

Mark I. Fishman (MF3487)
Neubert, Pepe & Monteith, P.C.
195 Church Street, 13th Floor
New Haven, Connecticut 06510
Tel. 203.821.2000
Counsel to Patient Care Ombudsman

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

	X	
In re:	:	Chapter 11
	:	
	:	Case No. 13-22840 (RDD)
SOUND SHORE MEDICAL CENTER OF	:	
WESTCHESTER, et al.,	:	(Jointly Administered)
	:	
Debtors.	:	
	X	

**COVER SHEET TO
APPLICATION OF NEUBERT, PEPE & MONTEITH, P.C.
AS COUNSEL TO THE PATIENT CARE OMBUDSMAN FOR
ENTRY OF ORDER ALLOWING FINAL COMPENSATION AND
REIMBURSEMENT OF EXPENSES**

Name of Applicant:	Neubert, Pepe & Monteith, PC 195 Church Street, 13 th Floor New Haven, CT 06510 (203) 821-2000
Authorized to Provide Professional Services to:	Daniel T. McMurray, as Patient Care Ombudsman
Date of Retention:	August 9, 2013, <i>nunc pro tunc</i> to June 21, 2013
Period for which compensation and reimbursement are sought:	June 21, 2013 through December 31, 2013 inclusive of first interim time period and additional period
Total amount of compensation sought :	\$59,842.50
Total amount of expense reimbursement sought:	\$1,098.55
Fees Previously Allowed and Paid upon Interim Application:	\$ 33,067.50

Expenses Previously Allowed and Paid
upon Interim Application: \$ 436.56

Compensation sought for additional
period: \$26,775.00

Expense reimbursement sought for
additional period: \$661.99

This is a: _____ interim X final application

SUMMARY OF PROFESSIONALS AND HOURS WORKED
For the Period June 21, 2013 through December 31, 2013, inclusive

Timekeeper	Title	Graduated Law School	Total Billable Hours	Billing Rate	Total
Jennifer L. Cammarano	Associate	2006	5.3	\$225	\$1,192.50
Mark I. Fishman	Partner	1970	138.0	\$425	\$58,650.00
Totals			143.3		\$59,842.50

TOTAL HOURS	143.3
TOTAL FEES INCURRED	\$59,842.50
BLENDED RATE	\$417.60

Mark I. Fishman (MF3487)
Neubert, Pepe & Monteith, P.C.
195 Church Street, 13th Floor
New Haven, Connecticut 06510
Tel. 203.821.2000
Counsel to Patient Care Ombudsman

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

	X	
In re:	:	Chapter 11
	:	
	:	Case No. 13-22840 (RDD)
SOUND SHORE MEDICAL CENTER OF	:	
WESTCHESTER, et al.,	:	(Jointly Administered)
	:	
Debtors.	:	
	X	

**APPLICATION OF NEUBERT, PEPE & MONTEITH, P.C.
AS COUNSEL TO THE PATIENT CARE OMBUDSMAN FOR
ENTRY OF ORDER ALLOWING FINAL COMPENSATION AND
REIMBURSEMENT OF EXPENSES**

Neubert, Pepe & Monteith, P.C. (“NPM”), counsel to Daniel T. McMurray, the patient care ombudsman (the “Ombudsman”) appointed in the Chapter 11 cases (the “Case”) of Sound Shore Medical Center of Westchester and certain of its affiliates (the “Debtors”), by and through the undersigned, submits this application (the “Application”) pursuant to, inter alia, Sections 105, 330 and 333 of Title 11 of the United States Code (the “Bankruptcy Code”) and Rule 2016 of the Federal Rules of Bankruptcy Procedure (“Bankruptcy Rules”) for entry of an order approving and allowing final compensation to NPM in the amount of \$59,842.50, including interim compensation previously allowed and paid, and reimbursement of expenses in the amount of \$1,098.55, including interim allowed expenses previously paid, and granting such other relief as is just and proper. In support of this Application, NPM respectfully states as follows:

JURISDICTION AND VENUE

1. This Court has jurisdiction over this Application pursuant to 28 U.S.C. §§ 157 and 1334 and the Amended Standing Order of Reference by the United States District Court, dated January 31, 2012 and entered February 1, 2012. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409. This matter is a core proceeding pursuant to 28 U.S.C. § 157(b) (A) and (O).

BACKGROUND

2. On May 29, 2013 (the “Petition Date”), the Debtors filed voluntary petitions for relief under Chapter 11 of the Bankruptcy Code.

3. On June 21, 2013, the Bankruptcy Court entered an Order directing the appointment of a patient care ombudsman under Section 333 of the Bankruptcy Code (the “Appointment Order”).

4. In accordance with the Appointment Order, on June 21, 2013, the United States Trustee appointed the Ombudsman.

5. On August 9, 2013, the Court entered an Order authorizing the Ombudsman to retain and employ NPM as his counsel, effective June 21, 2013 (the “Retention Order”). A true and correct copy of the Retention Order is attached hereto as Exhibit A.

FEES AND EXPENSES

6. NPM, a firm of approximately 24 attorneys, has been heavily involved in bankruptcy and health care law for 20 years. Mark I. Fishman, NPM’s lead attorney in the Case, graduated from Harvard Law School in 1970, practiced law at Sullivan & Cromwell in New York, New York for more than six years and has practiced primarily in bankruptcy law since 1982.

