conference call(s) Houlihan Lokey and Conway MacKenzie - Weekly conference calls with M&A advisors.	1.20	960.00
12/15/17 PCB	Preparation of Documents Acceleration Bay - Initial preparation of purchase and sale documentation.	2.10	1,680.00
12/15/17 PCB	Research Acceleration Bay - Research and review of precedent re: purchase and sale documentation.	.50	400.00
12/15/17 ACS	Conference(s) w/ CoCounsel - Other Meet with DFF/ EBW/ JSF and C. Solvsig re: Arabella strategy	.40	328.00
12/16/17 PCB	Preparation of Documents Acceleration Bay - Completed initial preparation of purchase and sale documentation.	2.40	1,920.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 192 of 289 PageID #: 6402

#### OTTERBOURG P.C.

230 PARK AVENUE NEW YORK, NY 10169-0075

February 12, 2018

Client/Matter: 22126/0902

Page 191 BILL NO. 193134 DATE ATTORNEY DESCRIPTION HOURS AMOUNT 12/16/17 Correspondence .30 240.00 Acceleration Bay - Correspondence with PCB Houlihan Lokey including transmittal of initial draft purchase documentation. 12/17/17 Revision of Documents 1.10 880.00 Acceleration Bay - Revision of intial draft PCB purchase documentation. 12/17/17 320.00 Correspondence .40 PCB Acceleration Bay - Correspondence with Houlihan Lokey and co-counsel re: documentation. 12/18/17 Telephone Call(s) .40 290.00 EBW Teleconference with P. Berg and Houlihan regarding Abdala. .20 12/18/17 Correspondence 145.00 EBW Analysis of purchase inquiries regarding LC Energy. 12/18/17 Review/Revision of Documents 1.30 1,040.00 Abdala - Review and comment on draft PCB confidential information memorandum. 12/18/17 Conference call(s) .30 240.00 PCB Abdala - Conference call with Houlihan Lokey re: confidential information memorandum.

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 193 of 289 PageID #: 6403

# Otterbourg p.c.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 192

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/19/17 JSF	Examine Documents Acceleration Bay - Purchase Terms	.30	229.50
12/19/17 EBW	Analysis of Legal Papers Review of Acceleration Bay documents	.20	145.00
12/19/17 EBW	Telephone Call(s) Teleconference with B. Weisenberg and Conway regarding Pacific/Greentown.	.40	290.00
12/19/17 PCB	Review/Revision of Documents Acceleration Bay - Review and analysis of purchase and sale documentation markup.	1.40	1,120.00
12/19/17 PCB	Correspondence Acceleration Bay - Correspondence re: markup of purchase documentation.	.80	640.00
12/19/17 PCB	Telephone Call(s) Acceleration Bay - Telephone calls re: purchase documentation markup.	.60	480.00
12/19/17 PCB	Conference call(s) Abdala - Conference call with Houlihan Lokey.	.50	400.00
12/19/17 ACS	Telephone Call(s) w/CoCounsel - Other Telecon EBW and JSF re: Arabella strategy	.40	328.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 194 of 289 PageID #: 6404

### OTTERBOURG P.C.

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 193		February 12, 2018 BILL NO. 193134	
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
12/19/17 BAD	Preparation of Documents For Acceleration Bay with Houlihan Lokey/ prepared assignment of UCC and assignment of patent security interest for Closing.	2.60	767.00
12/20/17 PCB	Review/Revision of Documents Acceleration Bay - Negotiation of purchase documentation.	1.10	880.00
12/20/17 PCB	Conference call(s) Acceleration Bay - Conference call with Houlihan Lokey re: sale process.	.60	480.00
12/20/17 PCB	Correspondence Acceleration Bay - Correpondence with Houlihan Lokey and co-counsel re: sale.	.50	400.00
12/20/17 BAD	Preparation of Documents Reviewed and implemented changes to NDAs for Abdala	1.50	442.50
12/21/17 EBW	Correspondence Correspondence with Receivership Team regarding Acceleration Bay.	.30	217.50

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 195 of 289 PageID #: 6405

### OTTERBOURG P.C.

230 PARK AVENUE New York, NY 10169-0075

February 12, 2018

Client/Matter: 22126/0902

Bay

Page 194 BILL NO. 193134 DATE ATTORNEY DESCRIPTION HOURS AMOUNT 12/21/17 Prepare For Closing 4.60 3,680.00 Acceleration Bay - Preparation for closing PCB and pre-closing of purchase and sale transaction/ including preparation of ancillary purchase documentation/ final negotiation and finalization of purchase and sale agreement/ correspondence and teleconferences. 12/21/17 Telephone Call(s) w/CoCounsel - Other .10 82.00 Telecon W. Edwards re: SEC info re: Monarch ACS 12/22/17 362.50 Telephone Call(s) .50 EBW Participation in weekly strategy call with Conway. 12/22/17 Conference(s) In Office 1.00 725.00 EBW Participation in weekly strategy meeting with Receiver/ Otterbourg and Goldin. 12/22/17 Prepare For Closing 1.10 880.00 Acceleration Bay - Closing of purchase and PCB sale transaction. 12/22/17 Conference call(s) .50 400.00 PCB Conway MacKenzie - Weekly M&A advisor conference call. 12/26/17 Review/correct Correspondence 2.50 2,050.00 ACS Edit response to letter from counsel to H. Werblowsky and J. Simony re: Acceleration

# Otterbourg p.c.

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 195

DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
12/27/17 PCB	Conference call(s) NJ Ethanol - Conference call.	.50	400.00
12/27/17 ACS	Correspondence w/CoCounsel - Other E-mail to counsel to H. Werblowsky and J. Simony re: Accerleration Bay	.10	82.00
12/28/17 BAD	Conference(s) In Office Discussed post-closing steps with P. Berg regarding Acceleration Bay.	1.00	295.00
12/28/17 BAD	Conference(s) In Office Discussed NDA for prospective purchaser with P. Berg.	.60	177.00
TOTAL PHAS	E P02	179.60	\$127 <b>,</b> 299.50
Phase: P04		Case	Administration
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/02/17 JSF	Examine Documents Analysis of PPLO Master Fund Possible Addition to Receivership	.60	459.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 197 of 289 PageID #: 6407

### OTTERBOURG P.C.

230 PARK AVENUE NEW YORK, NY 10169-0075

February 12, 2018

Client/Matter: 22126/0902

Page 196 BILL NO. 193134 DATE ATTORNEY DESCRIPTION HOURS AMOUNT 10/02/17 Conference(s) In Office .50 362.50 Conference with Paul Poteat and L. EBW Christino regarding relocation of information technology to new office space. 10/02/17 Preparation of Legal Papers .80 580.00 EBW Revisions to limited scope professionals declaration. 10/02/17 Draft/revise .80 408.00 CBS Review and revise proposed Conway Mackenzie engagement letter. Miscellaneous 10/02/17 .40 204.00 CBS Draft e-mail to K. Garnett (Conway Mackenzie) regarding revisions to engagement letter (.2); confer with D. Fiorillo regarding engagement letter (.2). 10/03/17 Correspondence .20 153.00 JSF Cayman Counsel (Michael Padarin) re: Addition of Cayman Entities to U.S. Receivership 10/03/17 Examine Documents .60 459.00 Analysis of Assets and Liabilities of JSF Related Platinum Funds re: Expansion Motion 10/03/17 Revision of Documents .50 497.50 DFF Re: Conway MacKenzie retention agreement

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 198 of 289 PageID #: 6408

### OTTERBOURG P.C.

230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 197

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/03/17 DFF	Telephone Call(s) W. Conway re: retention terms for consulting nad investment banking engagement	.40	398.00
10/03/17 EBW	Preparation of Legal Papers Preparation of limited scope professionals motion.	2.10	1,522.50
10/04/17 JSF	Telephone Call(s) Walkers Law Firm re: Cayman Laws and Adoption of Cayman Entities Into Receivership	.30	229.50
10/04/17 JSF	Examine Documents Platinum Entities Structure and General Partner/Control over Cayman Entities	.80	612.00
10/04/17 JSF	Memo Re: Call with Walkers Firm on Cayman Law Jurisdictional Issues	.30	229.50
10/04/17 JSF	Telephone Call(s) Update Call with PPVA Liquidators and Counsel	.30	229.50
10/04/17 JSF	Telephone Call(s) Trey Rogers re: Structure of Cayman PPCO and PPLO Entities	.20	153.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 199 of 289 PageID #: 6409

# OTTERBOURG P.C.

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902

Page 198

February 12, 2018

BILL NO. 193134

DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
10/04/17 EBW	Preparation of Legal Papers Revisions to limited scope professionals motion.	2.10	1,522.50
10/04/17 EBW	Preparation for Conference Preparation for teleconference with JOLs.	.30	217.50
10/04/17 EBW	Telephone Call(s) Teleconference with JOLs regarding status of their proceedings.	.30	217.50
10/04/17 EBW	Correspondence Correspondence with Goldin regarding investors.	.30	217.50
10/04/17 EBW	Correspondence Correspondence with general counsel and from counsel for parties regarding D&O claims.	.10	72.50
10/04/17 KNC	Examine Documents RAA draft SFAR re: correct financial information	.40	378.00
10/05/17 JSF	Prepare Legal Papers Team Meeting Agenda for October 6	.40	306.00
10/05/17 JSF	Telephone Call(s) Rich Saltzman and HL re: Status of Retention	.10	76.50

# OTTERBOURG P.C.

### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902

February 12, 2018

Page 199			BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
10/05/17 JSF	Examine Documents Houlihan Retention Papers and Engagement Letter	.40	306.00
10/05/17 EBW	Conference(s) In Office Conference with Receiver and Paul Poteat regarding IT relocation issues.	1.20	870.00
10/05/17 ACS	Analysis of Legal Papers Review Schaffer and Weiner draft fee application	.80	656.00
10/05/17 ACS	Telephone Call(s) w/CoCounsel - Other Telecon N. Jacobson re: Schaffer and Weiner	.30	246.00
10/05/17 ACS	Telephone Call(s) w/CoCounsel - Other Meet with EBW and telecon P. Fitzpatrick re: Lily Group bankruptcy	.30	246.00
10/06/17 JSF	Examine Documents Docket re: Status of Open Applications and Proposed Orders	.60	459.00
10/06/17 EBW	Preparation of Memorandum Preparation of narrative for Receiver's status report.	.90	652.50
10/06/17 ACS	Conference(s) w/ CoCounsel - Other Meet with Receiver and W. Edwards re: status report	.60	492.00

# OTTERBOURG P.C.

### 230 Park Avenue New York, NY 10169-0075

Client/Matter:	22126/0902	February 12, 2018
Page 200		BILL NO. 193134

DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
10/06/17 ACS	Telephone Call(s) w/CoCounsel - Other Meet with Receiver and telecon N. Jacobson re: status	1.10	902.00
10/06/17 ACS	Review/correct Affidavit for motion Edit limited scope retention adoption	1.50	1,230.00
10/09/17 JSF	Examine Documents Houlihan Lokey Retention Papers	.40	306.00
10/09/17 JSF	Prepare Legal Papers Receiver's Report - Review of All Activities and Status of Transactions	2.40	1,836.00
10/09/17 JSF	Prepare Legal Papers Receiver's Report - Administrative Matters and Status of Case	2.20	1,683.00
10/10/17 JSF	Examine Documents Houlihan Retention Application	.20	153.00
10/10/17 JSF	Prepare Legal Papers Status Report for Court	2.30	1,759.50
10/10/17 EBW	Correspondence Correspondence regarding office relocation.	.20	145.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 202 of 289 PageID #: 6412

### OTTERBOURG P.C.

230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 201

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/10/17 ACS	Correspondence w/CoCounsel - Other E-mail from/to D. Koffman re: expansion of receivership	.10	82.00
10/10/17 ACS	Telephone Call(s) w/CoCounsel - Other Telecon D. Koffman re: expansion of receivership	.20	164.00
10/10/17 BAD	Court Appearance - General Attended Hearing - Platinum Management v. Excess Insurers case before U.S. District Judge Cogan.	5.10	1,504.50
10/10/17 BAD	Preparation of Documents Preparation for the Excess Insurers v. Platinum motion hearing.	1.00	295.00
10/11/17 AMK	Correspondence (Cleveland) Emails from/ to Australian counsel Re: Retention	.30	294.00
10/11/17 AMK	Examine Documents (Cleveland) Orders Appointing Receiver	.40	392.00
10/11/17 EBW	Telephone Call(s) Teleconference with Allen & Overy regarding Brazil representations.	.20	145.00
10/11/17 EBW	Preparation of Memorandum Preparation of status report.	2.50	1,812.50

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 203 of 289 PageID #: 6413

### OTTERBOURG P.C.

230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 202

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/11/17 RCY	Court Record-Docket Check Review case dockets and pleadings for relevant background and status of CH15 proceedings.	.60	327.00
10/12/17 AMK	Examine Documents (Cleveland) - Review Australia counsel retention agreement	.50	490.00
10/12/17 AMK	Telephone Call(s) (Cleveland Mining)-w/MLC Re: Retention of Australian counsel/ status of Amendment Demand proceeding	.20	196.00
10/12/17 AMK	Correspondence (Cleveland) Email to Australian counsel Re: Retention	.20	196.00
10/12/17 AMK	Correspondence (Cleveland) Email to MLC Re: draft Australian counsel retention agreement	.20	196.00
10/12/17 JSF	Prepare Legal Papers Agenda for Team Meeting	.80	612.00
10/12/17 JSF	Prepare Legal Papers Revise and Update Report on Activities During the Third Calendar Quarter	1.30	994.50
10/12/17 JSF	Examine Documents PPVA Joint Liquidators Report	.70	535.50

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 204 of 289 PageID #: 6414

# OTTERBOURG P.C.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 203

DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
10/12/17 JSF	Examine Documents Conway MacKenzie Retention Letter	.30	229.50
10/12/17 DFF	Revision of Documents Re: Conway MacKenzie retention letter revisions	.50	497.50
10/12/17 DFF	Telephone Call(s) W/ Ken G from Conway re: revisions to retention terms	.40	398.00
10/12/17 DFF	Memo To Receiver re: Conway MacKenzie retention agreement	.20	199.00
10/12/17 EBW	Correspondence Analysis of summary of PPVA Chapter 15 hearing.	.20	145.00
10/12/17 EBW	Analysis of Order Analysis of orders entered by Court.	.20	145.00
10/12/17 PCB	Review/Revision of Documents Review and comment on draft Houlihan Lokey court filings.	.70	560.00
10/12/17 ACS	Correspondence w/CoCounsel - Other E-mail from/to C. Lindstrom of Cooper & Scully re: Black Elk	.10	82.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 205 of 289 PageID #: 6415

### OTTERBOURG P.C.

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 204

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/12/17 ACS	E-mail from/to N. Jacobson re: PPVA USA	.20	164.00
10/12/17 CBS	Miscellaneous Review and analysis of CM's proposed revisions to engagement letter and confer with D. Fiorillo regarding revisions and process for proceeding.	.80	408.00
10/12/17 RCY	Preparation for Court Review pleadings and prepare for hearing on foreign recognition hearing re: PPVA.	2.50	1,362.50
10/12/17 RCY	Attendance at Hearing Attend court hearing on foreign recognition issue.	.40	218.00
10/12/17 RCY	Memo Prepare and circulate memo to MLC, EBW, JSF re PPVA Intermediate hearing and status.	.60	327.00
10/13/17 JSF	Prepare Legal Papers Preparation of Status Report of Receiver	1.80	1,377.00
10/13/17 PCB	Conference(s) In Office Weekly Houlihan/Goldin/Platinum all-hands team meeting regarding updated status and strategy going forward.	1.60	1,280.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 206 of 289 PageID #: 6416

### OTTERBOURG P.C.

**230 PARK AVENUE** NEW YORK, NY 10169-0075

Page 205 DATE ATTORNEY DESCRIPTION

10/13/17 Conference(s) w/ CoCounsel - Other 1.30 1,066.00 Receiver - Otterbourg principal attorney -ACS Goldin principal representative weekly status and strategy meeting (ACS time in meeting) 10/13/17 Telephone Call(s) w/Court 82.00 .10 ACS Telecon Justice Bransten re: Small arbitration

10/13/17 Correspondence .30 153.00 CBS Draft correspondence to Ken Latz regarding declaration in support of retention application.

