

The Honorable Marc Barreca
Chapter 7
Hearing: September 19; 9:30 AM
Response Date: September 12, 2014

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

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| In re: TREND SOUND PROMOTER AMG CORP, Debtor(s), | No.: 14-13193 MOTION AND DECLARATION FOR FINAL FEES (with Notice of Hearing) |
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NOTICE OF HEARING

PLEASE TAKE NOTICE that an issue of law in this case will be heard on the date below and the clerk is directed to note this issue on the appropriate calendar.

| | |
|--------------------------|------------------------------------|
| <u>Calendar Date:</u> | <u>September 19, 2014; 9:30 AM</u> |
| <u>Response Date:</u> | <u>September 12, 2014</u> |
| <u>Day of Week:</u> | <u>Friday</u> |
| <u>Nature of Motion:</u> | <u>Motion for Final Fees</u> |

This motion will be heard before the Honorable Marc Barreca in the United States Bankruptcy Court 700 Stewart Street, Courtroom 7106, Seattle, WA 98101 on the above date. Unless a creditor or other party in interest objects and files a response or objection by the response date above, the court may enter an order without further notice or hearing.

Dated this 20th day of August, 2014.

/s/ Larry B Feinstein
Larry B. Feinstein WSBA # 6074
Attorney for Debtor

1 **MOTION**

2 COMES NOW Larry B. Feinstein of Vortman & Feinstein, attorney for the Debtor
3 herein, Trend Sound Promoter AMG Corp, (“Debtor”), and moves the court for fees and costs
4 pursuant to the provisions of 11 U.S.C. § 330 and LR 2016-1 incurred during the Debtors’
5 Chapter 11 proceeding, prior to conversion to Chapter 7, in the amount of \$14,165.00, and for
6 an additional \$835.00 for time spent on preparation of this fee request, participation in the
7 hearing on the fee request, and for any discussions related thereto with the trustee, the Court, or
8 the Debtor. This application for fees is further detailed below in the Declaration of Larry
9 Feinstein in support of this motion.
10

11 WHEREFORE, Vortman & Feinstein respectfully request that this Court enter an order
12 authorizing payment of final attorneys’ fees and costs by awarding to Vortman & Feinstein
13 compensation for professional services rendered from April 23, 2014 to May 30, 2014, in the
14 amount of \$14,165.00; for services rendered related to this fee request in the amount of
15 \$835.00; and for authorization to apply funds in trust in the amount of \$10,500.00.
16

17 DATED this 20th day of August, 2014.

18 /s/ Larry B Feinstein
19 Larry B. Feinstein WSBA # 6074
20 Attorney for Debtor

21 **DECLARATION OF LARRY FEINSTEIN**

22 COMES NOW Larry B. Feinstein of Vortman & Feinstein, attorney for the Debtor
23 (“Debtor”), Trend Sound Promoter, herein, duly sworn upon oath, deposes and says under
24 penalties of perjury and applies to the court for fees and costs pursuant to the provisions of 11
25 U.S.C. § 330 and LR 2016-1 in these proceedings, as follows:
26

1 1. This is our first fee request in this proceeding for services rendered during the
2 pendency of the debtor's Chapter 11 case, prior to its conversion. This bankruptcy proceeding
3 commenced by the filing of a voluntary Chapter 11 petition on April 25, 2014. The proceeding
4 was converted to one under Chapter 7 on June 2, 2014. This fee requests covers the period
5 before filing beginning April 23, 2014 to May 30, 2014.

6 2. On May 23, 2014, an order was entered employing Vortman & Feinstein as
7 attorneys for the Debtor. Other professionals employed by the Chapter 11 estate include
8 Annette Mouton as special counsel and Vladimir Raskin as accountant.

9 3. At the present time, the amount of unencumbered funds in the estate is unknown
10 to counsel. Counsel is holding \$10,500.00 in trust and received \$4,500.00 for prepetition legal
11 services. This is sufficient to cover the amount of this fee request.

12 4. Attached hereto and made a part hereof are our billing statement, showing the
13 services which we have rendered between April 23, 2014 and May 30, 2014, for the Debtor by
14 Vortman & Feinstein. The hourly rate for Mr. Feinstein is \$395.00. Additional work was
15 performed by staff attorney Kathryn Scordato (WSBA #41922), whose hourly rate is \$250.00.