7. NPM represented the Ombudsman in the case of Saint Vincents Catholic Medical Centers of New York and affiliates, including two hospitals and three nursing homes, and in

numerous other cases in this Court and in the Eastern District of New York and the Districts of New Jersey and Delaware.

8. By this Application, NPM seeks allowance of \$59,842.50 of fees and \$1,098.55 of expenses.

9. NPM previously applied for and, upon allowance, was paid the amount of \$33,067.50 of interim compensation and \$436.56 of expenses.

10. NPM subsequently incurred \$26,775.00 of fees and \$661.99 of expenses for the subsequent time period from September 1, 2013 through December 31, 2013 and has been paid \$6,672.13 on account thereof through monthly compensation, as of January 8, 2014.

11. No agreement or undertaking exists between NPM and any other entity outside of NPM for the sharing of compensation received or to be received for services rendered in or in connection with the Case. See Affidavit of Mark I. Fishman, Esq., annexed hereto as Exhibit B.

DESCRIPTION OF SERVICES

12. NPM maintains written records of the time expended by its attorneys in rendering professional services to the Ombudsman (the "Time Records"). Such time records are made at or near the time that each person rendered such services. The Cover Sheet to this Application contains: (i) a list of the attorneys who rendered professional services to the Ombudsman for which compensation is sought; (ii) the date of law school graduation for each attorney; (iii) the aggregate time expended by each attorney; (iv) the hourly billing rate for each attorney; and (v) the amount of NPM's fees attributable to each attorney.

13. The Time Records for the full period of NPM's engagement are annexed hereto as Exhibit C.

14. Because NPM's services as counsel to the Ombudsman are limited in scope and highly focused and do not involve a broad array of substantive areas of law or procedural aspects

of the case, NPM submits that no purpose would be served by providing separate invoices, totals and narratives for each of the task code categories which would normally be employed by an attorney for a debtor, for a trustee or even for a creditors committee. Accordingly NPM has not categorized its services in that manner. The practice of treating Applicant's services as a single unit without artificial distinction has been accepted by this Court in the cases of Our Lady of Mercy Medical Center, et al., 07-10609 (REG), Saint Vincents Catholic Medical Centers of New York, et al., 10-11963 (CGM) and DeWitt Rehabilitation and Nursing Center, Inc., 11-10253 (ALG), and has been employed and accepted in the District of New Jersey and the Eastern District of New York as well.

15. In submitting this Application, including the Time Records, neither NPM nor the Ombudsman waives the attorney-client privilege, work product doctrine or any similar privilege or right, all of which are expressly reserved.

16. NPM maintains records of all actual and necessary out-of-pocket expenses incurred in connection with the performance of professional services. Exhibit D sets forth the expenses and amounts for which reimbursement is requested.

SUMMARY OF SERVICES

17. Recitation herein of every item of professional services that NPM performed would unduly burden this Court. NPM, therefore, provides below a summary of the services which it performed.

18. NPM performed services regarding the Ombudsman's access to confidential patient records, which are an essential element of the Ombudsman's monitoring of patient care procedures. In this connection NPM researched and analyzed the access provided for in the Appointment Order in order to determine whether the Appointment Order properly provided

sufficient access and could be relied upon for that purpose. In this regard, NPM consulted both with the Ombudsman and with counsel for the Debtors.

19. The result of NPM's discussions with counsel for the Debtors was that the Debtors were willing to provide to the Ombudsman their patient records for all types of treatment except treatment of behavioral health. It became necessary, therefore, for NPM, upon instruction by the Ombudsman, to begin the preparation of a motion to obtain access to records of behavioral treatment so that NPM would be prepared to complete and prosecute such motion if necessary.

20. The Debtors considered it necessary in connection with the Ombudsman's access to patient records (other than the behavioral health records) to require a business associates agreement between the Debtors and the Ombudsman. NPM reviewed and revised that business associates agreement.

21. The handling of patient's medical records, including preservation, security and access, is an important component of the sale of the Debtors' hospitals and nursing home and of the transition to new ownership (the "Sale"). The relatively limited extent of the medical records originally to be treated as acquired assets was of concern to the Ombudsman, as was (and is) the size and complexity of the transition process with respect to medical records. Accordingly, NPM, with the Ombudsman, following its review of the sale motion and asset purchase agreement, consulted with Debtors' counsel regarding the treatment of medical records and submitted a pleading in response to the sale motion in order to inform the Court of the Ombudsman's concerns.

22. NPM appeared at and participated in the hearing on the sale motion in order to address issues relating to the transition of patient records. It also monitored other hearings telephonically and reported to the Ombudsman regarding those hearings.

23. Following the closing of the Sale, NPM, with the Ombudsman, upon request, reviewed and commented upon sequential drafts of the agreement with MetalQuest, Inc. for the assembly, indexing, storage and eventual destruction of the Debtors' patient records and for the providing of access to such records for patients and their new providers. NPM also reviewed and commented upon the proposed order to approve the MetalQuest agreement, especially insofar as it addressed the notifications to be provided to patients, and conferred with Debtors' counsel regarding the notification mechanisms.

24. NPM, with the Ombudsman, reviewed the Debtors' motion to prescribe procedures for the handling of medical malpractice claims, discussed the motion and proposed order with Debtors' counsel and requested revisions to the proposed order.

25. NPM, from the outset, continually monitored proceedings in the Case in order to detect any developments which could have an adverse effect on patient care. NPM kept the Ombudsman informed as to any such matters. This effort was conducted in a highly efficient manner, as NPM has sufficient bankruptcy law experience to make prompt and expeditious determinations as to which pleadings merit further review from a patient care perspective and is able to rule out many pleadings from further review.