10/13/17 Correspondence .40 204.00 Phone conference with K. Latz and K. CBS Garnett regarding retention application/ background information and related issues; draft correspondence to Ken Latz regarding declaration.

2.60 10/13/17 Prepare Employment Agreement 1,417.00 Draft proposed retention application for RCY Conway Mackenzie.

Telephone Call(s) .30 298.50 10/16/17 RGH Call with AUSA re: privilege issues

10/16/17 Correspondence .20 196.00 AMK (Cleveland Mining) Emails from/ to Australian counsel Re: Retention Agreement

#### 22126/0902 Client/Matter:

February 12, 2018 BILL NO. 193134

AMOUNT

HOURS

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 207 of 289 PageID #: 6417

### OTTERBOURG P.C.

230 PARK AVENUE NEW YORK, NY 10169-0075

February 12, 2018

BILL NO. 193134

Client/Matter: 22126/0902

Page 206

DATE ATTORNEY DESCRIPTION HOURS AMOUNT 10/16/17 Prepare Legal Papers .40 392.00 (Cleveland Mining) Review revised draft AMK Retention Agreement and forward to Australian counsel 10/16/17 Prepare Legal Papers .60 459.00 Revisions to Houlihan Retention JSF Application 10/16/17 1.40 Prepare Legal Papers 1,071.00 Finalize for Filing Houlihan Retention JSF Application and Declaration 10/16/17 Correspondence .20 153.00 Letter to Judge with Courtesy Copies of JSF Houlihan Application 10/16/17 Examine Documents .80 612.00 JSF Entered Second Amended Receiver Order 10/16/17 Examine Documents .30 229.50 JSF Entered Protocols for Filing Motions and Objections 10/16/17 Correspondence .20 153.00 JSF Goldin Team and Brent Weisenberg re: Entered Orders 10/16/17 Examine Documents .90 688.50 JSF Requirements for Receiver Quarterly Report/Outline

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 208 of 289 PageID #: 6418

## Otterbourg p.c.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 207			February 12, 2018 BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/16/17 EBW	Preparation of Legal Papers Revisions to/ and discussions with general counsel regarding/ limited scope professionals.	1.20	870.00
10/16/17 KNC	Correspondence Correspondence with Ms. Brountzas of GCG re: website improvements	.20	189.00
10/16/17 KNC	Correspondence Correspondence with Will Edwards re: website improvements with attention to same	.60	567.00
10/16/17 RCY	Preparation of Motion Papers Continue draft of Conway retention application/ incorporating background and experience.	1.10	599.50
10/17/17 AMK	Correspondence Cleveland Email to Receiver Re: Australian counsel Retention Agreement	.20	196.00
10/17/17 AMK	Correspondence Cleveland Mining email to Australian counsel Re: Revised retention agreement	.20	196.00
10/17/17 JSF	Examine Documents Conway MacKenzie Engagement Letter	.40	306.00

### Otterbourg P.C. 230 Park Avenue

#### New York, NY 10169-0075

Client/Matter:	22126/0902	February 12, 2018
Page 208		BILL NO. 193134

DATE

ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/17/17 JSF	Prepare Legal Papers Revisions to Conway MacKenzie Declaration	1.20	918.00
10/17/17 JSF	Examine Documents Discussion Topics for Call with PPVA (Employee Questions)	.20	153.00
10/17/17 JSF	Examine Documents CM Draft Retention Application Revised	.80	612.00
10/17/17 JSF	Examine Documents Receivership Expansion Motion	.90	688.50
10/17/17 JSF	Examine Documents Budgeting and Cash Flow Forecasts	.60	459.00
10/17/17 JSF	Examine Documents Second Amended Receiver Order	.60	459.00
10/17/17 DFF	Review of Documents Re: Conway MacKenzie retention application issues	.70	696.50
10/17/17 EBW	Telephone Call(s) Teleconference with Walkers regarding Walkers retention.	.10	72.50
10/17/17 EBW	Conference(s) In Office Conference with B. Davis regarding D&O hearing and review of related materials.	.70	507.50

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 210 of 289 PageID #: 6420

### Otterbourg p.C.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902

Page 209

February 12, 2018

BILL NO. 193134

DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
10/17/17 ACS	Attendance at Court (conference) Attend and monitor criminal status conference in US v. Nordlicht	2.10	1,722.00
10/17/17 CBS	Analysis of Legal Papers Review and analysis of proposed revisions to draft CM Declaration	.60	306.00
10/17/17 KNC	Telephone Call(s) Teleconference with Ms. Brountzas and Mr. Fraga re: improvements/updates to GCG - maintained Receiver website	.50	472.50
10/17/17 KNC	Correspondence Confirming correspondence with Mr. Fraga re: website's updates with attention to same	.50	472.50
10/17/17 RCY	Review/Revision of Documents Comment on proposed declaration and draft revisions to proposed retention application for Conway MacKenzie.	1.90	1,035.50
10/18/17 AMK	Correspondence Cleveland to Australian counsel Re: revised / executed Retention Agreement	.20	196.00
10/18/17 JSF	Telephone Call(s) Conference Call with PPVA to Provide Update on Matters of Mutual Interest and Document Sharing Issues	.20	153.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 211 of 289 PageID #: 6421

### Otterbourg p.c.

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 210

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/18/17 JSF	Conference(s) in Office Receiver - Agenda Items For Status Conference with Court	.50	382.50
10/18/17 JSF	Prepare Legal Papers Outline of Report for Court Status Conference	.60	459.00
10/18/17 JSF	Examine Documents Revised Declaration in Support of Conway Retention Application	.30	229.50
10/18/17 JSF	Examine Documents Revised Conway Retention Application	.20	153.00
10/18/17 JSF	Examine Documents Draft Updates to Website for Investor Information	.30	229.50
10/18/17 JSF	Examine Documents Docket re: Open Motions	.30	229.50
10/18/17 JSF	Examine Documents Prior Receiver Adoption Motion for Related Platinum Entities	.40	306.00
10/18/17 EBW	Preparation for Conference Preparation for bi-weekly call with JOLs.	.60	435.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 212 of 289 PageID #: 6422

### OTTERBOURG P.C.

230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 211			February 12, 2018 BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/18/17 EBW	Telephone Call(s) Teleconference - bi-weekly call with JOLs regarding matters of joint interest.	.30	217.50
10/18/17 EBW	Correspondence Revisions to correspondence with proposed outside counsel regarding Receiver's response to prior receiver's application to retain limited scope professionals.	1.30	942.50
10/18/17 EBW	Conference(s) In Office Conference with Receiver regarding status conference.	.20	145.00
10/18/17 EBW	Telephone Call(s) Teleconference with BNY Mellon and CFO regarding certificates.	.80	580.00
10/18/17 EBW	Telephone Call(s) Teleconference with CFO regarding employees/ BNY certificates/ relocation and taxes.	.40	290.00
10/18/17 EBW	Correspondence Correspondence with Goldin regarding investors.	.20	145.00
10/18/17 EBW	Correspondence Attention to correspondence regarding D&O coverage for employee.	.40	290.00

# Otterbourg p.c.

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 212

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/18/17 ACS	Analysis of Legal Papers Re-review Schafer & Weiner application	.50	410.00
10/18/17 ACS	Telephone Call(s) w/CoCounsel - Other Call with JOLs and counsel/ JSF and EBW	.40	328.00
10/18/17 ACS	Telephone Call(s) w/CoCounsel - Other Telecon W. Edwards re: Shepherd Kaplan meeting	.20	164.00
10/18/17 ACS	Correspondence w/CoCounsel - Other E-mails from/to N. Jacobson re: scheduled court conference	.20	164.00
10/18/17 ACS	Telephone Call(s) w/CoCounsel - Other Telecon J. Grekin re: Schafer & Weiner fee application	.30	246.00
10/18/17 CBS	Miscellaneous Review and respond to correspondence with K. Latz and B. Weisenberg regarding meeting; phone conference with B. Weisenberg regarding same.	.20	102.00
10/18/17 KNC	Telephone Call(s) Teleconference with Mr. Fraga of GCG re: test link to investor page on website	.60	567.00
10/18/17 KNC	Correspondence Follow-up correspondence with Mr. Fraga (GCG) re: approval of website investor page	.40	378.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 214 of 289 PageID #: 6424

#### OTTERBOURG P.C.

230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902

February 12, 2018 Page 213 BILL NO. 193134 DATE ATTORNEY DESCRIPTION HOURS AMOUNT 10/18/17 Correspondence .40 378.00 KNC Correspondence with Receiver and Mr. Rodriguez of Credit Swisse re: authority to access account and Appointment Orders 10/18/17 Analysis of Legal Papers .90 850.50 RAA Order Adopting Protocols for parties to KNC be heard on Receiver's Motions with attention to updating website re: same 10/18/17 Correspondence .20 189.00 KNC Correspondence with Mr. Edwards of Goldin Associates re: new FAQ's, etc. 10/18/17 1.20 Review/Correct Motion Papers 654.00 RCY Revise proposed retention application of Conway MacKenzie following changes in supporting declaration. 10/19/17 Correspondence .20 196.00 AMK (Cleveland Mining) email to Austalian counsel Re: Retention 1.30 10/19/17 Prepare Legal Papers 994.50 Prepare Outline of Agenda Topics for JSF Receiver Update to Court 612.00 10/19/17 Prepare Legal Papers .80 JSF Agenda for Weekly Team Meeting

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 215 of 289 PageID #: 6425

## Otterbourg p.c.

### 230 Park Avenue New York, NY 10169-0075

Client/Matter: Page 214	22126/0902	February 12, 2018 BILL NO. 193134
1490 211		

DATE

ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/19/17 JSF	Examine Documents Amendment to LDM Agreement for Production of Documents to PPVA Liquidators	.20	153.00
10/19/17 JSF	Correspondence Matthew Ziegler re: Employee Retentions Post-Receivership	.20	153.00
10/19/17 JSF	Correspondence PPVA Liquidators and Counsel re: Amendment to LDM Agreement	.10	76.50
10/19/17 JSF	Examine Documents SEC Receivership Docket re: Review of Open Motions and Entered Orders	.90	688.50
10/19/17 JSF	Examine Documents Receivership 13-Week Cash Flow and Current Cash Position	.20	153.00
10/19/17 EBW	Telephone Call(s) Teleconference with general counsel and CFO regarding pre-receivership professional claims.	.30	217.50
10/19/17 EBW	Telephone Call(s) Teleconference with Ogiers regarding pre-receivership claims.	.50	362.50

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 216 of 289 PageID #: 6426

### OTTERBOURG P.C.

230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 February 12, 2018 Page 215 BILL NO. 193134

DATE

ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/19/17 EBW	Telephone Call(s) Teleconference with CFO regarding tax preparation issues.	.40	290.00
10/19/17 EBW	Conference(s) In Office Conference with Receiver regarding professional retentions and Cleveland mining.	.20	145.00
10/19/17 EBW	Review Documents ALS-Attention to correspondence and documents regarding ALS Infinity/ including indemnification claim.	2.10	1,522.50
10/19/17 EBW	Correspondence Preparation of correspondence to all limited scope professionals.	1.90	1,377.50
10/19/17 EBW	Correspondence Correspondence with CFO regarding employe issues.	.60	435.00
10/19/17 EBW	Correspondence Correspondence and teleconferences with CFO and portfolio manager regarding/ and attention to/ issues relating to PPVA creditors' committees.		580.00
10/19/17 PCB	Telephone Call(s) Telephone call with SEC re: various matters.	.40	320.00

### Otterbourg p.c.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 216

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/19/17 ACS	Telephone Call(s) w/CoCounsel - Other Telecon R. Bresnick of GCG re: website	.20	164.00
10/19/17 ACS	Telephone Call(s) w/CoCounsel - Other Meet with Receiver and telecon N. Jacobson	.40	328.00
10/19/17 CBS	Prepare for Meeting Prepare for meeting with Brent Weisenberg/ Kenneth T. Latz/ Kenneth A. Garnett/ including review of documents provided by Goldin related to BLAB/ Desert Hawk/ and Daybreak.	.50	255.00
10/19/17 KNC	Telephone Call(s) Teleconference with confirming correspondence with Mr. Edwards re: website upgrades	.20	189.00
10/19/17 KNC	Draft/revise Draft/revise additional FAQ's for website upgrades/improvements	.40	378.00
10/19/17 KNC	Correspondence Correspondence with MLC and Mr. Fraga of GCG re: investor test link and other website upgrades	.30	283.50
10/20/17 JSF	Conference(s) in Office Weekly Team Meeting with Otterbourg and Goldin to Update on Status of Investments and Other Receivership Matters	2.00	1,530.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 218 of 289 PageID #: 6428