16 5. Services performed on behalf of the Debtor included routine matters required
17 under Chapter 11, including preparing the schedules and statements; attending hearings before
18 the court; drafting motions and preparing responses to motions from the US Trustee; fielding
19 telephone calls from creditors of the estate; reworking the debtor's mailing matrix several
20 times; and conferences with the debtor. All services are itemized in the attached billing
21 statement.

22 6. The debtor's Chapter 11 case was extremely complicated from the outset. Its
23 thousands of creditors included individuals from 46 countries, most of whom do not speak

1 English as a first language and come from vastly different legal systems than our own. The
2 majority of its creditors are from Russia, Ukraine, and Moldova, in areas where postal delivery
3 is unpredictable at best, which necessitated exploring alternative noticing options. Much of our
4 time spent immediately after filing was consumed by figuring out the logistics of noticing so
5 many international creditors. Moreover, our task was made more difficult by the rejection of
6 the Cyrillic alphabet by the Court's filing software.

7
8 7. Because of the language barrier, we received many telephone calls from
9 creditors of the estate after they did receive notice of Trend Sound Promoter's filing, which is
10 unusual to the extent that they were received in this case. The next most time consuming
11 project was to determine the amount of each creditor's claim. This task was made more
12 difficult as well, as much of the company's records were only partially completed and some
13 were not in English, but in Russian. Throughout the Chapter 11 case, special counsel and the
14 debtor were in constant contact with our office. Most telephone calls and conferences listed on
15 the billing statements herein were initiated by the principals of the debtor and/or special
16 counsel to better explain the Chapter 11 process and/or facilitate the above.

17
18 8. We are requesting an additional 2.76 hours, equal to \$835.00. This will cover
19 the time spent for the preparation of this fee request by Ms. Scordato, as well as for an
20 additional hour for my review and for my participation in scheduled hearing on September 19,
21 2014, regarding this fee application, as well as any negotiations or discussions related thereto
22 with Trustee, Court, and/or client in the interim.

23 9. We have spent the following time marked on the billing on this matter:

| | | |
|----|--|-------------------------------|
| 1 | A. Prepetition Legal Services | 8.4 hours |
| 2 | B. General case administration, including preparation of schedules, statements, and matrices; conferences with clients; and telephone calls to and from clients and independent promoters. | 18.1 hours |
| 3 | | |
| 4 | C. Drafting motions/responses and attending hearings, including | 12.4 hours |
| 5 | - Case Status Conference | |
| 6 | - Noticing | |
| 7 | - Applications to Hire | |
| 8 | - Conversion | |
| 9 | D. UST IDI and UST Monthly Reports | 2.1 hours |
| 10 | E. Motion for Final Fees | 2.76 hours (reduced from 3.0) |
| 11 | | |
| 12 | Total Time Billed: | 43.76 hours |
| 13 | Total Amount Billed: | \$15,000.00 |
| 14 | Payments Received | \$15,000.00 |
| 15 | - Prepetition Legal Services: \$4,500 | |
| 16 | - In Trust: \$10,500.00 | |
| 17 | Balance: | \$0.00 |

10. For the period from April 23, 2014 to May 30, 2014, Vortman & Feinstein have total fees and costs in the amount of \$14,165.00, as set forth on the attached billing statement. We are holding \$10,500.00 in trust as retainer in these proceedings, in addition to the \$4,500.00 previously received for prepetition legal services. Of the funds in trust, \$10,500.00 will be applied to this bill. We also request an additional \$835.00 (2.76 hours) to account for the time spent in preparation of this fee request and for the hearing and discussions related thereto. After application of the funds on hand, there is no further balance.

WHEREFORE, Vortman & Feinstein respectfully request that this Court enter an order authorizing payment of final attorneys' fees and costs by awarding to Vortman & Feinstein compensation for professional services rendered from April 23, 2014 to May 30, 2014, in the amount of \$14,165.00 and authorize application of funds in trust in the amount of \$10,500.00; and that this Court enter an order authorizing an additional \$835.00 as compensation for time

1 spent in preparation of this fee application, attendance at the hearing, and for any discussions
2 associated therewith.