26. The Ombudsman prepared and filed two lengthy and detailed periodic reports and a shorter final report. NPM carefully reviewed the Ombudsman's drafts of the report, provided detailed written comments to the Ombudsman as well as substantial revisions of the first report and discussed the drafts and its comments with the Ombudsman. NPM also prepared notices of the reports and coordinated with Debtors' counsel regarding the posting of notice of the reports at the Debtors' facilities.

27. Finally, NPM prepared the necessary retention application for it to be retained as counsel to the Ombudsman, carefully examined facts relating to the disclosures required by Rule

2014, coordinated with Debtors' counsel to assure equitable treatment for the Ombudsman and NPM, prepared its interim application for compensation and assisted the Ombudsman in the preparation of his interim application.

REIMBURSEMENT OF EXPENSES

28. NPM expended the sum of \$1,098.55 for reasonable and necessary expenses incurred in connection with its representation of the Ombudsman.

29. More than half of the expenses billed by NPM consists of overnight delivery charges. A significant fraction of the expenses consists of third-party vendor charges for telephonic monitoring of hearings by NPM and/or the Ombudsman. Such charges facilitate a savings to the estates.

EVALUATING NPM'S SERVICES

30. Section 330 of the Bankruptcy Code sets forth the basic standards for the allowance of compensation.

31. The foregoing services performed by NPM were appropriate for an assignment of the type involved in connection with this matter. "[T]he appropriate perspective for determining the necessity of the activity should be prospective: hours for an activity or project should be disallowed *only* where a Court is convinced it is readily apparent that no reasonable attorney should have undertaken that activity or project or where the time devoted was excessive." In re Drexel Burnham Lambert Group, Inc., 133 B.R. 13, at 23 (Bankr. S. D. N. Y. 1991) (emphasis added). Moreover, in passing upon the reasonableness of hours expended, courts should be mindful of the "practical judgments, often within severe time constraints, [professionals make] on matters of staffing, assignments, coverage of hearings and meetings, and a wide variety of similar matters." Id. These judgments are presumed to be made in "good faith." Id. at 31.

32. The application of the foregoing principals to the services provided by NPM establishes that the services provided by NPM were reasonable and necessary.

NOTICE AND PRIOR REQUEST

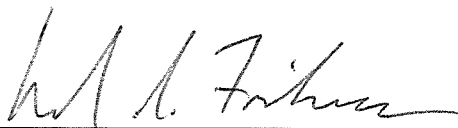
33. Copies of this Application are being served upon (i) the Debtors and their counsel; (ii) the Office of the United States Trustee; (iii) counsel to the Creditors Committee; (iv) counsel to the post-petition lender; and (v) counsel to Montefiore Medical Center pursuant to the Interim Order in the Case, inter alia, establishing procedures for interim compensation. NPM submits that no further notice is necessary.

34. No prior application for final compensation has been filed with the Court.

WHEREFORE, NPM respectfully requests that this Court enter an Order:

- (i) allowing final compensation in the amount of \$59,842.50;
- (ii) allowing expenses, on a final basis, in the amount of \$1,098.55;
- (iii) authorizing and directing the Debtors to pay to NPM the unpaid amount of such compensation and expenses; and
- (iv) granting such other and further relief as is just and proper.

NEUBERT, PEPE & MONTEITH, P.C.

By: 
Mark I. Fishman (MF 3487)
195 Church Street, 13th Floor
New Haven, Connecticut 06510
Tel. 203-821-2000
Email: mfishman@npmlaw.com
Counsel to Patient Care Ombudsman

Mark I. Fishman (MF3487)
Neubert, Pepe & Monteith, P.C.
195 Church Street, 13th Floor
New Haven, Connecticut 06510
Tel. 203.821.2000
Counsel to Patient Care Ombudsman

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

	X	
In re:	:	Chapter 11
	:	
	:	Case No. 13-22840 (RDD)
SOUND SHORE MEDICAL CENTER OF	:	
WESTCHESTER, et al.,	:	(Jointly Administered)
	:	
Debtors.	:	
	X	

**CERTIFICATION IN SUPPORT OF FINAL APPLICATION OF NEUBERT,
PEPE & MONTEITH, P.C. FOR COMPENSATION AND REIMBURSEMENT
OF EXPENSES**

I, Mark I. Fishman, hereby certify that:

1. I am a principal in the law firm of Neubert, Pepe & Monteith, P.C. (“NPM”). I have responsibility for this firm’s representation of Daniel T. McMurray, as Patient Care Ombudsman.

2. This Certification is made in support of NPM’s Application for Final Compensation (the “Application”).

3. Pursuant to the Amended Guidelines for Fees and Disbursements for Professionals in Southern District of New York Bankruptcy Cases (the “Local Guidelines”), I certify that:

(a) I have read the Application;

(b) To the best of my knowledge, information and belief formed after

reasonable inquiry, the fees and disbursements sought in the Application fall within the Local Guidelines;

(c) To the best of my knowledge, information and belief formed after reasonable inquiry, the Application substantially complies with the Local Guidelines;

(d) In providing a reimbursable service, NPM does not make a profit on that service, whether the service is performed by NPM in-house or through a third party. While NPM normally charges only \$0.15 a page for photocopying costs, the undersigned lacks sufficient knowledge of the costs and structure relating thereto to make such certification with respect to photocopying costs.