### OTTERBOURG P.C.

230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 217

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/20/17 JSF	Examine Documents Review of Items Necessary for Inclusion in Quarterly Status Report to Court and Outline of Response	.80	612.00
10/20/17 JSF	Examine Documents Website - Updates and Outline of Updated Investor Letter	.60	459.00
10/20/17 EBW	Preparation for Conference Preparation for conference with Receiver and counsel for investor.	.30	217.50
10/20/17 EBW	Conference(s) In Office Conference with Receiver and counsel for investor regarding case status.	1.40	1,015.00
10/20/17 EBW	Correspondence Preparation of correspondence with limited scope professionals regarding retention.	1.30	942.50
10/20/17 EBW	Correspondence Correspondence with Goldin regarding/ and analysis of/ issues relating to investor information requests.	.80	580.00
10/20/17 PCB	Conference(s) In Office Weekly Otterbourg/Goldin/Platinum team meeting re: case administration and asset dispositions (PCB portion).	1.70	1,360.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 219 of 289 PageID #: 6429

### OTTERBOURG P.C.

230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Mat Page 218	ter: 22126/0902		February 12, 2018 BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
10/20/17 ACS	Conference(s) w/ Client Weekly status meeting between Receiver/ principal Otterbourg attorneys and principal Goldin representatives (ACS time in meeting)	1.00	820.00
10/20/17 CBS	Correspondence Review correspondence from E. Weinick and D. Fiorillo regarding coordination of meetings and calls related to Desert Hawk and Daybreak.	.30	153.00
10/20/17 CBS	Conference(s) in Office Participate in weekly meeting with Goldin/ Otterbourg/ and PPCO representatives regarding updates on various matters and strategy for proceeding.	1.80	918.00
10/20/17 KNC	Correspondence Multiple correspondence with Ms. Brountzas and Mr. Fraga of GCG re: additional website updates/improvements	.90	850.50
10/20/17 KNC	Draft/revise Attention to Second Investor Letter from Receiver	.50	472.50
10/20/17 KNC	Correspondence Follow-up correspondence with GCG re: pricing for website improvements	.40	378.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 220 of 289 PageID #: 6430

# OTTERBOURG P.C.

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Mat Page 219	ter: 22126/0902		February 12, 2018 BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
10/20/17 KNC	Conference(s) In Office Attend Team Meeting re: updated status/strategy w/ attention to follow up items.	2.00	1,890.00
10/20/17 KNC	Correspondence Correspondence with Mr. Fernandez re: Credit Suisse	.10	94.50
10/23/17 CMO	Preparation of Memorandum Re: DMG (vendor) reproduction of Cleveland Mining documents on USB	.20	57.00
10/23/17 CMO	Analysis of Legal Papers Re: Katrina Barge opposition to cross-claim	.20	57.00
10/23/17 CMO	Preparation of e-mail(s) To EBW re: Katrina Barge opposition to cross-claim	.10	28.50
10/23/17 CMO	Diary & Docket Re: Katrina Barge opposition to cross-claim	.10	28.50
10/23/17 JSF	Examine Documents Website and Necessary Updates to Investors	.90	688.50
10/23/17 JSF	Examine Documents Prior Receiver's Motion to Expand Receivership	.40	306.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 221 of 289 PageID #: 6431

### OTTERBOURG P.C.

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 220			February 12, 2018 BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/23/17 EBW	Conference(s) In Office Conference with Receiver regarding Desert Hawk and professionals.	.20	145.00
10/23/17 EBW	Telephone Call(s) Teleconference with W. Edwards (Goldin) regarding investors inquiries.	.20	145.00
10/23/17 EBW	Analysis of Legal Papers Analysis of Sheppard Kaplan response to Houlihan retention motion and research regarding same.	.80	580.00
10/23/17 CBS	Prepare Legal Papers Review proposed revisions to Conway Mackenzie retention application and correspondence regarding same.	.40	204.00
10/23/17 KNC	Correspondence Correspondence with Mr. Edwards of Goldin Associates re: updated website info concerning PPVA contact	.20	189.00
10/24/17 JSF	Prepare Legal Papers Brief in Support of Motion to Retain Conway MacKenzie	2.40	1,836.00
10/24/17 JSF	Examine Documents Revised Declaration in Support of Conway MacKenzie Application	1.20	918.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 222 of 289 PageID #: 6432

## Otterbourg p.c.

#### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 221

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/24/17 JSF	Prepare Legal Papers Notice/Motion to Retain Conway MacKenzie	.70	535.50
10/24/17 JSF	Examine Documents Order for Retention of Limited Scope Professionals	.20	153.00
10/24/17 EBW	Telephone Call(s) Teleconferences with Cayman counsel and general counsel regarding PPVA committees.	.80	580.00
10/24/17 EBW	Legal Research Research regarding objection to Houlihan retention.	.80	580.00
10/24/17 EBW	Preparation of Legal Papers Preparation of proposed order authorizing retention and payment of limited scope professionals.	.40	290.00
10/24/17 EBW	Correspondence Attention to correspondence regarding PPVA Onshore corporate documentation and correspondence.	.20	145.00
10/24/17 PCB	Review of Documents Abdala - Review and analysis of Nystrom objection to Houlihan Lokey application.	.70	560.00
10/24/17 KNC	Draft/revise Draft of Investor Letter for website	.90	850.50

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 223 of 289 PageID #: 6433

### OTTERBOURG P.C.

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 222

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/24/17 KNC	Telephone Call(s) Teleconferences with Ms. Brountzas of GCG re: website updates/improvements	.60	567.00
10/25/17 JSF	Telephone Call(s) Matthew Ziegler re: Replacement of Counsel for PPVA Intermediate Fund Liquidators	.20	153.00
10/25/17 JSF	Examine Documents Review Draft Declaration re: Limited Scope Professionals	1.50	1,147.50
10/25/17 JSF	Examine Documents Review Proposed Order re: Limited Scope Professionals	.80	612.00
10/25/17 EBW	Correspondence Correspondence with W. Edwards regarding investor inquiries.	.20	145.00
10/25/17 EBW	Preparation of Legal Papers Preparation of proposed order on retention and payment of limited scope professionals.	1.80	1,305.00
10/25/17 EBW	Correspondence Correspondence with counsel for former employee regarding claim/ as well as with CFO regarding same/ and analysis of related documents.	.60	435.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 224 of 289 PageID #: 6434

### Otterbourg p.c.

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 223

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/25/17 EBW	Correspondence Correspondence with B. Weisenberg regarding Finley litigation.	.10	72.50
10/26/17 JSF	Examine Documents Declaration of Prior Receiver's Motion to Adopt Unsupervised Platinum Entities	.80	612.00
10/26/17 JSF	Prepare Legal Papers Agenda for Goldin and Otterbourg Team Meeting - Review of Active Transactions	.90	688.50
10/26/17 JSF	Examine Documents Updated Letter to Investors	.30	229.50
10/26/17 EBW	Preparation of Legal Papers Preparation of ordinary course professionals motion.	1.60	1,160.00
10/26/17 EBW	Correspondence Correspondence and teleconference with B. Parlin regarding PGS inquiry (Agera).	.10	72.50
10/26/17 EBW	Correspondence Correspondence with counsel for PGS claimant.	.20	145.00
10/26/17 KNC	Draft/revise Review and revise draft Investor Letter (Second)	1.40	1,323.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 225 of 289 PageID #: 6435

### OTTERBOURG P.C.

230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 224

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/26/17 KNC	Telephone Call(s) Multiple teleconferences with confirming correspondence with Ms. Brountzas of GCG re: website updates/improvements (0.8); Attention to and drafting same (0.7)	1.50	1,417.50
10/27/17 RGH	Telephone Call(s) Call with AUSA re: document privilege issues	.40	398.00
10/27/17 JSF	Examine Documents Second Letter to Investors	.70	535.50
10/27/17 JSF	Examine Documents Review of Proof of Claim Form	.40	306.00
10/27/17 JSF	Correspondence Conway MacKenzie re: Application to Retain	.20	153.00
10/27/17 JSF	Examine Documents Brief and Declaration in Support of Conway MacKenzie Retention	.70	535.50
10/27/17 EBW	Correspondence Correspondence with counsel for former employee regarding claim.	.10	72.50
10/27/17 EBW	Preparation for Conference Preparation for teleconference with Borrelli Walsh regarding Onshore Funds documents.	.20	145.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 226 of 289 PageID #: 6436

#### OTTERBOURG P.C.

230 PARK AVENUE NEW YORK, NY 10169-0075

HOURS

.20

AMOUNT

145.00

Client/Matter: 22126/0902 February 12, 2018 Page 225 BILL NO. 193134

DATE ATTORNEY

10/27/17

EBW

EBW

EBW

EBW

PCB

ACS

DESCRIPTION

Telephone Call(s)

Teleconference with Borrelli Walsh regarding Onshore Funds documents. 10/27/17 Telephone Call(s) .60 435.00 Teleconference with A. Silverstein and Houlihan regarding objection to Houlihan retention. 10/27/17 .20 Correspondence 145.00 Preparation of correspondence to ALS Infinity. 10/27/17 Preparation of Legal Papers .40 290.00 Preparation of ordinary course professionals motion. 10/27/17 Conference(s) In Office 1.80 1,440.00 Weekly Otterbourg/Goldin/Platinum team meeting re: asset dispositions and case administration. 10/27/17 Conference(s) w/ Client 1.70 1,394.00 Weekly status meeting among Receiver/ principal Otterbourg attorneys/ principal Goldin representatives

10/27/17 Conference(s) in Office 1.70 867.00 CBS Participate in weekly meeting with Goldin/ Otterbourg/ and PPCO representatives regarding updates on various matters and strategy for proceeding.

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 227 of 289 PageID #: 6437

### Otterbourg p.C.

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/27/17 KNC	Draft/revise Initial draft of new investor FAQ's for website	.90	850.50
10/27/17 KNC	Conference(s) In Office Partial attendance at Platinum Team meeting re: status/strategy	1.70	1,606.50
10/27/17 KNC	Correspondence Multiple correspondence with W. Edwards re: Second Investor Letter from Receiver for website content with draft revisions to same	.60	567.00
10/27/17 KNC	Conference(s) In Office Conference with MLC/JSF and W. Edwards re: POC form for website and termination of prior Receiver's website with attention to same	.50	472.50
10/27/17 KNC	Correspondence Multiple correspondence with D. Burstein of Guidepost re: old website's termination	.30	283.50
10/27/17 KNC	Telephone Call(s) Conference call with Ms. Brountzas and Mr. Westberg of GCG re: implementation of website updates- etc.	.60	567.00
10/27/17 KNC	Draft/revise Continued drafting/revisions to additional FAQ's re: website	.80	756.00

Client/Matter: 22126/0902 Page 226

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 228 of 289 PageID #: 6438

### Otterbourg p.c.

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 227

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/27/17 KNC	Telephone Call(s) Follow-up teleconference with Ms. Brountzas and Mr. Westberg re: supplemental info/questions for website improvements	.30	283.50
10/30/17 JSF	Examine Documents Review and Comment on Brief in Further Support of Houlihan Retention	.60	459.00
10/30/17 JSF	Prepare Legal Papers Declaration in Support of Expansion of Receivership	1.10	841.50
10/30/17 JSF	Prepare Legal Papers Review and Revise Updated Letter to Investors	1.30	994.50
10/30/17 EBW	Preparation of Legal Papers Revisions to/ filing of/ and correspondence with Court regarding reply in further support of Houlihan retention.	1.20	870.00
10/30/17 EBW	Telephone Call(s) Teleconference with co-counsel regarding Finley.	.10	72.50
10/30/17 EBW	Telephone Call(s) Teleconference with JOL regarding administrative issues.	.10	72.50

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 229 of 289 PageID #: 6439

### Otterbourg p.C.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902

Page 228

February 12, 2018

BILL NO. 193134

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/30/17 EBW	Correspondence Correspondence with Z. Weiner regarding administrative issues.	.20	145.00
10/30/17 EBW	Telephone Call(s) Teleconference with counsel for defendant regarding Houlihan objection.	.10	72.50
10/30/17 EBW	Telephone Call(s) Teleconferences and correspondence with Houlihan regarding retention application.	.30	217.50
10/31/17 AMK	Examine Documents (Cleveland) Email from Australian counsel Re: Possible local financial reps	.20	196.00
10/31/17 JSF	Examine Documents Analysis of Procedures for Ordinary Course/Limited Scope Professionals' Retention	.30	229.50
10/31/17 JSF	Correspondence Revisions to Update Letter to Investors	.60	459.00
10/31/17 JSF	Prepare Legal Papers First Status Report of Receiver	.60	459.00
10/31/17 JSF	Conference(s) in Office Receiver re: Ordinary Course Professionals	.20	153.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 230 of 289 PageID #: 6440

### OTTERBOURG P.C.

230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 229

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/31/17 EBW	Correspondence Correspondence with Receivership Team regarding Deloitte tax preparation matters.	.10	72.50
10/31/17 EBW	Correspondence Correspondence with B. Weisenberg regarding Finley litigation.	.20	145.00
10/31/17 EBW	Telephone Call(s) Teleconference and correspondence with C. Rich (local counsel) regarding Finley litigation.	.60	435.00
10/31/17 EBW	Preparation of Legal Papers Preparation of motion for approval of additional professional retentions.	1.80	1,305.00
10/31/17 EBW	Correspondence Correspondence with W. Edwards regarding/ and attention to/ investor inquiries and issues.	.30	217.50
10/31/17 KNC	Draft/revise Draft additional revisions to Second Investor Letter with correspondence seeking approval of same from Receiver	.60	567.00
11/01/17 JSF	Correspondence Ken Latz re: CM Retention Application	.10	76.50

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 231 of 289 PageID #: 6441

### OTTERBOURG P.C.

### 230 Park Avenue New York, NY 10169-0075

Client/Mat Page 230	ter: 22126/0902		February 12, 2018 BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
11/01/17 JSF	Examine Documents Motion to Retain Limited Scope Professionals	.30	229.50
11/01/17 EBW	Correspondence ALS-Correspondence with C. Solsvig regarding ALS Infinity claims and analysis of related correspondence and documentation.	.40	290.00
11/01/17 EBW	Preparation of Legal Papers Revisions to protocols for retention of additional professionals and limited scope professionals declaration and correspondence.	2.20	1,595.00
11/01/17 CBS	Conference(s) in Office Confer with J. Feeney regarding CM retention.	.10	51.00
11/02/17 CMO	Research re Legal Papers Check eCourts re: Katrina Barge litigation and D&D new submission date re: opposition to dismiss cross-claim	.20	57.00
11/02/17 JSF	Prepare Legal Papers Prepare Agenda for Team Meeting of Active Matters	.90	688.50
11/02/17 JSF	Examine Documents Limited Scope Professional Declaration	.30	229.50