3 DATED this 20th day of August, 2014.

4 /s/ Larry B Feinstein
5 Larry B. Feinstein WSBA # 6074
6 Attorney for Debtor
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Larry B. Feinstein
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Trend Sound Promoter AMG Corp
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Bellevue, WA 98004

PAGE 1
BILLING DATE: 08/15/14
ACCT NO.: LBF-TREND SOUN

Attn: Volodimyr Pigida

RE: Chapter 11 Proceedings

| DATE | PROFESSIONAL SERVICES RENDERED | INDIV | TIME | AMOUNT | |
|----------|---|-------|------|----------|-----------------|
| 04/23/14 | Telephone call to client regarding petition preparation and questions. | KPS | 0.20 | 50.00 | Billed 08/15/14 |
| 04/24/14 | Conference with clients. Work on Ch 11 schedules and matrix. | LBF | 2.80 | 1,106.00 | Billed 08/15/14 |
| 04/24/14 | Prepare schedules for filing, profit and loss statement, list of 20 top creditors, matrix, etc. Emails with and for clients. | LBF | 5.40 | 2,133.00 | Billed 08/15/14 |
| 04/25/14 | Work on matrix. Telephone call to Chambers on noticing and translations. | LBF | 1.80 | 711.00 | Billed 08/15/14 |
| 04/25/14 | Prepare motion to allow email notice. | KPS | 0.60 | 150.00 | Billed 08/15/14 |
| 04/28/14 | Telephone calls with court and client on noticing and case management hearing | LBF | 0.70 | 276.50 | Billed 08/15/14 |
| 04/28/14 | Prepare application, order and declaration to hire LBF and Annette Mouton as co-counsels | LBF | 1.00 | 395.00 | Billed 08/15/14 |
| 05/01/14 | Hearing on email notices, case status conference. | LBF | 1.70 | 671.50 | Billed 08/15/14 |
| 05/01/14 | Attend hearing re: case status conference and email noticing. Review file. Conference with clients and Annette Mouton. | KPS | 2.50 | 625.00 | Billed 08/15/14 |
| 05/01/14 | Research on company history, scam reports, customer complaints, and potential litigation. | KPS | 1.70 | 425.00 | Billed 08/15/14 |
| 05/05/14 | Telephone call from creditor. Reformat top 20 creditors. | KPS | 0.60 | 150.00 | Billed 08/15/14 |
| 05/06/14 | Work on matrix. Telephone conference with clients re: issues on violations of stay and amending schedules. | LBF | 3.10 | 1,224.50 | Billed 08/15/14 |
| 05/07/14 | Telephone calls with court clerk and client to finalize matrix. Telephone calls with US Trustee, Sarah Flynn, re: Sec 341 notice. | LBF | 0.70 | 276.50 | Billed 08/15/14 |

Please review this bill carefully.

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BILLING DATE: 08/15/14
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|----------|---|-----|------|--------|-----------------|
| 05/07/14 | Emails with Jay Jump regarding bulk mailing services. | KPS | 0.10 | 25.00 | Billed 08/15/14 |
| 05/07/14 | Telephone call from Annette and Marina regarding notice for 341 | KPS | 0.10 | 25.00 | Billed 08/15/14 |
| 05/07/14 | Telephone call from clerk's office regarding matrix | KPS | 0.30 | 75.00 | Billed 08/15/14 |
| 05/08/14 | Emails with client re: mailing sec. 341 notice and reply | LBF | 0.30 | 118.50 | Billed 08/15/14 |
| 05/08/14 | Telephone call from M. Stern, counsel for several promoters. | LBF | 0.40 | 158.00 | Billed 08/15/14 |
| 05/09/14 | Telephone call from Annette Mouton and Telephone call from Judge Barreca's chambers. Review motion to dismiss. Emails with clients. | KPS | 1.80 | 450.00 | Billed 08/15/14 |
| 05/11/14 | Review US Trustee motions. Review emails from KPS (no charge). Review several client emails on US Trustee motions. | LBF | 1.80 | 711.00 | Billed 08/15/14 |
| 05/12/14 | Conference with client and Annette Mouton on conversion to Ch 7 | LBF | 0.60 | 237.00 | Billed 08/15/14 |
| 05/12/14 | Emails with client and US Trustee regarding insurance documents. | LBF | 0.40 | 158.00 | Billed 08/15/14 |
| 05/12/14 | 11 telephone calls from Independent Promoter Distributors, at an average of 6 minutes each call. | KPS | 1.10 | 275.00 | Billed 08/15/14 |
| 05/13/14 | Prepare report to court on mailing costs. Emails with clerk on editing matrix. File with court said request to edit mailing matrix. | LBF | 1.10 | 434.50 | Billed 08/15/14 |
| 05/15/14 | Telephone call with Mark Stern re: BR 2004 exam and requested documents. Emails with client re: exam and US Trustee re: insurance. | LBF | 0.50 | 197.50 | Billed 08/15/14 |
| 05/16/14 | 2 telephone calls from IPD's at an average of 6 minutes per call. | KPS | 0.20 | 50.00 | Billed 08/15/14 |
| 05/16/14 | Emails with Annette Mouton. Review application to hire as Special Counsel. | KPS | 0.20 | 50.00 | Billed 08/15/14 |
| 05/17/14 | Prepare application, order and declaration to hire Vladimir Raskin as CPA | KPS | 1.00 | 250.00 | Billed 08/15/14 |
| 05/19/14 | Attend Initial Debtor Interview. | LBF | 1.80 | 711.00 | Billed 08/15/14 |