(e) I am presently unable to make the certification that the fees and disbursements sought are billed at rates which are consistent with practices customarily employed by NPM and generally accepted by NPM's clients. The rate sought for my time is a new rate established in 2013 for non-Connecticut client relationships commenced in or after 2013 and represents an increase of \$25.00 an hour. Such rate has not yet been billed to and paid by other clients. Also, the small amount of time billed with respect to Jennifer L. Cammarano appears, after review and analysis, to have been billed at a higher rate than the rate at which much of her time has been billed to other clients.

4. I further certify that NPM is providing the Debtor; counsel to the Debtor; Office of the United States Trustee; counsel to the Creditor's Committee; and counsel to the Debtor's principal secured lender with a copy of the Application.

5. No agreement or understanding exists between NPM and any other person other than attorneys within NPM for a division of compensation paid or to be paid in this proceeding.

I hereby certify that the foregoing statements made by me are true. I am aware that, if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: New Haven, Connecticut
January 13, 2014

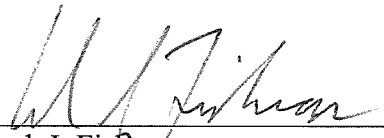

Mark I. Fishman

EXHIBIT A

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

	X	
In re:	:	Chapter 11
	:	
	:	Case No. 13-22840 (RDD)
SOUND SHORE MEDICAL CENTER OF	:	
WESTCHESTER, et al.,	:	(Jointly Administered)
	:	
Debtors.	:	
	X	

**ORDER AUTHORIZING THE EMPLOYMENT AND RETENTION
OF NEUBERT, PEPE & MONTEITH, P.C. AS COUNSEL FOR THE
PATIENT CARE OMBUDSMAN, *NUNC PRO TUNC* TO JUNE 21, 2013**

Upon the application, dated June 28, 201 (the “Application”),¹ of Daniel T. McMurray, the Patient Care Ombudsman (the “Ombudsman”) appointed in these Chapter 11 cases, for entry of an order, pursuant to sections 105, 330 and 333 of Title 11 of the United States Code, 11 U.S.C. §§ 101, *et seq.* (the “Bankruptcy Code”) and Rule 2014 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), authorizing the retention and employment of the law firm of Neubert, Pepe & Monteith, P.C. (“Neubert Pepe”), as counsel for the Ombudsman, *nunc pro tunc* to June 21, 2013; and upon the accompanying Affidavit of Mark I. Fishman (the “Fishman Affidavit”) ; and it appearing that the Court has jurisdiction over the Application pursuant to 28 U.S.C. §§ 157(a) and (b)(2) and 1334(b); and due and adequate notice of the Application having been given, and it appearing that no other or further notice need be provided; and this Court having determined that, based upon the representations in the Application and the Fishman Affidavit, Neubert Pepe neither holds nor represents an interest adverse to the Debtors’ estates or their creditors with respect to the matters upon which they are to be engaged, Neubert Pepe is a disinterested person as that term is defined under section

¹ All capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Application.

101(14) of the Bankruptcy Code, and Neubert Pepe's employment is necessary and in the best interests of the estates and creditors; and after due deliberation and sufficient cause appearing therefor,

IT IS HEREBY ORDERED THAT:

1. The Application is granted.
2. The Ombudsman is authorized to retain Neubert Pepe as his counsel in these cases, *nunc pro tunc* to June 21, 2013, to perform the services set forth in the Application.
3. Neubert Pepe shall be compensated in accordance with sections 330 and 331 of the Bankruptcy Code, any applicable Bankruptcy Rules, Local Rules, and fee and expense guidelines and orders of the Court.
4. Neubert Pepe shall be permitted within 10 days after entry of this Order to submit invoices, and thereafter to be paid upon such invoices, in accordance with any order of this Court establishing procedures for interim compensation and reimbursement of expenses of professionals (the "Procedures Order"), to the extent that such invoices were previously due for submission pursuant to the Procedures Order and thereafter shall be permitted to be compensated and reimbursed in accordance with such Order.
5. This Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

Dated: White Plains, New York
August 9, 2013

/s/Robert D. Drain
United States Bankruptcy Judge

EXHIBIT B

EXHIBIT B

Mark I. Fishman (MF3487)
Neubert, Pepe & Monteith, P.C.
195 Church Street, 13th Floor
New Haven, Connecticut 06510
Tel. 203.821.2000
Counsel to Patient Care Ombudsman

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

	X	
In re:	:	Chapter 11
	:	
	:	
SOUND SHORE MEDICAL CENTER OF	:	Case No. 13-22840 (RDD)
WESTCHESTER, et al.,	:	
	:	(Jointly Administered)
	:	
Debtors.	:	
	X	

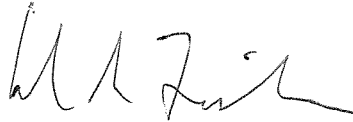
RULE 2016 AFFIDAVIT

STATE OF CONNECTICUT)
) ss:
COUNTY OF NEW HAVEN)

Mark I. Fishman, being duly sworn, deposes and says:

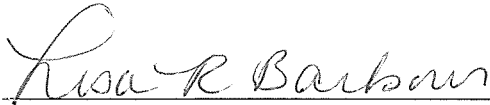
1. I am a principal in the law firm of Neubert, Pepe & Monteith, PC, counsel to the Patient Care Ombudsman.