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 232 of 289 PageID #: 6442

### Otterbourg p.c.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 February 12, 2018 Page 231 BILL NO. 193134

DATE

ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/02/17 JSF	Examine Documents Draft Update Letter to Investors	.30	229.50
11/02/17 JSF	Examine Documents Outline of Upcoming Matters Before Court and Open Matters	.20	153.00
11/02/17 EBW	Correspondence Revise and send correspondence regarding applications and payment of fees to all limited scope professionals.	1.60	1,160.00
11/02/17 EBW	Correspondence Correspondence with P. Poteat regarding relocation of Platinum Office.	.10	72.50
11/02/17 EBW	Conference(s) In Office Conference with Receiver and P. Berg regarding LC Energy and employee issues.	.20	145.00
11/02/17 EBW	Conference(s) In Office Preparation for weekly meetings.	.80	580.00
11/02/17 PCB	Review of Documents ALS-ALS/Infinity Augmented Reality Inc Review and analysis of corporate finance documentation re: rights of first refusal re: sale of shares.	1.10	880.00
11/02/17 ACS	Correspondence w/CoCounsel - Other E-mails from/to J. Waggoner re: Black Elk	.20	164.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 233 of 289 PageID #: 6443

### OTTERBOURG P.C.

230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 232

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/02/17 CBS	Telephone Call(s) Phone conference with K. Latz regarding retention and next step for proceeding with respect to Desert Hawk/ Daybreak/ and BLAB (.3); confer with D. Fiorillo regarding same (.2).	.50	255.00
11/02/17 CBS	Telephone Call(s) Review proposed revisions to CM retention agreement and correspondence from K. Latz regarding same (.2); confer with D. Fiorillo and J. Feeney regarding finalizing retention agreement and application(.2).	.40	204.00
11/02/17 CBS	Correspondence Review correspondence from K. Latz to B. Weisenberg regarding strategy for proceeding with respect to Desert Hawk/ Daybreak and BLAB.	.10	51.00
11/03/17 JSF	Conference(s) in Office Weekly Team Meeting with Otterbourg and Goldin to Discuss Ongoing Matters and strategy (JSF portion)	1.10	841.50
11/03/17 JSF	Examine Documents Analysis of Non-Receivership Entities for Basis for Including in Receivership Estate	.80	612.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 234 of 289 PageID #: 6444

### OTTERBOURG P.C.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Feb Page 233 E

DATE

ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/03/17 EBW	Conference(s) In Office Conference with B. Weisenberg/ T. Rogers and P. Poteat regarding relocation planning.	.50	362.50
11/03/17 EBW	Telephone Call(s) Teleconference with investors regarding requests for information.	.60	435.00
11/03/17 EBW	Telephone Call(s) Teleconference with W. Edwards regarding investors' request for information.	.30	217.50
11/03/17 EBW	Analysis of Legal Papers Analysis of PPVA's complaint against Navidea and correspondence with Receivership Team regarding same.	1.70	1,232.50
11/03/17 EBW	Correspondence Correspondence with limited scope professionals regarding declaration contents.	.30	217.50
11/03/17 EBW	Preparation for Conference Preparation for weekly meetings.	.30	217.50
11/03/17 PCB	Conference(s) In Office Weekly all-hands team meeting re: case administration and asset dispositions (PCB portion).	2.20	1,760.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 235 of 289 PageID #: 6445

## OTTERBOURG P.C.

230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 234

DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
11/03/17 ACS	Conference(s) w/ Client Meet with Receiver - Goldin principal representative - Otterbourg principal attorney meeting (ACS time)	.20	164.00
11/03/17 ACS	Conference(s) w/ Client Breakout meeting to discuss strategy with Receiver/ W. Edwards/ DFF and A. Chakabva	.50	410.00
11/03/17 KNC	Telephone Call(s) Multiple teleconferences with GCG re: Receivership website issues/upgrades with attention to same	.90	850.50
11/05/17 JSF	Prepare Legal Papers Declaration of Receiver in Support of Expansion of Receivership	.70	535.50
11/06/17 JSF	Prepare Legal Papers Cyganowski Declaration in Support of Receivership Expansion Motion	2.40	1,836.00
11/06/17 JSF	Examine Documents Corporate Documents for PPLO Master Fund and PPCO International Funds	.90	688.50
11/06/17 JSF	Prepare Legal Papers Finalize Conway MacKenzie Retention Papers	.40	306.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 236 of 289 PageID #: 6446

## OTTERBOURG P.C.

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902

Page 235

February 12, 2018

BILL NO. 193134

DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
11/06/17 JSF	Examine Documents Analysis from Trey Rogers-Balance Sheet and Relationship to Other Platinum Entities	1.60	1,224.00
11/06/17 EBW	Correspondence Correspondence with W. Edwards regarding response to investor inquiries.	.10	72.50
11/06/17 EBW	Telephone Call(s) Teleconferences with W. Edwards/ A. Chakabva/ B. Weisenberg and T. Rogers regarding response to investor inquiries.	1.60	1,160.00
11/06/17 EBW	Correspondence Correspondence with various limited scope professionals regarding retention and revisions to Receiver's declaration and proposed order.	1.10	797.50
11/06/17 CBS	Prepare Legal Papers Review final draft of Conway MacKenzie retention application.	.20	102.00
11/07/17 JSF	Telephone Call(s) Will Edwards re: Shepard Kaplan Request for NAVs	.40	306.00
11/07/17 JSF	Prepare Legal Papers Notice of Motion for Conway Retention	.30	229.50

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 237 of 289 PageID #: 6447

## OTTERBOURG P.C.

### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 236			February 12, 2018 BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
11/07/17 EBW	Preparation for Conference Preparation for conference with Receiver regarding investor inquiries.	.30	217.50
11/07/17 EBW	Conference(s) In Office Conference with Receiver and teleconference with W. Edwards regarding investor inquiries.	.50	362.50
11/07/17 EBW	Correspondence Correspondence with limited scope professionals regarding retentions.	.80	580.00
11/07/17 EBW	Preparation of Legal Papers Revisions to limited scope professionals pleadings.	.90	652.50
11/07/17 EBW	Telephone Call(s) Teleconference with D. Steinberg regarding administrative issues.	.30	217.50
11/07/17 EBW	Telephone Call(s) Teleconference with W. Edwards regarding investor inquiries.	.30	217.50
11/07/17 EBW	Review Documents Analysis of issues relating to invoices submitted by limited scope professionals.	.60	435.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 238 of 289 PageID #: 6448

## OTTERBOURG P.C.

### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 237

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/07/17 ACS	Correspondence w/CoCounsel - Other Review 13 week cash flow and e-mail to A. Chakabva	.10	82.00
11/07/17 ACS	Correspondence w/CoCounsel - Other E-mails to/from A. Chakabva and T. Rogers re: ALS premiums	.20	164.00
11/07/17 KNC	Telephone Call(s) Teleconference with Ms. Brountzas of GCG re: website upgrades/pricing	.60	567.00
11/07/17 KNC	Draft/revise Continued attention to supplemental info for website/ FAQ's/ etc.	.90	850.50
11/08/17 JSF	Prepare Legal Papers Motion re: Expansion of Receivership	.30	229.50
11/08/17 JSF	Prepare Legal Papers Proposed Order re: Expansion of Receivership	.40	306.00
11/08/17 EBW	Preparation of Legal Papers Revisions to limited scope professionals declaration and proposed order.	.60	435.00
11/08/17 EBW	Telephone Call(s) Teleconference and correspondence with W. Edwards regarding investor communications.	.20	145.00

### Otterbourg P.C. 230 Park Avenue

## NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 238

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/08/17 ACS	Conference(s) w/ CoCounsel - Other Meet with M. Hall/ P. Siroka re: CNO claims	2.00	1,640.00
11/08/17 ACS	Correspondence w/CoCounsel - Other E-mail to M. Horwitz and C. Martin re: SHIP	.10	82.00
11/09/17 CMO	Analysis of Legal Papers Review Pro Player court filing/ Judge Reed's Rules and follow up with EBW	.60	171.00
11/09/17 JSF	Prepare Legal Papers Agenda for Weekly Otterbourg/Goldin Team Meeting	1.20	918.00
11/09/17 EBW	Preparation for Conference Preparation for conference regarding investor relations and requests.	.70	507.50
11/09/17 EBW	Conference(s) In Office Conference with B. Weisenberg and Goldin team regarding investor relations and requests.	1.50	1,087.50
11/09/17 EBW	Preparation for Conference Preparation for weekly team meetings.	.80	580.00
11/09/17 ACS	Telephone Call(s) w/CoCounsel - Other Telecon B. Weisenberg re: Beechwood transfer request	.30	246.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 240 of 289 PageID #: 6450

#### OTTERBOURG P.C.

230 PARK AVENUE NEW YORK, NY 10169-0075

February 12, 2018

BILL NO. 193134

Client/Matter: 22126/0902

Page 239

DATE ATTORNEY DESCRIPTION HOURS AMOUNT 11/09/17 Correspondence w/CoCounsel - Other .10 82.00 E-mail to J. Newville and C. Thomas re: ACS Beechwood 11/09/17 Telephone Call(s) .60 567.00 KNC Multiple teleconferences with confirming correspondence with Ms. Ferrante and Ms. Brountzas re: website upgrades and pricing of same 11/09/17 Draft/revise 1.40 1,323.00 KNC Draft and revise new FAQ's with correspondence to Mr. Edwards to review same 11/10/17 Telephone Call(s) .60 459.00 Update Call with Houlihan to Discuss Status JSF of Marketing and Preparation for Market 11/10/17 Conference(s) in Office 1.40 1,071.00 JSF Weekly Team Meeting with Goldin/ Receiver and Otterbourg to Review Status of Matters and strategy 11/10/17 Conference(s) in Office 306.00 .40 Review with Goldin and Receiver Issues re: JSF NAVS 11/10/17 Examine Documents .40 306.00 JSF Review Investor Letter and Update on FAQs

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 241 of 289 PageID #: 6451

# OTTERBOURG P.C.

### 230 Park Avenue New York, NY 10169-0075

Client/Mat Page 240	ter: 22126/0902		February 12, 2018 BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
11/10/17 JSF	Correspondence Judge Cogan - Courtesy Copy of CM Retention Papers	.30	229.50
11/10/17 JSF	Examine Documents Finalize CM Retention Papers for Filing	.90	688.50
11/10/17 EBW	Preparation for Conference Preparation for weekly conferences.	.90	652.50
11/10/17 EBW	Conference(s) In Office Conferences with Receiver and Goldin regarding investor relations and requests (EBW portion).	1.20	870.00
11/10/17 EBW	Conference(s) In Office Conference with J. Feeney regarding administrative filings with the Court and review of same.	.20	145.00
11/10/17 EBW	Correspondence Revisions to BNY joint instruction letter.	.30	217.50
11/10/17 PCB	Conference(s) In Office Pre-meeting with Goldin to prepare for weekly meetings.	.40	320.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 242 of 289 PageID #: 6452

## OTTERBOURG P.C.

230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 241			February 12, 2018 BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/10/17 PCB	Conference(s) In Office Weekly all-hands Receive/, Otterbourg/ Goldin and Platinum team meeting and side meetings re: Urigen options and NAV valuations (PCB Portion).	2.40	1,920.00
11/10/17 ACS	Conference(s) w/ Client Receiver - Goldin principal representative - Otterbourg principal attorney weekly meeting (ACS time)	.80	656.00
11/10/17 ACS	Telephone Call(s) w/CoCounsel - Other Telecon J. Newville/ C. Thomas/ T. Rogers and Receiver re: Beechwood	.50	410.00
11/10/17 CBS	Conference(s) in Office Participate in weekly team meeting with Otterbourg and Goldin to discuss select matters and strategy (CBS portion).	1.40	714.00
11/10/17 KNC	Telephone Call(s) Multiple teleconferences and confirming correspondence with Ms. Brountzas and Mr. Westberg re: website updates and improvements	.90	850.50
11/10/17 KNC	Draft/revise Draft revised "final" new FAQ's (0.6) and Second Investor letter (0.6) for Receiver Cyganowski's approval	1.20	1,134.00

## Otterbourg p.C.

### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 242			February 12, 2018 BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
11/12/17 EBW	Telephone Call(s) Teleconference with A. Chakabva regarding investor communications.	.20	145.00
11/13/17 EBW	Correspondence Attention to issues regarding investor communications and relations.	1.80	1,305.00
11/13/17 EBW	Conference(s) In Office Conference with Receiver regarding entry of court orders/ Arabella and Abdala.	.30	217.50
11/13/17 EBW	Conference(s) In Office Conference with T. Rogers regarding banking issues.	.30	217.50
11/13/17 EBW	Correspondence Correspondence with A. Chakabva and T. Rogers regarding investor communications.	.30	217.50
11/13/17 EBW	Telephone Call(s) Teleconference with A. Chakabva and T. Rogers regarding investor communications.	.20	145.00
11/13/17 EBW	Telephone Call(s) Teleconference with W. Edwards regarding investor communications.	.20	145.00
11/13/17 EBW	Preparation of Legal Papers Revisions to limited scope professionals filings.	.40	290.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 244 of 289 PageID #: 6454

## OTTERBOURG P.C.

230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 243			February 12, 2018 BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/13/17 EBW	Review Documents Analysis of issues relating to Wintercrest/Blumont legal invoices of counterparties and correspondence and teleconference with C. Solsvig and P. Berg regarding same.	.70	507.50
11/13/17 EBW	Telephone Call(s) Teleconference with A. Chakabva regarding employee status issues and analysis of correspondence regarding same.	.40	290.00
11/13/17 EBW	Correspondence ALS-Correspondence with ALS Infinity regarding request for indemnification.	.20	145.00
11/13/17 CBS	Correspondence Review order entered approving CM retention; draft correspondence to Ken Garnett regarding same.	.30	153.00
11/13/17 KNC	Telephone Call(s) Multiple teleconferences with confirming correspondence with GCG re: e-mail registration page info and new FAQ's to be posted	1.10	1,039.50
11/13/17 KNC	Draft/revise Draft revisions to Proof of Claim form with confirming correspondence to Mr. Weisenberg re: same	.70	661.50

## Otterbourg p.c.

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 February 12, 2018 Page 244 BILL NO. 193134