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BILLING DATE: 08/15/14
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|----------|--|-----|------|--------|-----------------|
| 05/22/14 | Telephone call from R. Grant, attorney for creditor's committee, regarding background and information. | LBF | 0.50 | 197.50 | Billed 08/15/14 |
| 05/23/14 | Set up Gmail account for emailing documents to independent promoters. Draft statement. Prepare final amendments to applications to hire Mouton and Raskin. File and provide notice of same per UST instructions. Emails with Mouton. Telephone call from Marina to answer questions after reviewing documents for the US Trustee monthly report. | KPS | 2.50 | 625.00 | Billed 08/15/14 |
| 05/27/14 | Emails with Annette Mouton regarding monthly report and missing items. | LBF | 0.30 | 118.50 | Billed 08/15/14 |
| 05/27/14 | Emails with and Telephone call from Annette Mouton. | KPS | 0.30 | 75.00 | Billed 08/15/14 |
| 05/27/14 | Review and file US Trustee monthly report | LBF | 0.30 | 118.50 | Billed 08/15/14 |
| 05/28/14 | Emails with client regarding Section 341 questions and guidelines | LBF | 0.40 | 158.00 | Billed 08/15/14 |
| 05/28/14 | Telephone call from Marina. Draft motion to sell Bentley. | KPS | 0.80 | 200.00 | Billed 08/15/14 |
| 05/30/14 | Telephone call with client and Annette Mouton re: conversion and payroll expenses. Emails with US Trustee. Prepare notice and motion to convert. | LBF | 1.40 | 553.00 | Billed 08/15/14 |
| 08/15/14 | Reconcile billing statement and timeslips. Prepare Fee Application, Declaration, and Proposed Order. (Voluntary reduction from 2.0 hours to 1.76 hours) | KPS | 1.76 | 440.00 | Billed 08/15/14 |
| 08/15/14 | Additional hour for review by LBF and for participation in scheduled hearing on 9/19/14 regarding fee application, as well as any negotiations or discussions related thereto with Trustee, Court, and/or client in the interim. | LBF | 1.00 | 395.00 | Billed 08/15/14 |

Total of New Services: **0.00** **0.00**

Total of Previously Billed Services: **43.76** **15,000.00**

DATE **PAYMENT** **AMOUNT**

Please review this bill carefully.

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BILLING DATE: 08/15/14
ACCT NO.: LBF-TREND SOUN

| | | | |
|---|--|------------------|-----------------|
| 04/24/14 | Payment received - \$10,500 in trust as retainer for future services | 10,500.00 | Billed 08/15/14 |
| 04/24/14 | Payment received - \$4500 for prepetition legal services | 4,500.00 | Billed 08/15/14 |
| Total of New Payments: | | 0.00 | |
| Total of Previously Billed Payments: | | 15,000.00 | |

| |
|------------------------|
| ACCOUNT SUMMARY |
|------------------------|

| | |
|-------------------------|---------------|
| PREVIOUS BALANCE: | \$0.00 |
| NEW SERVICES: | \$0.00 |
| NEW EXPENSES: | \$0.00 |
| NEW PAYMENTS: | \$0.00 |
| TOT. CURRENT PERIOD: | \$0.00 |
| CURRENT BALANCE: | \$0.00 |

Please review this bill carefully.