2. In accordance with Fed.R.Bankr.P.2016(a) and Section 504 of the Bankruptcy Code, I affirm that Neubert, Pepe & Monteith, PC did not receive any compensation from any entity other than the Debtors for the services rendered in the within case and that no agreement or understanding exists between Neubert, Pepe & Monteith, PC and any other person outside of NPM for the sharing of compensation to be received in connection with the within case.



Mark I. Fishman

Sworn to and subscribed before me this
13th day of January, 2014



Notary Public/Commissioner of the Superior Court

LISA R. BARBOUR
NOTARY PUBLIC
MY COMMISSION EXPIRES SEP 30, 2015

EXHIBIT C

Date: 01/06/2014

Detail Fee Task Code Billing Report
NEUBERT, PEPE & MONTEITH, P.C.

Page: 1

Timekeeper	MIF	Mark I. Fishman	Trans Date	Tmkr	Hours to Bill	Amount	
			06/21/2013	MIF	0.10	42.50	Review docket
			06/21/2013	MIF	0.40	170.00	Telephone Weston regarding drafting issues, follow up on same
			06/21/2013	MIF	0.30	127.50	Review order of appointment and research access to patient records (.2), correspond regarding same (.1)
			06/21/2013	MIF	0.10	42.50	Correspond regarding appointment
			06/23/2013	MIF	0.20	85.00	Write to Weston regarding inclusion of Patient Care Ombudsman
			06/23/2013	MIF	0.10	42.50	Write to client regarding hospital contact information
			06/24/2013	MIF	1.20	510.00	Telephone McMurray regarding first steps, regarding hearing tomorrow and regarding conceptual issues in accessing patient records (.3), review new pleadings regarding sale and write to client regarding same (.6), request telephonic participation (.2), research procedure for same (.1)
			06/24/2013	MIF	0.50	212.50	Follow up on client request, assemble and review documents regarding same (.4), write to client regarding same (.1)
			06/24/2013	MIF	1.30	552.50	Prepare retention application (1.2), write to client regarding same (.1)
			06/24/2013	MIF	0.50	212.50	Review and analysis of effect of Appointment Order on access to patient records and of precedents regarding same
			06/25/2013	MIF	3.00	1,275.00	Telephonic monitoring of hearing regarding sale procedures and timing and regarding DIP financing (2.2), memorandum to client regarding same (.3), review precedents regarding patient record access without separate order for same (.4), review correspondence (.1)
			06/25/2013	MIF	1.10	467.50	Research and analysis of effect of patient record provision of Appointment Order (.9), review and analysis of need for Business Associate Agreement (.2)
			06/26/2013	MIF	1.00	425.00	Research effect of granting language in Appointment Order (.8), correspond regarding Business Associate Agreement (.1), research regarding effect of 2013 rules on same (.1)
			06/26/2013	MIF	0.10	42.50	Instruct regarding establishing security procedures for PHI
			06/26/2013	MIF	2.10	892.50	Prepare affidavit of disinterestedness
			06/26/2013	MIF	0.30	127.50	Correspond regarding patient record access, regarding Business Associate Agreement and regarding budget
			06/27/2013	MIF	0.20	85.00	Correspond regarding BAA's
			06/27/2013	MIF	0.40	170.00	Review DIP order and budget (.2), write to Weston regarding same (.1), telephone Weston regarding same (.1)
			06/27/2013	MIF	0.50	212.50	Call with Weston regarding access to patient records (.3), prepare for same (.1), write to client regarding same (.1)
			06/28/2013	MIF	0.30	127.50	Correspond with Weston (.1), review task list (.2)
			06/28/2013	MIF	1.30	552.50	Review, revise affidavit of disinterestedness (.6), prepare proposed order (.3), finalize, execute, instruct regarding filing and request service list (.3), discussion with Weston regarding same (.1)
			06/28/2013	MIF	0.10	42.50	Telephone client regarding signature page
			06/28/2013	MIF	0.50	212.50	Telephone Weston and Gulick regarding access to records (.2), write to client regarding same (.2), follow up on new version of Business Associate Agreement (.1)
			06/28/2013	MIF	0.30	127.50	Coordinate with Garden City regarding retention application
			07/01/2013	MIF	0.20	85.00	Telephone McMurray regarding Spicer affidavit and regarding BAA
			07/01/2013	MIF	0.50	212.50	Review new filings (.1), write to Weston regarding same (.1), and regarding patient record access (.3)