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/13/17 KNC	Draft/revise Draft revisions to Second Investor Letter for Receiver's review	.40	378.00
11/14/17 JSF	Prepare Legal Papers Quarterly Report of Receiver to Court	1.80	1,377.00
11/14/17 EBW	Correspondence Correspondence and teleconference with P. Poteat regarding administrative issues.	.40	290.00
11/14/17 EBW	Telephone Call(s) Teleconference with T. Rogers regarding investor inquiry.	.20	145.00
11/14/17 EBW	Preparation of Memorandum Review of/ and revisions to/ status report.	.70	507.50
11/14/17 EBW	Correspondence Correspondence with B. Weisenberg and insurance counsel regarding D&O issues.	.30	217.50
11/14/17 EBW	Legal Research Research and analysis regarding employee administrative issues.	.60	435.00
11/14/17 EBW	Correspondence Review of inquiries and correspondence to Receiver's general email address.	.30	217.50

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 246 of 289 PageID #: 6456

### OTTERBOURG P.C.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 245

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/14/17 KNC	Draft/revise Draft revised Proof of Claim form for investors/creditors.	.90	850.50
11/14/17 KNC	Telephone Call(s) Teleconference with Ms. Brountzas and Mr. Westberg of GCG re: negotiating lower pricing e: new website features	.80	756.00
11/14/17 KNC	Telephone Call(s) Teleconference with confirming correspondence with Mr. Weisenberg re: supplemental info to be inserted for POC form with attention to same	.90	850.50
11/15/17 JSF	Examine Documents Review of Declaration re: Limited Scope Professionals	.80	612.00
11/15/17 JSF	Examine Documents Review of Order re: Limited Scope Professionals	.40	306.00
11/15/17 JSF	Examine Documents Review of Actions Taken to Date Section of Report to Court	1.70	1,300.50
11/15/17 JSF	Examine Documents Review of Overview of Transactions and Status of Assets in Report to Court	1.30	994.50

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 247 of 289 PageID #: 6457

### OTTERBOURG P.C.

### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 246			February 12, 2018 BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/15/17 JSF	Correspondence Judge Cogan re: Courtesy Copy of Filed Documents	.30	229.50
11/15/17 EBW	Preparation of Legal Papers Finalize and file Receiver's declaration regarding limited scope professionals/ and correspondence with limited scope professionals regarding same.	2.10	1,522.50
11/15/17 EBW	Correspondence Correspondence and teleconference with W. Edwards regarding investor inquiries and communications.	.30	217.50
11/15/17 EBW	Correspondence Correspondence with various inquirers to Receiver's website.	.20	145.00
11/15/17 EBW	Correspondence Correspondence with Deloitte regarding tax preparation.	.30	217.50
11/15/17 EBW	Correspondence Correspondence and teleconferences with T. Rogers regarding employee benefits.	.30	217.50
11/15/17 EBW	Correspondence Correspondence with B. Weisenberg and insurers' counsel regarding D&O coverage.	.30	217.50

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 248 of 289 PageID #: 6458

## OTTERBOURG P.C.

230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 247

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/15/17 KNC	Telephone Call(s) Multiple teleconferences with GCG personnel re: additional website upgrades/issues	.90	850.50
11/16/17 CMO	Research re Legal Papers ALS-Corporate status of ALS Capital Ventures in NYS and DE	.20	57.00
11/16/17 JSF	Prepare Legal Papers Notice of Receiver Re: First Interim Application of Cooley	1.80	1,377.00
11/16/17 JSF	Examine Documents Cooley Interim Fee Application	.40	306.00
11/16/17 JSF	Examine Documents SEC and Defendants' Responses to Cooley First Interim Fee Application	.40	306.00
11/16/17 EBW	Conference(s) In Office Conference with J. Feeney and K. Costa regarding Cooley fee application/ and revisions to draft notice regarding same.	.30	217.50
11/16/17 EBW	Correspondence Correspondence with all limited scope professionals regarding filing of declaration as to retention and payment.	.60	435.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 249 of 289 PageID #: 6459

### OTTERBOURG P.C.

### 230 Park Avenue New York, NY 10169-0075

Client/Matter:	22126/0902	February 12, 2018
Page 248		BILL NO. 193134

DATE

ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/16/17 EBW	Correspondence Correspondence and teleconference with S. Wood regarding joint meetings and issues with PPVA.	.40	290.00
11/16/17 EBW	Telephone Call(s) Teleconference and correspondence with T. Rogers and A. Chakabva regarding tax preparation issues and Deloitte.	.40	290.00
11/16/17 EBW	Telephone Call(s) Teleconference with W. Edwards regarding investor inquiries and responses.	.30	217.50
11/16/17 EBW	Telephone Call(s) Teleconference with B. Weisenberg regarding employee issues.	.20	145.00
11/16/17 KNC	Telephone Call(s) Multiple teleconferences with confirming correspondence with Ms. Brountzas of GCG re: obtaining best possible website upgrades and price quote	.70	661.50
11/16/17 KNC	Telephone Call(s) Teleconference with Mr. Rogers re: K-1 Statement mailings to 200-300 parties with attention to same for GCG to do mailing	.80	756.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 250 of 289 PageID #: 6460

### OTTERBOURG P.C.

230 PARK AVENUE New York, NY 10169-0075

February 12, 2018

Client/Matter: 22126/0902

Page 249 BILL NO. 193134 DATE ATTORNEY DESCRIPTION HOURS AMOUNT 11/16/17 Telephone Call(s) 1.10 1,039.50 Teleconference with confirming KNC correspondence with Ms. Brountzas re: logistical details of mailing K-1 statement (0.6); follow-up teleconference with correspondence with Mr. Rogers re: same (0.5) 11/17/17 Prepare Legal Papers 1.20 918.00 Agenda for Team Meeting JSF 11/17/17 Examine Documents .40 378.00 Continued attention to Receivership KNC website updates/upgrades 11/18/17 Prepare Legal Papers 2.30 1,759.50 First Status Report to Court JSF 11/20/17 Prepare Legal Papers 1.90 1,453.50 JSF First Status Report to Court 11/20/17 Examine Documents .30 229.50 Notice of Receiver Re: Cooley Application JSF for Filing with Court 11/20/17 Examine Documents .40 306.00 JSF Information re: Number of Investors and Size of Investments/Claims 11/20/17 Preparation for Conference .80 580.00 EBW Preparation for weekly meetings.

## OTTERBOURG P.C.

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 250			February 12, 2018 BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
11/20/17 EBW	Telephone Call(s) Teleconference with D. Steinberg regarding PPVA interview.	.10	72.50
11/20/17 EBW	Correspondence Correspondence with B. Weisenberg and other employees regarding PPVA meetings.	.20	145.00
11/20/17 PCB	Conference(s) In Office Weekly all-hands Receiver/ Otterbourg/ Goldin and Platinum team meeting (PCB Portion).	1.80	1,440.00
11/20/17 CBS	Conference(s) in Office Attend weekly Team Meeting with Otterbourg and Goldin (partial).	1.30	663.00
11/20/17 KNC	Conference(s) In Office Attend Otterbourg Team Meeting with Goldin Associates re: updated status/strategy with follow-up attention to GCG/website issues with Receiver	1.90	1,795.50
11/20/17 KNC	Telephone Call(s) Teleconference with Ms. Brountzas re: updated GCG pricing in writing	.40	378.00
11/20/17 KNC	Telephone Call(s) Follow-up teleconferences with confirming correspondence with Ms. Brountzas re: GCG's specific pricing for website	.30	283.50

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 252 of 289 PageID #: 6462

## Otterbourg p.c.

### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 251

DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
11/20/17 KNC	Draft/revise Draft and revise final revisions to Second Investor Letter per Receiver's comments (0.6); Attention to same with GCG re: website posting (0.5)	1.10	1,039.50
11/21/17 CMO	Diary & Docket Re: Pro Player motion for default judgment	.20	57.00
11/21/17 JSF	Prepare Legal Papers First Status Report of Receiver to Court	2.60	1,989.00
11/21/17 JSF	Telephone Call(s) Alois Chakaba (Goldin) re: Financial Information for Receivership	.10	76.50
11/21/17 JSF	Examine Documents Financial Information of Receivership as of 9/30/17	.80	612.00
11/21/17 JSF	Examine Documents Investor List	.20	153.00
11/21/17 JSF	Examine Documents Houlihan Memorandum Opinion	.30	229.50
11/21/17 JSF	Examine Documents Investor Letter Posted to Website	.30	229.50

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 253 of 289 PageID #: 6463

### OTTERBOURG P.C.

#### 230 PARK AVENUE New York, NY 10169-0075

February 12, 2018

BILL NO. 193134

Client/Matter: 22126/0902

Page 252

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/21/17 EBW	Telephone Call(s) Teleconference with J. Feeney and A. Chakabva regarding status report and conference.	.20	145.00
11/21/17 EBW	Preparation for Conference Preparation for status conference including revisions to status report.	2.10	1,522.50
11/21/17 EBW	Correspondence Analysis of correspondence from counsel for BNY.	.20	145.00
11/21/17 PCB	Review of Documents Review and analysis of Judge Cogan memorandum opinion re: objection to Houlihan Lokey retainer.	.50	400.00

- 11/21/17 Telephone Call(s) .50 472.50 KNC Follow-up teleconferences and confirming correspondence with GCG staff re: correcting mistakes in posting Investor Letter
- 11/21/17 Telephone Call(s) .80 756.00 KNC Teleconferences with confirming correspondence with Ms. Brountzas re: detailed/ specific price quote for web services going forward

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 254 of 289 PageID #: 6464

## Otterbourg p.c.

### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 253

DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
11/21/17 KNC	Correspondence Correspondence with GCG staff re: Second Investor Letter service	.40	378.00
11/21/17 KNC	Correspondence Follow-up correspondence with Mr. Brountzas re: final pricing issues	.30	283.50
11/21/17 KNC	Analysis of Legal Papers Review and analyze Judge Cogan's decision re: Houlihan retention	.10	94.50
11/22/17 JSF	Prepare Legal Papers First Quarterly Status Report - Review of Actions Taken by Receiver	3.10	2,371.50
11/22/17 JSF	Prepare Legal Papers First Quarterly Status Report - Review of Specific Investments	2.30	1,759.50
11/22/17 JSF	Examine Documents Cyganowski Declaration in Support of Expansion of Receivership	.40	306.00
11/22/17 JSF	Examine Documents Platinum Receivership Website - Revisions and Updates	.40	306.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 255 of 289 PageID #: 6465

## Otterbourg p.c.

#### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902

February 12, 2018

Page 254	.ter. 22120/0902		BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
11/22/17 EBW	Correspondence Correspondence with joint liquidators regarding joint conference and teleconference on items of joint interest.	.30	217.50
11/22/17 KNC	Examine Documents Continued attention to website's additional information with verification of same	.90	850.50
11/25/17 JSF	Prepare Legal Papers Receivership Report - Benefits of Receivership v. Bankruptcy	1.20	918.00
11/25/17 JSF	Prepare Legal Papers Draft and Revise Receivership First Quarterly Report	1.70	1,300.50
11/26/17 JSF	Prepare Legal Papers First Status Report of Receiver	1.20	918.00
11/27/17 RGH	Analysis of Legal Papers Analysis of issues pertaining to Nordlicht request for investor committee	.30	298.50
11/27/17 JSF	Telephone Call(s) Will Edwards and Brent Weisenberg re: List of Investors and Investment Amounts	.20	153.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 256 of 289 PageID #: 6466

## Otterbourg p.c.

### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 February 12, 2018 Page 255 BILL NO. 193134

DATE

ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/27/17 JSF	Correspondence Will Edwards re: Financial Information in Status Report	.10	76.50
11/27/17 JSF	Prepare Legal Papers Propose Agenda Items - Outline of Receiver Update for Status Conference	1.40	1,071.00
11/27/17 JSF	Examine Documents Review of Comments to Status Report	.80	612.00
11/27/17 JSF	Prepare Legal Papers Revise Receiver Status Report Per Comments	1.70	1,300.50
11/27/17 JSF	Examine Documents Prepare for Meeting with PPVA Liquidators- Review of Agenda Items	.30	229.50
11/27/17 EBW	Preparation of Legal Papers Revisions to status report.	.70	507.50
11/27/17 EBW	Preparation for Conference Preparation for conference/teleconference with joint liquidators regarding common interest matters.	.40	290.00
11/27/17 EBW	Conference(s) In Office Conference/teleconference with joint liquidators regarding common interest matters.	1.00	725.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 257 of 289 PageID #: 6467

## OTTERBOURG P.C.

230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 256

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/27/17 EBW	Conference(s) In Office Conference with A. Silverstein to discuss status and strategy regarding Arabella/ Abdala/ Black Elk/ Forensics/ Katrina Barge/ insurance and pending motions.	1.00	725.00
11/27/17 EBW	Analysis of Legal Papers Analysis of correspondence from counsel for Navidea.	.30	217.50
11/27/17 EBW	Correspondence Correspondence and teleconference with W. Edwards regarding investor communications.	.20	145.00
11/27/17 PCB	Conference(s) In Office Meeting with PPVA liquidators and counsel re: various PPVA/PPCO matters.	.80	640.00
11/27/17 ACS	Conference(s) w/ CoCounsel - Other Meet with EBW re: various Platinum matters	.80	656.00
11/27/17 ACS	Correspondence w/CoCounsel - Other E-mail to J. Waggoner re: Black Elk subpoena	.10	82.00
11/27/17 KNC	Telephone Call(s) Teleconference with confirming correspondence with Ms. Brountzas re: completion of E-mail Registration Page	.50	472.50

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 258 of 289 PageID #: 6468

# OTTERBOURG P.C.

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

February 12, 2018

BILL NO. 193134

Client/Matter: 22126/0902

Page 257

DATE ATTORNEY DESCRIPTION HOURS AMOUNT 11/28/17 Preparation of Memorandum .20 199.00 RGH Memo on issues re: request for investor committee 11/28/17 Prepare Legal Papers 1.40 1,071.00 JSF Revise Receiver Declaration in Support of Expansion Motion 11/28/17 Prepare Legal Papers .30 229.50 Revise Propose Order re: Expansion of JSF Receivership 11/28/17 Examine Documents .30 229.50 Organizational Chart re: Receivership JSF Entities 11/28/17 Examine Documents .60 459.00 JSF Background Information re: Entities Proposed to Be Added to Receivership 11/28/17 Conference(s) In Office .30 298.50 Nordlict's proposal to form investor DFF committee 11/28/17 72.50 Correspondence .10 EBW Correspondence with employees regarding PPVA meetings. 11/28/17 Review Documents .30 217.50 EBW Analysis of Golden Gate documents requested by PPVA.

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 259 of 289 PageID #: 6469

## OTTERBOURG P.C.

230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 February 12, 2018 Page 258 BILL NO. 193134

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/28/17 EBW	Telephone Call(s) Teleconference with W. Edwards/ T. Rogers and A. Chakabva regarding investor inquiries.	.10	72.50
11/28/17 EBW	Correspondence Correspondence with investors.	.10	72.50
11/28/17 EBW	Telephone Call(s) Teleconference with T. Rogers regarding BNY joint instruction letter and correspondence with BNY regarding same.	.20	145.00
11/28/17 EBW	Conference(s) In Office Conference with PPVA Joint liquidators and P. Poteat and D. Steinberg.	2.90	2,102.50
11/28/17 EBW	Analysis of Legal Papers Analysis of correspondence regarding D&O issues.	.20	145.00
11/28/17 ACS	Review/correct Brief for motion Edit expansion motion	1.20	984.00
11/28/17 KNC	Correspondence Follow-up correspondence with Ms. Brountzas re: E-mail Registration Page for investors	.40	378.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 260 of 289 PageID #: 6470

## Otterbourg p.c.

230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 259

DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
11/28/17 KNC	Telephone Call(s) Teleconferences with Ms. Brountzas and Ms. Persichilli re: going "live" issues re: E-mail Registration Page	.60	567.00
11/29/17 JSF	Examine Documents Agenda for December 1 Status Conference	.20	153.00
11/29/17 JSF	Memo Prepare for December 1st Status Conference - Preparation of Outline for Receiver for Report to Court	2.70	2,065.50
11/29/17 JSF	Examine Documents First Quarterly Status Report	1.80	1,377.00
11/29/17 JSF	Examine Documents Financial Information for Receivership - Account Balances and Expenses	.40	306.00
11/29/17 JSF	Examine Documents Prepare for Status Conference - Documents for Receiver	.40	306.00
11/29/17 EBW	Correspondence Correspondence with W. Edwards regarding investor relations.	.30	217.50

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 261 of 289 PageID #: 6471

### OTTERBOURG P.C.

230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 February 12, 2018 Page 260 BILL NO. 193134

DATE

ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/29/17 EBW	Correspondence Correspondence with T. Rogers regarding administrative issues/ including wire transfers.	.30	217.50
11/29/17 PCB	Review/Revision of Documents Review and comment on draft Receiver's First Status Report to the Court.	2.60	2,080.00
11/29/17 PCB	Correspondence Correspondence re: Receiver's First Status Report to the Court.	.30	240.00
11/29/17 KNC	Draft/revise Review and draft final revisions to E-mail Registration Page upgrade for website (0.6); multiple correspondence with GCG to confirm same (0.4)	1.00	945.00
11/30/17 CMO	Analysis of Legal Papers Re: Agera memorandum and appendices	.10	28.50
11/30/17 RGH	Preparation for Court (conference) Analysis of report and issues for conference	.40	398.00
11/30/17 JSF	Telephone Call(s) Trey Rogers re: Calculation of Investor Claims/Investment Amounts	.20	153.00

## OTTERBOURG P.C.

### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 261			February 12, 2018 BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/30/17 JSF	Telephone Call(s) Will Edwards re: Nordlicht Request for Investment Committee	.20	153.00
11/30/17 JSF	Prepare Legal Papers Revise for Finalization the First Status Report of Receiver	2.70	2,065.50
11/30/17 JSF	Prepare Legal Papers Revise Outline of Receiver Status Report to Court	1.60	1,224.00
11/30/17 JSF	Prepare Legal Papers Revise Receiver Declaration in Support of Expansion of Receivership	.80	612.00
11/30/17 JSF	Correspondence Draft E-Mail to Nordlicht's Counsel re: Expansion of Receivership	.30	229.50
11/30/17 JSF	Correspondence Draft E-Mail to SEC's Counsel re: Expansion of Receivership	.20	153.00
11/30/17 JSF	Prepare Legal Papers Agenda for Team Meeting - Active Transactions to Report Upon	.80	612.00
11/30/17 JSF	Correspondence Judge Cogan -Courtesy Copy of Receiver Report	.20	153.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 263 of 289 PageID #: 6473

## OTTERBOURG P.C.

### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 262		February 12, 2018 BILL NO. 193134	
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
11/30/17 JSF	Prepare Legal Papers Prepare for Status Conference Before Court - Documents for Receiver	.80	612.00
11/30/17 EBW	Preparation for Conference Preparation for status conference/ including revisions to status report and review of agenda.	2.10	1,522.50
11/30/17 EBW	Telephone Call(s) Teleconference with T. Rogers and BNY counsel regarding joint instruction letter.	.70	507.50
11/30/17 EBW	Correspondence Correspondence with B. Parlin regarding Golden Gate.	.20	145.00
11/30/17 EBW	Correspondence Correspondence with Goldin regarding Wintercrest and analysis of related documents.	.30	217.50
11/30/17 KNC	Telephone Call(s) Follow-up teleconferences with confirming correspondence with Ms. Persichilli and Ms. Brountzas re: website improvements and upgrades now effective	.90	850.50

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 264 of 289 PageID #: 6474

### OTTERBOURG P.C.

### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 263		February 12, 2018 BILL NO. 193134	
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
11/30/17 KNC	Correspondence Correspondence to MLC re: E-mail Registration Page now "live" on Receiver's Website.	.10	94.50
12/01/17 CMO	Review file re Legal Papers Arrange for blowback of Agera Memo and schedules/ collate schedules with tabs and set up in binder	1.10	313.50
12/01/17 RGH	Attendance at Court (conference) Appear at conference before Judge Cogan	2.30	2,288.50
12/01/17 EBW	Preparation for Conference Preparation for status conference.	.40	290.00
12/01/17 EBW	Attend Court Attendance at status conference. (EBW portion).	2.30	1,667.50
12/01/17 EBW	Telephone Call(s) Teleconference with B. Weisenberg regarding D&O issues.	.50	362.50
12/01/17 EBW	Review Documents Analysis of documents regarding D&O issues.	.40	290.00
12/01/17 EBW	Analysis of Legal Papers Analysis of Court order regarding Conway retention.	.10	72.50

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 265 of 289 PageID #: 6475

### OTTERBOURG P.C.

230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 264

DATE

ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/01/17 EBW	Telephone Call(s) Teleconference with W. Edwards regarding status conference and investor relations.	.10	72.50
12/01/17 EBW	Correspondence Correspondence with T. Rogers and A. Chakabva regarding taxes and K-1s.	.30	217.50
12/01/17 CBS	Analysis of Legal Papers Review Order (Doc. 287) entered by court relating to retention of Conway MacKenzie (.3); review correspondence from Receiver regarding order and confer with D. Fiorillo regarding same (.1).	.40	204.00
12/01/17 CBS	Miscellaneous Review and analysis of status of various investments; confer with D. Fiorillo regarding strategy for proceeding with same.	.60	306.00
12/04/17 CMO	Review file re Legal Papers Arrange for additional thumb drive of Agera memo and schedules	.20	57.00
12/04/17 JSF	Examine Documents Draft Motion to Expand Receivership	.80	612.00
12/04/17 JSF	Prepare Legal Papers Subsequent Quarterly Report of Receiver	1.40	1,071.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 266 of 289 PageID #: 6476

# OTTERBOURG P.C.

### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 265

DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
12/04/17 EBW	Preparation for Conference Preparation for weekly team meetings.	.80	580.00
12/04/17 EBW	Correspondence Correspondence with T. Rogers regarding outside professionals.	.20	145.00
12/04/17 EBW	Correspondence Correspondence with JOLs regarding matters of joint interest.	.10	72.50
12/04/17 PCB	Conference(s) In Office Weekly Otterbourg/Goldin/Platinum team meeting.	1.50	1,200.00
12/04/17 CBS	Miscellaneous Review correspondence from M. Cyganowski regarding coordination of Goldin and CM teams; confer with D. Fiorillo regarding same.	.50	255.00
12/05/17 JSF	Prepare Legal Papers Begin Preparation for Next Report of Receiver	1.30	994.50
12/05/17 EBW	Correspondence Correspondence with T. Rogers regarding outside professionals.	.20	145.00

# OTTERBOURG P.C.

### 230 Park Avenue New York, NY 10169-0075

Client/Matter:	22126/0902	February 12, 2018
Page 266		BILL NO. 193134

DATE

ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/05/17 EBW	Telephone Call(s) Teleconference with W. Edwards regarding investor issues.	.20	145.00
12/05/17 EBW	Analysis of Legal Papers Analysis of pending issues relating to D&O.	.70	507.50
12/05/17 EBW	Correspondence Correspondence with E. Bertram regarding meeting.	.10	72.50
12/05/17 EBW	Correspondence Correspondence with Receivership Team regarding investor forum.	.40	290.00
12/05/17 EBW	Correspondence Revise/ finalize and transmit correspondence to Navidea's counsel.	.40	290.00
12/05/17 CBS	Correspondence Review correspondence from Curtis Solsvig/ including attached charts asset disposition.	.30	153.00
12/05/17 CBS	Correspondence Review and respond to correspondence from K. Garnett regarding asset disposition list (.2); review correspondence from P. Berg regarding coordinating asset disposition with CM (.1).	.30	153.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 268 of 289 PageID #: 6478

### OTTERBOURG P.C.

230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 267

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/05/17 KNC	Correspondence Correspondence with EBW and Ms. Brountzas of GCG re: "tweaks" to e-mail registration feature of website (0.4); attention to improving same (0.7)	1.10	1,039.50
12/05/17 KNC	Telephone Call(s) Multiple teleconferences with confirming correspondence with GCG re: noticing 12/20/17 at 12 noon Investor Town Hall meeting	.90	850.50
12/05/17 KNC	Telephone Call(s) Follow-up teleconference with confirming correspondence with Eric Westberg of GCG re: Daily Pleading Report and verification of same	.70	661.50
12/06/17 CMO	Review file re Legal Papers Re: Agera memo	.20	57.00
12/06/17 DFF	Review of Documents Re: Arabella objection to cash collateral motion	.60	597.00
12/06/17 DFF	Research Re: Arabella cash collateral objection issues	.70	696.50
12/06/17 DFF	Conference(s) In Office W CBS re: Cash collateral objection response	.40	398.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 269 of 289 PageID #: 6479

## Otterbourg p.c.

### 230 PARK AVENUE New York, NY 10169-0075

Client/Mat Page 268	ter: 22126/0902		February 12, 2018 BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
12/06/17 KNC	Draft/revise Continued attention to website upgrades with GCG personnel	.90	850.50
12/06/17 KNC	Correspondence Correspondence with Trey Rogers and GCG re: mailing out K-1 Statement (0.6); teleconference with Katina Brountzas of GCG re: same (0.5)	1.10	1,039.50
12/07/17 JSF	Memo Agenda for Otterbourg and Goldin Team Meeting	.80	612.00
12/07/17 DFF	Telephone Call(s) Call with local Arabella bankruptcy counsel re: Prep for cash collateral hearing	.50	497.50
12/07/17 DFF	Review of Documents Re: prep for Arabella conference call with local counsel	.30	298.50
12/07/17 DFF	Review of Documents Arabella – emails from local counsel/prep for contested cash collateral hearing	.30	298.50
12/07/17 DFF	Review of Documents Re: Arabella - witness lists from Founders/supplemental filings to cash collateral objections	.30	298.50

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 270 of 289 PageID #: 6480

## Otterbourg p.c.

#### 230 Park Avenue New York, NY 10169-0075

February 12, 2018

Client/Matter: 22126/0902

Page 269	Lter: 22126/0902		BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/07/17 EBW	Telephone Call(s) Teleconferences with B. Weisenberg regarding Beechwood subpoena.	.40	290.00
12/07/17 EBW	Conference(s) In Office Conference with B. Weisenberg and P. Poteat regarding Beechwood subpoena.	.40	290.00
12/07/17 EBW	Telephone Call(s) Teleconference with E. Bertram regarding administrative issues.	.10	72.50
12/07/17 CBS	Conference(s) in Office Participate in conference with Conway MacKenzie/ Goldin/ and Otterbourg regarding disposition of additional assets.	.90	459.00
12/07/17 KNC	Telephone Call(s) Conference call with Mr. Rogers and GCG Team re: service of K-1 statements and website issues	.40	378.00
12/08/17 EBW	Conference(s) In Office Conference with B. Weisenberg and T. Rogers regarding relocation.	.80	580.00
12/08/17 EBW	Telephone Call(s) Teleconference with E. Bertram regarding administrative issues.	.10	72.50

# Otterbourg p.c.

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Fe Page 270

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/08/17 EBW	Preparation for Conference Attention to issues regarding investor forum.	.40	290.00
12/08/17 PCB	Conference(s) In Office Weekly Otterbourg/Goldin/Platinum team meeting.	1.70	1,360.00
12/08/17 ACS	Conference(s) w/ Client Receiver - Goldin principal representative - Otterbourg principal attorney weekly meeting (ACS time)	1.40	1,148.00
12/08/17 ACS	Conference(s) w/ Client Meet with M. Kirschner/ EBW/ W. Edwards and Receiver re: SEC meeting	.60	492.00
12/08/17 CBS	Telephone Call(s) Phone conference with Conway MacKenzie Team regarding status update.	.50	255.00
12/08/17 CBS	Conference(s) in Office Participation in weekly conference with Otterbourg and Goldin teams regarding PPCO assets and pending issues. (CBS Partial Attendance)	1.40	714.00
12/08/17 CBS	Telephone Call(s) Phone conference with K. Garnett regarding ConwayMacKenzie engagement with respect to Arabella (.2); draft e-mail to K. Garnett regarding same (.1).	.30	153.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 272 of 289 PageID #: 6482

### OTTERBOURG P.C.

230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 271

DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
12/08/17 KNC	Review File Continued attention to Investor/Creditor Forum via video conference details/ prepare for same/ draft revisions to invitation- etc.	.90	850.50
12/08/17 KNC	Telephone Call(s) Multiple teleconference with confirming correspondence with GCG re: Investor Forum	.70	661.50
12/11/17 JSF	Examine Documents PPVA JOL Update	.70	535.50
12/11/17 JSF	Prepare Legal Papers Review/Revisions to Limited Scope Professionals Declaration	1.20	918.00
12/11/17 JSF	Examine Documents Expansion Receivership Motion	.40	306.00
12/11/17 JSF	Prepare Legal Papers Outline Draft Status Report - Asset Review	1.40	1,071.00
12/11/17 EBW	Preparation for Conference Preparation for conference with SEC.	.60	435.00
12/11/17 EBW	Conference Out of Office Attendance at conference with SEC.	2.50	1,812.50