			07/01/2013	MIF	0.10	42.50	Correspond regarding submission of order
			07/02/2013	MIF	0.10	42.50	Outline possible motion regarding behavioral and SNF records
			07/02/2013	MIF	0.10	42.50	Review appointment order regarding posting and notice of reports, calendar same
			07/02/2013	MIF	0.10	42.50	Compile task list
			07/02/2013	MIF	0.60	255.00	Correspond regarding HIPAA privacy/security policy (.1), review draft of Business Associate Agreement and correspond regarding same (.5)
			07/03/2013	MIF	0.90	382.50	Review new motion (.1), revise draft of Business Associate Agreement (.8)
			07/03/2013	MIF	0.10	42.50	Write to Gulick regarding revised BAA
			07/05/2013	MIF	0.40	170.00	Review monthly fee order last night (.2), write to client regarding same (.2)
			07/05/2013	MIF	2.00	850.00	Review Pool Payment motion and write to client regarding same (.3), review scheduling order (.1), and sale motion (.6), review Spicer affidavit on weekend (.5), begin review of APA with respect to patient issues (.5)
			07/07/2013	MIF	0.80	340.00	Continued review of APA regarding effects on patients (.6), correspond regarding further review of Business Associate Agreement and regarding approval and execution (.2)
			07/08/2013	MIF	0.10	42.50	Follow up on issue regarding BAA
			07/08/2013	MIF	0.80	340.00	Telephone McMurray regarding treatment of medical records, regarding posting of 800 number and regarding treatment of malpractice claims (.6), prepare for same (.1), review proposed sale order (.1)
			07/08/2013	MIF	0.60	255.00	Revise Business Associate Agreement, write to Gulick regarding same (.3), prepare notice of contact information (.2), prepare for call with Weston (.1)
			07/09/2013	MIF	0.10	42.50	Follow up on retention order
			07/09/2013	MIF	0.10	42.50	Review new pleading
			07/10/2013	MIF	0.10	42.50	Prepare for call with Weston
			07/10/2013	MIF	0.30	127.50	Telephone Weston regarding open items, including patient records (.1), write to client regarding same (.2)
			07/11/2013	MIF	0.20	85.00	Follow up on and correspond regarding access to SNF patient records
			07/11/2013	MIF	0.10	42.50	Follow up on and write to Golden regarding retention order
			07/11/2013	MIF	0.10	42.50	Write to Gulick regarding status of BAA
			07/12/2013	MIF	0.60	255.00	Correspond with Garfunkel regarding access to SNF records (.2), follow up on finalizing Business Associate Agreement and further revise (.4)
			07/12/2013	MIF	0.20	85.00	Correspond with S. Golden regarding retention order, follow up on same
			07/12/2013	MIF	0.30	127.50	Correspond further regarding proposed order, send Word version, confirm service of same
			07/12/2013	MIF	0.30	127.50	Review and further revise new draft of BAA
			07/12/2013	MIF	0.30	127.50	Write to client regarding adoption of security procedures for PHI (.2), follow up on same (.1)
			07/14/2013	MIF	0.10	42.50	Correspond with client regarding execution of BAA
			07/14/2013	MIF	0.10	42.50	Write to client regarding his invoice
			07/15/2013	MIF	0.10	42.50	Write to Doland regarding invoice (.1)
			07/17/2013	MIF	0.50	212.50	Review client's June invoice (.2), write to client regarding same (.2), implement corrections (.1)
			07/17/2013	MIF	0.50	212.50	Research implications of non-entry of retention order before date for submission of June invoice (.1), prepare transmittal letter for McMurray invoice (.2), instruct regarding same (.2)
			07/17/2013	MIF	0.10	42.50	Review new filings
			07/18/2013	MIF	0.10	42.50	Follow up on transmittal letter
			07/18/2013	MIF	0.40	170.00	Review, revise transmittal letter (.3), follow up on same (.1)
			07/19/2013	MIF	0.10	42.50	Review new docket items
			07/23/2013	MIF	0.50	212.50	Prepare for call with client regarding APA
			07/23/2013	MIF	0.10	42.50	Write to Susan Golden regarding retention order
			07/23/2013	MIF	0.80	340.00	Telephone client regarding handling of medical records in sale, regarding interplay with sale motion, regarding access to patient records, and regarding treatment of future malpractice claims (.7), follow up on same
			07/24/2013	MIF	0.20	85.00	Review Children's & Women's motion (.1), write to client regarding same (.1)