## OTTERBOURG P.C.

### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902

February 12, 2018

Page 272			BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
12/11/17 EBW	Conference Out of Office Conference with Receiver and Goldin regarding SEC meeting.	.50	362.50
12/11/17 EBW	Preparation of Legal Papers Preparation of supplemental retainer agreement with Brazilian counsel regarding Abdala.	.70	507.50
12/11/17 EBW	Preparation for Conference Attention to issues regarding investor forum.	.30	217.50
12/11/17 KNC	Draft/revise Review and prepare Investor and Creditor Invitation for website posting and mass mailing (1.7); Correspondence with EBW and IT Director Leonardo Cristino re: confirming same (0.7)	2.40	2,268.00
12/12/17 CMO	Preparation of e-mail(s) To EBW re: 12.20.2017 "Town Hall" meeting	.10	28.50
12/12/17 CMO	Preparation of Legal Papers Prepare caption for court reporter re: "Town Hall" meeting transcript	.20	57.00
12/12/17 CMO	Preparation of e-mail(s) To court reporter re: "Town Hall" meeting transcript	.20	57.00

# Otterbourg p.c.

### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 273

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/12/17 CMO	Analysis of Correspondence .From court reporter	.10	28.50
12/12/17 JSF	Telephone Call(s) Call with Nordlicht's Counsel re: Communications and Scheduling a Meeting	.20	153.00
12/12/17 JSF	Conference(s) in Office Receiver re: Investor Conference Call	.20	153.00
12/12/17 JSF	Prepare Legal Papers Status Report Update	.60	459.00
12/12/17 EBW	Preparation for Conference Preparation for teleconference with counsel for Nordlicht.	.20	145.00
12/12/17 EBW	Telephone Call(s) Teleconference with counsel for Nordlicht/ and follow-up with Receiver.	.40	290.00
12/12/17 EBW	Correspondence Correspondence with counsel for insurers regarding Beechwood subpoena to P. Poteat.	.20	145.00
12/12/17 EBW	Preparation for Conference Attention to issues relating to investor town hall.	.90	652.50

# OTTERBOURG P.C.

### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 274

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/12/17 EBW	Review Documents Analysis of D&O coverage demands.	.40	290.00
12/12/17 EBW	Telephone Call(s) Teleconference with W. Edwards regarding investor issues.	.30	217.50
12/12/17 ACS	Telephone Call(s) w/CoCounsel - Other Meet with Receiver and telecon A. Spiro and D. Korfman	.20	164.00
12/12/17 ACS	Correspondence w/CoCounsel - Other E-mails from/to C. Thomas re: GGO	.20	164.00
12/12/17 ACS	Telephone Call(s) w/CoCounsel - Other Meet with Receiver/ EBW and JSF and telecon C. Kennedy and counsel re: Agera	.80	656.00
12/12/17 KNC	Draft/revise Attention to drafting Investor and Creditor Forum invitation (0.7); Follow-up with confirming correspondence to Platinum Team re: same and next steps (0.5); Multiple correspondence with Mr. Rogers and Ms. Brountzas re: same (0.7)	1.90	1,795.50
12/13/17 CMO	Analysis of Legal Papers Review docket and update D&D's	.30	85.50

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 276 of 289 PageID #: 6486

# OTTERBOURG P.C.

230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 275

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/13/17 JSF	Prepare Legal Papers Revisions to Receiver Declaration in Support of Expansion of Receivership	.40	306.00
12/13/17 JSF	Examine Documents Corporate Charts re: Interplay of PPCO and PPLO Entities	.40	306.00
12/13/17 JSF	Examine Documents Review and Comments to Declaration in Support of Limited Scope Professionals	.40	306.00
12/13/17 JSF	Correspondence Will Edwards re: Unpaid Redeemer and Notice List to Investors	.10	76.50
12/13/17 DFF	Telephone Call(s) Arabella with David Hall re: Cash collateral hearing/objections	.40	398.00
12/13/17 DFF	Review of Documents Arabellasupplemental filings for cash collateral motion	.30	298.50
12/13/17 EBW	Telephone Call(s) Teleconference with Houlihan regarding Investor town hall.	.40	290.00
12/13/17 EBW	Telephone Call(s) Teleconference with Goldin and T. Rogers regarding investor transfer requests.	.30	217.50

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 277 of 289 PageID #: 6487

## Otterbourg P.C. 230 Park Avenue

### NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 276

DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
12/13/17 EBW	Preparation for Conference Preparation for investor town hall.	.60	435.00
12/13/17 EBW	Preparation of Legal Papers Preparation of consulting agreements.	1.60	1,160.00
12/13/17 EBW	Preparation of Legal Papers Revisions to additional professionals motion.	.60	435.00
12/13/17 ACS	Analysis of Correspondence Review correspondence from counsel for H. Werblowsky and J. Simony	.10	82.00
12/13/17 ACS	Review/correct Brief for motion Review and revise motion re: limited scope professionals	.50	410.00
12/13/17 ACS	Analysis of Legal Papers Review RHSW and Forshey & Prostok objection to Arabella cash collateral	.10	82.00
12/13/17 KNC	Correspondence Multiple correspondence with Mr. Edwards and Mr. Westberg of GCG re: updating website re: Receiver's First Status Report being posted (0.5); Teleconference with confirming correspondence with GCG re: same and attention to final update (0.6)	1.10	1,039.50

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 278 of 289 PageID #: 6488

### OTTERBOURG P.C.

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 277

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/13/17 KNC	Correspondence Multiple correspondence with Mr. Rogers/ Platinum Team and GCG re: K.1 mailings- etc.	.40	378.00
12/14/17 JSF	Memo Agenda of Items to Discuss for Goldin/Otterbourg Team Meeting	.90	688.50
12/14/17 JSF	Examine Documents Review and Finalize for Filing the Motion to Expand Receivership	1.20	918.00
12/14/17 DFF	Conference(s) In Office Cleveland Miningwith PPCO team re: Letter from Board	.40	398.00
12/14/17 EBW	Telephone Call(s) Teleconference with A. Silverstein/ B. Weisenberg and T. Rogers regarding employee claims.	.80	580.00
12/14/17 KNC	Draft/revise Attention to updating FAQs for website	.60	567.00
12/14/17 KNC	Analysis of Legal Papers Attention to BDO Seidman Tolling Agreement issues	.10	94.50

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 279 of 289 PageID #: 6489

# Otterbourg p.c.

230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 Page 278

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/15/17 JSF	Examine Documents Review of Status Summary to Court to Prepare for Town Hall with Investors	.60	459.00
12/15/17 PCB	Conference(s) In Office Weekly Otterbourg/Goldin/Platinum team meeting.	2.10	1,680.00
12/15/17 ACS	Analysis of Legal Papers Review and comment on draft PPCO/PPLO 13 week cash flow to give to ALS escrow parties	.30	246.00
12/15/17 ACS	Conference(s) w/ Client Meeting with Receiver - Goldin principal reps - Otterbourg principal attorneys (ACS time)	1.60	1,312.00
12/15/17 CBS	Conference(s) in Office Weekly meeting with Otterbourg and Goldin teams (Partial Attendance).	1.50	765.00
12/15/17 KNC	Conference(s) In Office Conference with Mr. Rogers re: revised FAQ/K-1 statement with attention to same	.40	378.00
12/18/17 JSF	Prepare Legal Papers Prepare Script for Receiver for Town Hall Meeting	1.80	1,377.00
12/18/17 EBW	Preparation for Conference Preparation for investor town hall.	2.40	1,740.00

# OTTERBOURG P.C.

### 230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 279			February 12, 2018 BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/18/17 EBW	Telephone Call(s) Teleconference with T. Rogers regarding investor inquiries.	.30	217.50
12/18/17 EBW	Correspondence Review of correspondence from counsel for former employees and revisions to response to same.	.60	435.00
12/18/17 EBW	Conference(s) In Office Conferences with B. Davis regarding PPVA's subpoena to Cohen Reznick	.20	145.00
12/18/17 KNC	Telephone Call(s) Multiple teleconferences and correspondence with Mr. Rogers and Mr. Edwards of Goldin Associates re: revised FAQ language for K-1's	.90	850.50
12/18/17 KNC	Draft/revise Draft "final FAQ re: K-1's with multiple teleconferences and correspondence to GCG re: posting	.90	850.50
12/18/17 BAD	Preparation of Documents Provided a summary to the Receiver and the Receivership Team of the 12/14/17 letter written on behalf of the PPVA to Judge Shelley Chapman.	.70	206.50

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 281 of 289 PageID #: 6491

# Otterbourg P.C. 230 Park Avenue

### NEW YORK, NY 10169-0075

Client/Matter: 22126/0902

February 12, 2018

Page 280			BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/19/17 JSF	Prepare Legal Papers Script for Receiver for Town Hall Webinar with Investors	3.20	2,448.00
12/19/17 JSF	Examine Documents First Status Report of Receiver Filed with Court	.70	535.50
12/19/17 JSF	Examine Documents Houlihan Script for Town Hall Webinar	.60	459.00
12/19/17 JSF	Telephone Call(s) Trey Rogers re: Status of K-1s	.10	76.50
12/19/17 EBW	Preparation for Conference Preparation for investor town hall.	3.20	2,320.00
12/19/17 EBW	Telephone Call(s) Teleconference with Houlihan regarding investor town hall.	.10	72.50
12/19/17 EBW	Telephone Call(s) Teleconference with investor regarding investor town hall.	.10	72.50
12/19/17 EBW	Correspondence Preparation of correspondence to counsel for former employees.	.80	580.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 282 of 289 PageID #: 6492

## OTTERBOURG P.C.

230 PARK AVENUE New York, NY 10169-0075

Client/Matter: 22126/0902 Page 281

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/19/17 ACS	Analysis of Legal Papers Review Schaffer & Weiner objection to Arabella cash collateral motion	.80	656.00
12/19/17 ACS	Analysis of Legal Papers Review RHSW settlement proposal re: Arabella cash collateral motion	.10	82.00
12/19/17 ACS	Analysis of Legal Papers Review Schaffer & Weiner motion to testify by video at Arabella cash collateral hearing	.20	164.00
12/19/17 KNC	Review File Prepare for tomorrow's Investor and Creditor Forum via video conference with attention to logistics/GCG issues	.90	850.50
12/20/17 JSF	Prepare Legal Papers Update Receiver's Script for Town Hall with Submitted Questions	1.80	1,377.00
12/20/17 JSF	Conference(s) in Office Attend Receiver Town Hall for Investors and Creditors	1.20	918.00
12/20/17 JSF	Examine Documents Prepare for Town Hall: Review of Questions Submitted by Investors for Town Hall	.80	612.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 283 of 289 PageID #: 6493

# OTTERBOURG P.C.

### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 282

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/20/17 JSF	Prepare Legal Papers Proposed Order re: Cooley Fee Application	1.40	1,071.00
12/20/17 JSF	Correspondence Cooley re: Proposed Order on Fee Application	.30	229.50
12/20/17 JSF	Examine Documents Proposed Cooley and SEC Revisions to Cooley Fee Application Order	.30	229.50
12/20/17 EBW	Conference(s) In Office Conferences with IT director/ J. Feeney/ Houlihan and Goldin regarding Investor Town Hall.	1.50	1,087.50
12/20/17 EBW	Preparation for Conference Preparation for Investor Town Hall.	1.50	1,087.50
12/20/17 EBW	Conference(s) In Office Attendance at Investor Town Hall.	1.30	942.50
12/20/17 EBW	Correspondence Revisions to correspondence to counsel for former employees.	.30	217.50
12/20/17 EBW	Analysis of Legal Papers Review of proposed Cooley order.	.30	217.50

# Otterbourg p.C.

### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902

Page 283

February 12, 2018

BILL NO. 193134

DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/20/17 EBW	Telephone Call(s) Teleconference with S. Wood regarding issues of mutual interest.	.30	217.50
12/20/17 ACS	Telephone Call(s) w/CoCounsel - Other Telecon M. Baum and J. Grekin re: Schaffer & Weiner fee dispute	1.10	902.00
12/20/17 ACS	Conference(s) w/ CoCounsel - Other Receiver "town hall" with investors/creditors (ACS time)	1.00	820.00
12/20/17 ACS	Telephone Call(s) w/CoCounsel - Other Second telecon with M. Baum and J. Grekin re: fee dispute	.20	164.00
12/20/17 KNC	Conference(s) In Office Attend Receiver's Town Hall Investor and Creditor meeting w/followup attention to transcript- etc.	1.10	1,039.50
12/21/17 JSF	Prepare Legal Papers Revise Notice to Court with Proposed Cooley Order	.30	229.50
12/21/17 JSF	Examine Documents Proposed Cooley Order for Submission to Court	.30	229.50

# Otterbourg p.c.

#### 230 PARK AVENUE NEW YORK, NY 10169-0075

Client/Mat Page 284	ter: 22126/0902		February 12, 2018 BILL NO. 193134
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/21/17 JSF	Examine Documents Draft Objection to Subpoena of Black Elk Trustee	.20	153.00
12/21/17 JSF	Examine Documents Black Elk Settlement Agreement re: Cooperation Provisions	.20	153.00
12/21/17 JSF	Prepare Legal Papers Agenda for December 22 Team Meeting	.40	306.00
12/21/17 EBW	Telephone Call(s) Teleconference with counsel for Nordlicht (with Receiver and A. Silverstein).	.30	217.50
12/21/17 EBW	Correspondence Correspondence with investors regarding investor town hall.	.30	217.50
12/21/17 EBW	Preparation of Legal Papers Preparation of objection to Black Elk subpoena.	.40	290.00
12/21/17 EBW	Correspondence Correspondence with PPVA regarding matters of mutual interest.	.20	145.00
12/21/17 ACS	Telephone Call(s) w/CoCounsel - Other Meet with Receiver and telecon D. Koffman and A. Spiro re: input from defendants	.30	246.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 286 of 289 PageID #: 6496