Date: 01/06/2014

Detail Fee Task Code Billing Report
NEUBERT, PEPE & MONTEITH, P.C.

Page: 2

Timekeeper	MIF	Mark I. Fishman	Trans Date	Tmkr	Hours to Bill	Amount	
			07/25/2013	MIF	3.60	1,530.00	Review new pleading (.1), telephone client regarding treatment of medical records in sale (.3), conference call client and Weston regarding same and client thereafter (.5), prepare pleading regarding same (2.6), correspond with client regarding same (.1)
			07/26/2013	MIF	0.80	340.00	Revise draft of response to sale motion (.6), review new docket item (.1), review procedures order regarding service of response (.1)
			07/26/2013	MIF	0.50	212.50	Telephone McMurray regarding revised response and questions regarding same, further revise, write to Weston regarding same
			07/26/2013	MIF	0.10	42.50	Telephone McMurray regarding first report
			07/28/2013	MIF	0.50	212.50	Review, revise pleading regarding medical records
			07/29/2013	MIF	1.80	765.00	Review revisions, further revise (.7), correspond with client regarding same (.2), instruct and arrange for filing and service(.9)
			07/29/2013	MIF	0.60	255.00	Review new filings, write to client regarding same
			07/29/2013	MIF	0.10	42.50	Instruct regarding certification of service
			07/30/2013	MIF	0.40	170.00	Telephone client regarding motion for access to behavioral treatment, regarding AllScripts motion and regarding interplay of records storage issue and sale hearing (.3), prepare for hearing (.1)
			07/30/2013	MIF	0.40	170.00	Correspond with court regarding telephonic participation for McMurray, follow up on same
			07/30/2013	MIF	0.50	212.50	Review, revise certificate of service
			07/30/2013	MIF	0.20	85.00	Prepare notice of report
			07/30/2013	MIF	0.40	170.00	Write to Weston regarding posting of notice (.1), review order regarding same (.1), correspond regarding filing and service (.2)
			07/31/2013	MIF	0.20	85.00	Correspond regarding posting and service of notice, instruct regarding same (.2), telephone Heather Montgomery regarding same (.1)
			07/31/2013	MIF	0.10	42.50	Follow up on Court Call confirmation
			07/31/2013	MIF	0.30	127.50	Review recent pleadings, write to client regarding same
			07/31/2013	MIF	0.10	42.50	Correspondence with client regarding retention order
			08/01/2013	MIF	0.10	42.50	Review Montifore affidavit
			08/01/2013	MIF	0.20	85.00	Review debtors' response, write to client regarding same
			08/01/2013	MIF	0.40	170.00	Review revised sale order (.1), telephone Weston regarding Custody Agreement (.1), follow up on same (.1), review new filings (.1)
			08/01/2013	MIF	0.50	212.50	Prepare for hearing
			08/02/2013	MIF	5.20	2,210.00	Hearing on sale motion
			08/05/2013	MIF	0.30	127.50	Telephone McMurray regarding hearing last Friday and regarding treatment of malpractice claims
			08/05/2013	MIF	0.10	42.50	Diary possible new hearing date
			08/05/2013	MIF	0.10	42.50	Review new docket entries
			08/05/2013	MIF	0.10	42.50	Follow up on hearing
			08/06/2013	MIF	0.10	42.50	Review new docket entries
			08/06/2013	MIF	0.30	127.50	Review signed Business Associate Agreement, compare to new version, correspond with client regarding same
			08/06/2013	MIF	0.30	127.50	Follow up on and correspond with United States Trustee regarding status of retention application
			08/07/2013	MIF	0.30	127.50	Telephone McMurray regarding signed Business Associate Agreement (.1), assemble same and write to Gulick regarding same (.2)
			08/08/2013	MIF	0.10	42.50	Review new filing
			08/08/2013	MIF	0.90	382.50	prepare and arrange service and filing of notice of presentment
			08/08/2013	MIF	0.10	42.50	Correspond with Susan Golden regarding submission of order
			08/09/2013	MIF	0.70	297.50	Correspond regarding retention order, submit copies, review order as entered
			08/09/2013	MIF	0.10	42.50	Write to client regarding status of report
			08/11/2013	MIF	0.10	42.50	Write to client regarding report
			08/11/2013	MIF	0.60	255.00	Preliminary review of draft of report (.5), correspond with client (.1)
			08/12/2013	MIF	0.10	42.50	Correspond regarding report
			08/12/2013	MIF	3.20	1,360.00	Review and generate mark-up of draft report (3.0), write to client regarding same (.2)
			08/12/2013	MIF	0.60	255.00	Correspond with client regarding posting of notice and regarding revising report (.3), telephone client regarding revising (.3)
			08/13/2013	MIF	2.20	935.00	Continued review and mark-up of draft report (1.8), correspond regarding report (.4)
			08/13/2013	MIF	0.40	170.00	Review client's July invoice and provide mark-up of same (.4)
			08/14/2013	MIF	0.20	85.00	Write to client regarding revisions to invoice (.1), follow up on possible error (.1)
			08/14/2013	MIF	2.30	977.50	Review revised draft of report and further revise
			08/14/2013	MIF	0.30	127.50	Write to client regarding revisions and proposed further revisions to draft of report
			08/15/2013	MIF	0.10	42.50	Review correspondence
			08/15/2013	MIF	0.90	382.50	Review next draft (.4), correspond regarding same (.5)
			08/16/2013	MIF	0.40	170.00	Telephone McMurray regarding drafting of report and regarding dissemination of same (.2), write to him regarding same on weekend (.2)
			08/16/2013	MIF	0.30	127.50	Instruct regarding table of contents (.2), follow up on format (.1)
			08/16/2013	MIF	0.10	42.50	Review new pleading
			08/16/2013	MIF	2.60	1,105.00	Review of next draft on weekend and generate mark-up (2.5), correspond regarding same (.1)
			08/19/2013	MIF	0.50	212.50	Telephone McMurray regarding process of effecting further revisions and dissemination (.2), coordinate same (.3)
			08/19/2013	MIF	2.50	1,062.50	Review and correct revisions and the redlining, further revise (1.9), write to client regarding outstanding issues in report (.2), telephone client regarding same (.3), correspond with Weston (.1)
			08/19/2013	MIF	0.80	340.00	Review correspondence and telephone client regarding comments on draft report (.1), telephone client regarding further revisions (.7)
			08/20/2013	MIF	2.80	1,190.00	Further implement revisions and further revise draft of report (2.1), write to client and Craven regarding same (.2), final review (.4), telephone client (.1)
			08/20/2013	MIF	0.30	127.50	Assemble invoices for filing and service, prepare cover sheet (.2)
			08/20/2013	MIF	0.60	255.00	Arrange service and filing, assemble list, prepare letter, review order, prepare cover sheet
			08/20/2013	MIF	0.70	297.50	Instruct regarding assembly and filing of report (.2), review order regarding same (.2), coordinate regarding service and posting (.2), and regarding Chambers copy and requestors (.1)
			08/21/2013	MIF	0.10	42.50	Review new docket items
			08/21/2013	MIF	1.10	467.50	Compile and analyze precedents for possible patient records motion, instruct regarding search and update on same (1.0), correspond regarding results (.1)
			08/22/2013	MIF	0.10	42.50	Review precedents for patient records motion
			08/22/2013	MIF	0.10	42.50	Diary next report and notice
			08/23/2013	MIF	0.10	42.50	Review new docket items
			08/23/2013	MIF	0.20	85.00	Write to client regarding timing and preparation process for fee application and invoice
			08/26/2013	MIF	0.20	85.00	Review new filings (.1), write to client regarding same (.1)
			08/26/2013	MIF	0.10	42.50	Correspond with client regarding narrative for his fee application
			08/27/2013	MIF	0.10	42.50	Telephone McMurray regarding posting of report
			08/28/2013	MIF	0.10	42.50	Review new docket item
			08/30/2013	MIF	0.10	42.50	Review new docket item
			09/03/2013	MIF	0.20	85.00	Review new filings
			09/08/2013	MIF	0.90	382.50	Review pleadings regarding rejection of union contract (.8), write to client regarding same (.1)

Date: 01/06/2014

Detail Fee Task Code Billing Report
NEUBERT, PEPE & MONTEITH, P.C.