# Otterbourg p.c.

### 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902

Page 285

February 12, 2018

BILL NO. 193134

DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
12/21/17 ACS	Telephone Call(s) w/CoCounsel - Other Telecon A. Levine re: Cooley fees	.20	164.00
12/21/17 ACS	Telephone Call(s) w/CoCounsel - Other Telecon N. Kritzer re: investor concerns	.20	164.00
12/21/17 KNC	Review File Review and analyze incoming investor questions and formulate additional FAQ's for website (0.8); Correspondence with MLC and Mr. Edwards re: same (0.6)	1.40	1,323.00
12/21/17 KNC	Draft/revise Draft and revise new FAQ's for website/additional upgrades	.90	850.50
12/22/17 JSF	Conference out of Office Weekly Team Meeting to Update on Transaction	1.30	994.50
12/22/17 JSF	Examine Documents Review Draft E-Mail to Chambers re: Limited Scope Professionals	.20	153.00
12/22/17 JSF	Examine Documents Second Quarterly Report for Receiver	1.20	918.00
12/22/17 EBW	Preparation of Legal Papers Preparation of Black Elk objection.	.40	290.00

# OTTERBOURG P.C.

### 230 Park Avenue New York, NY 10169-0075

Client/Mat Page 286	ter: 22126/0902		February 12, 2018 BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
12/22/17 EBW	Correspondence Correspondence with investors regarding town hall.	.30	217.50
12/22/17 PCB	Conference(s) In Office Weekly Otterbourg/Goldin/Platinum team meeting.	1.00	800.00
12/22/17 CBS	Telephone Call(s) Participate in weekly update call with Conway MacKenzie.	.50	255.00
12/22/17 CBS	Conference(s) in Office Participate in weekly meeting with Otterbourg and Goldin Teams regarding open issues and plan for proceeding.	1.00	510.00
12/22/17 KNC	Conference(s) In Office Conference with Mr. Rogers re: updated K-1 statements for FAQ	.10	94.50
12/22/17 KNC	Telephone Call(s) Multiple teleconference with Ms. Brountzas and Ms. Persichilli of GCG re: website upgrade and possible video link to "Town Hall" style Investor and Creditor forum with attention to same	.70	661.50
12/26/17 ACS	Review/correct Stipulation Review and edit objection to Black Elk subpoena	1.30	1,066.00

## Otterbourg P.C. 230 Park Avenue

# NEW YORK, NY 10169-0075

Client/Matter: 22126/0902 February 12, 2018 Page 287 BILL NO. 193134

DATE

ATTORNEY	DESCRIPTION	HOURS	AMOUNT
12/27/17 JSF	Prepare Legal Papers Notice of Motion to Retain Leite Law Firm	.20	153.00
12/27/17 JSF	Examine Documents Declaration of Reciever to Retain Leite Law Firm	.60	459.00
12/27/17 JSF	Prepare Legal Papers Draft Brief in Support of Motion to Retain Leite	.80	612.00
12/27/17 ACS	Review/correct Legal Papers Edit objection to 30294's notice to transfer Arabella claim	1.40	1,148.00
12/27/17 KNC	Correspondence Multiple correspondence with Mr. Trey Rogers re: additional K-1 statements going out to be included in updated FAQ per MLC's request	.20	189.00
12/27/17 KNC	Telephone Call(s) Follow-up teleconference with Ms. Persichilli of GCG re: Receiver's website upgrades/ including video link	.30	283.50
12/28/17 JSF	Prepare Legal Papers Brief in Support of Retention of Brazilian Law Firm	.60	459.00

Case 1:16-cv-06848-BMC Document 305-5 Filed 02/15/18 Page 289 of 289 PageID #: 6499

# Otterbourg p.c.

### 230 PARK AVENUE New York, NY 10169-0075

Client/Mat Page 288	ter: 22126/0902		February 12, 2018 BILL NO. 193134
DATE <u>ATTORNEY</u>	DESCRIPTION	HOURS	AMOUNT
12/28/17 KNC	Correspondence Correspondence with Ms. Persichilli of GCG re: updating investor information	.30	283.50
12/28/17 KNC	Correspondence Correspondence with Mr. Westberg of GCG re: video link pricing- etc.	.40	378.00
12/29/17 PCB	Conference(s) In Office Weekly Otterbourg/Goldin/Platinum team meeting.	1.10	880.00
TOTAL PHAS	SE PO4	465.00	\$355,806.00
Phase: P13	3		Travel
DATE ATTORNEY	DESCRIPTION	HOURS	AMOUNT
10/12/17 EBW	Travel time/Settlement Travel to Austin for Arabella mediation. (50% time only)	3.00	2,175.00
10/14/17 EBW	Travel time/Settlement Travel from Austin for Arabella mediation. (50% time only)	3.00	2,175.00
TOTAL PHAS	SE P13	6.00	\$4,350.00

TOTAL FOR SERVICES \$1,004,402.00

Case 1:16-cv-06848-BMC Document 305-6 Filed 02/15/18 Page 1 of 2 PageID #: 6500

# EXHIBIT F

#### SUMMARY OF ACTUAL AND NECESSARY DISBURSEMENTS FOR THE STATEMENT PERIOD OF OCTOBER 1, 2017 THROUGH DECEMBER 31, 2017

Expense Category	Service Provider (if applicable)	Total Expenses <sup>1</sup>
Air Freight (Overnight Courier)	Federal Express	\$326.76
Conference calls (Long Distance telephone calls)		\$1,632.05
Telephone Calls (Tolls Only)		\$188.85
Litigation Support Vendors	The Document Management Group, Box, and Microsoft	\$3,288.58
Filing Fees, Court	E.D.N.Y.	\$75.00
Outside Messenger	Champion Courier	\$33.30
Electronic Research	Westlaw	\$785.61
Travel (Out of Town lodging, etc.)		\$1,030.82
Transportation (Out-of-Town)		\$458.72
Laser Copies (\$.15 per page)		\$2,575.20
Photocopies (\$.15 per page)		\$1,393.05
TOTAL:		\$11,787.94

<sup>&</sup>lt;sup>1</sup> The date that appears on the annexed disbursement detail associated with a particular disbursement is as to certain disbursements (e.g., transportation and working meals) the date the disbursement is recorded in Otterbourg computer records and not the actual date the disbursement was incurred.

Case 1:16-cv-06848-BMC Document 305-7 Filed 02/15/18 Page 1 of 2 PageID #: 6502

# **EXHIBIT G**

### Otterbourg P.C. 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0901 Page 29	February 12, 2018 BILL NO. 193133
DISBURSEMENTS FOR YOUR ACCOUNT	
Laser Copies	902.55
Fees, Miscellaneous	974.51
Miscellaneous	428.79
Electronic Research	79.40
Photocopies	217.70

TOTAL DISBURSEMENTS 2,602.95

Case 1:16-cv-06848-BMC Document 305-8 Filed 02/15/18 Page 1 of 2 PageID #: 6504

# EXHIBIT H

### OTTERBOURG P.C. 230 Park Avenue New York, NY 10169-0075

Client/Matter: 22126/0902 Page 290		February 12, 2018 BILL NO. 193134
DISBURSEMENTS FOR YOUR ACCOUNT		
Laser Copies		1,672.65
Conference Call(s)		1,632.05
Litigation Support Vendors		1,885.28
Filing Fees, UCC and/or Search		75.00
Electronic Research		706.21
Air Freight		326.76
Transportation		458.72
Outside Messenger		33.30
Telephone Calls (tolls only)		188.85
Travel-Out of Town-lodging,etc		1,030.82
Photocopies		1,175.35
	TOTAL DISBURSEMENTS	9,184.99

Case 1:16-cv-06848-BMC Document 305-9 Filed 02/15/18 Page 1 of 4 PageID #: 6506

# **EXHIBIT I**

Melanie L. Cyganowski Adam C. Silverstein OTTERBOURG P.C. 230 Park Avenue New York, New York 10169 Telephone: (212) 661-9100 Facsimile: (212) 682-6104

Counsel to the Receiver

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK	v	
SECURITIES AND EXCHANGE COMMISSION,	·····A :	
Plaintiff,	:	
-V-	:	
PLATINUM MANAGEMENT (NY) LLC;	:	No. 16-CV-6848 (BMC)
PLATINUM CREDIT MANAGEMENT, L.P.;	:	
MARK NORDLICHT;	:	
DAVID LEVY;	:	
DANIEL SMALL;	:	
URI LANDESMAN;	:	
JOSEPH MANN;	:	
JOSEPH SANFILIPPO; and	:	
JEFFREY SHULSE,	:	
Defendants.	: : X	

#### CERTIFICATION IN SUPPORT OF FIRST JOINT INTERIM APPLICATION OF THE RECEIVER AND OTTERBOURG P.C. FOR ALLOWANCE OF COMPENSATION AND REIMBURSEMENT OF EXPENSES INCURRED DURING <u>THE PERIOD OCTOBER 1, 2017 THROUGH DECEMBER 31, 2017</u>

I, Adam C. Silverstein (the "<u>Certifying Professional</u>"), hereby certify that Melanie L. Cyganowski (the "<u>Receiver</u>") and Otterbourg P.C. ("<u>Otterbourg</u>") have designated me as the Certifying Professional with respect to the Certification required by Section A of the Billing

Instructions for Receivers in Civil Actions Commenced by the U.S. Securities and Exchange Commission (the "<u>SEC Billing Guidelines</u>") and further certify that:

 I am an attorney admitted to practice law in the Eastern District of New York since November, 1993 and in the State of New York since May, 1993 and am a partner at Otterbourg.

2. I have read the Second Joint Interim Application of the Receiver and Otterbourg P.C. for Allowance of Compensation and Reimbursement of Expenses Incurred During the Period October 1, 2017 through December 31, 2017 (the "Second Interim Application").

3. To best of my knowledge, information, and belief formed after reasonable inquiry, the Second Interim Application and all fees and expenses sought therein are true and accurate and comply with the SEC Billing Guidelines, except as noted:

(a) Otterbourg has made every reasonable effort to insure that all billing professionals placed all related time entries in a single activity category (designated by task code). However, some variations may have occurred. Where multiple tasks within a particular task code occurred on the same day, those tasks were recorded as one entry.

4. All fees contained in the Second Interim Application are based on the rates listed in the Fee Schedule (Exhibit B to the Application), subject to the discounts described in the Second Interim Application, and all such fees are reasonable, necessary, and commensurate with the skill and experience required for the activity performed.

5. All necessary and reasonable expenses contained in the Second Interim Application are based on the actual cost incurred by Otterbourg. Otterbourg has not included in the amounts for which expense reimbursement is sought any amortization of the cost of any

#### Case 1:16-cv-06848-BMC Document 305-9 Filed 02/15/18 Page 4 of 4 PageID #: 6509

investment, equipment, or capital outlay (except to the extent any such amortization is included within the permitted allowable amounts for photocopies and fax transmission).

6. In seeking reimbursement for an outside vendor service, which Otterbourg justifiably purchased or contracted for from a third party (such as court reporting services, electronic research, and overnight courier), Otterbourg requests reimbursement only for the actual amount billed to Otterbourg by the third party vendor and paid by Otterbourg to such vendor. Neither the Receiver nor Otterbourg is making a profit on such reimbursable service.

7. I represent that (i) the fees and expenses included therein were incurred in the best interests of the Receivership Estate; and, (ii) with the exception of the SEC Billing Guidelines, the Receiver has not entered into any agreement, written or oral, express or implied, with any person or entity concerning the amount of compensation paid or to be paid from the Receivership Estate, or any sharing thereof.

Dated: February 15, 2018

/<u>s/ Adam C. Silverstein</u> Adam C. Silverstein Certifying Professional

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK	V	
SECURITIES AND EXCHANGE COMMISSIC		
Plaintiff,	:	
-V-	:	No. 16-cv-6848 (BMC)(VMS)
PLATINUM MANAGEMENT (NY) LLC; PLATINUM CREDIT MANAGEMENT, L.P.; MARK NORDLICHT; DAVID LEVY; DANIEL SMALL; URI LANDESMAN; JOSEPH MANN; JOSEPH SANFILIPPO; and JEFFREY SHULSE,		
Defendants.	: X	

#### [PROPOSED] ORDER APPROVING SECOND JOINT INTERIM APPLICATION OF THE RECEIVER AND OTTERBOURG P.C. FOR ALLOWANCE OF COMPENSATION AND REIMBURSEMENT OF EXPENSES INCURRED DURING <u>THE PERIOD OCTOBER 1, 2017 THROUGH DECEMBER 31, 2017</u>

THIS MATTER coming before the Court on the Second Joint Interim Application of Melanie L. Cyganowski, the duly appointed receiver herein (the "<u>Receiver</u>") and Otterbourg P.C. ("<u>Otterbourg</u>"), counsel for the Receiver, for Allowance of Compensation and Reimbursement of Expenses Incurred During the Period October 1, 2017 Through December 31, 2017 (the "<u>Second Interim Application</u>")<sup>1</sup> [Dkt. No. \_\_\_\_]; and the Court having considered the Second Interim Application; and the Court having found that the Second Interim Application complies with applicable standards for awarding fees and expenses; and after due deliberation and for good and sufficient cause shown; it is hereby

<sup>&</sup>lt;sup>1</sup> Capitalized terms utilized but not otherwise defined herein shall have the meaning ascribed to them in the Second Interim Application.

**ORDERED** that the Second Interim Application for the period covering October 1, 2017 through December 31, 2017 (the "Second Application Period") is granted; and it is further

**ORDERED** that the Receiver's compensation for the Second Application Period is allowed on an interim basis in the amount of \$120,434.80 (the "<u>Allowed Receiver Fees</u>"); and it is further

**ORDERED** that the fees requested by Otterbourg for the Second Application Period are allowed on an interim basis in the amount of \$903,961.80 (the "<u>Allowed Otterbourg Fees</u>" and, together with the Allowed Receiver Fees, the "<u>Allowed Fees</u>"); and it is further

**ORDERED** that the Receiver's request for reimbursement of her out-of-pocket expenses for the Second Application Period is allowed on an interim basis in the amount of \$2,602.95; and it is further

**ORDERED** that Otterbourg's request for reimbursement of its out-of-pocket expenses for the Second Application Period is allowed on an interim basis in the amount of \$9,184.99; and it is further

**ORDERED** that the Receiver is authorized to immediately pay from the Receivership assets (i) the Allowed Fees, less twenty-five (25%) percent of the Allowed Fees (the "<u>Holdback</u> <u>Amount</u>"), plus (ii) 100% of the allowed out-of-pocket expenses of Applicants; and it is further

**ORDERED** that upon the disposition of additional assets, the Receiver is authorized to reduce the Holdback Amount to twenty percent (20%) and pay to Applicants five percent (5%) of their Allowed Fees, subject to the consent of the SEC, but without further notice or order of the Court.