Page: 3

Trans Date	Tmkr	Hours to Bill	Amount	
Timekeeper MIF Mark I. Fishman				
09/09/2013	MIF	0.10	42.50	Correspond with client regarding hearing
09/10/2013	MIF	0.20	85.00	Correspond and instruct regarding telephonic
09/11/2013	MIF	0.20	85.00	Telephone McMurray regarding payment (.1), review correspondence (.1)
09/12/2013	MIF	0.10	42.50	Confirm telephonic arrangements
09/12/2013	MIF	0.40	170.00	Review new filings, including agenda; write to client regarding same
09/12/2013	MIF	0.40	170.00	Review and edit client's draft invoice
09/13/2013	MIF	0.20	85.00	Telephone client regarding timing of closing and records transfer
09/13/2013	MIF	0.10	42.50	Coordinate edits
09/13/2013	MIF	2.50	1,062.50	Monitor hearing telephonically, including status report, Children's and Women's motion and NYSNA objection
09/13/2013	MIF	0.20	85.00	Review edits (.1), write to client regarding same (.1)
09/13/2013	MIF	0.10	42.50	Review docket
09/16/2013	MIF	0.10	42.50	Write to Gulick regarding executed copy of BAA
09/16/2013	MIF	0.10	42.50	Telephone client regarding preliminary report on hearing
09/16/2013	MIF	0.10	42.50	Review new order, write to client regarding same and regarding malpractice motion
09/16/2013	MIF	0.10	42.50	Review McMurray corrections to time records and correspond regarding same (.1)
09/16/2013	MIF	0.20	85.00	Prepare fee application
09/16/2013	MIF	0.60	255.00	Review and generate mark-up of Ombudsman's first interim application
09/17/2013	MIF	0.20	85.00	Send mark-up to client (.1), telephone client regarding same (.1)
09/17/2013	MIF	0.30	127.50	Revise client's draft of interim application (.2), write to him regarding same (.1), telephone client regarding same (.1)
09/17/2013	MIF	0.10	42.50	Review new docket item
09/17/2013	MIF	0.10	42.50	Correspond regarding payment
09/17/2013	MIF	0.20	85.00	Telephone client regarding possible need for access to behavioral records
09/17/2013	MIF	0.10	42.50	Prepare cover sheet
09/18/2013	MIF	1.10	467.50	Review revised McMurray application and further revise (.5), review and assemble invoices and cover sheet (.2), letter regarding same (.2), write to client regarding his fee application (.1), follow up on same (.1)
09/18/2013	MIF	0.10	42.50	Prepare interim application
09/22/2013	MIF	0.10	42.50	Correspond last night regarding issue in McMurray invoice
09/22/2013	MIF	0.70	297.50	Report to client regarding 9/13 hearing, especially regarding discussion of medical records transition (.6), review new filings (.1)
09/23/2013	MIF	0.30	127.50	Correspond regarding McMurray's invoice (.2), telephone Mr. Walter regarding same (.1)
09/23/2013	MIF	0.40	170.00	Review recent filings (.3); prepare for call with Weston (.1)
09/23/2013	MIF	1.40	595.00	Prepare interim fee application (1.3), correspond regarding same (.1)
09/24/2013	MIF	2.00	850.00	Prepare fee application and related documents (1.9), correspond regarding service (.1)
09/24/2013	MIF	0.30	127.50	Outline additional issues on motion for access to behavioral records (.1), telephone Weston regarding same (.1), follow up on same (.1)
09/24/2013	MIF	0.10	42.50	Write to client regarding MRCA
09/24/2013	MIF	0.10	42.50	Review Amended Guidelines
09/25/2013	MIF	1.50	637.50	Revise McMurray application to conform to previous change and to exhibits, assemble exhibits, final revise (.5), telephone McMurray regarding same (.1), write to Doland regarding same (.1), instruct regarding service (.1), review, revise NPM application, finalize (.7)
09/29/2013	MIF	0.10	42.50	Review docket, correspond with debtors' counsel
09/29/2013	MIF	0.10	42.50	Review new pleading
09/30/2013	MIF	1.50	637.50	Review and analysis of motion on malpractice claims, review objection to same
09/30/2013	MIF	1.30	552.50	Review draft of medical records custody agreement (.6), telephone client regarding same and regarding issue in motion regarding malpractice claim (.7)
09/30/2013	MIF	0.30	127.50	Implement clean-up of MRCA, write to Weston regarding same
10/01/2013	MIF	1.60	680.00	Telephone A. Berkowitz and McMurray regarding malpractice motion and other pleading items (1.1), prepare for same (.2), including telephone McMurray (.1), follow up on same (.2), calendar NYSNA hearing (.1)
10/01/2013	MIF	0.20	85.00	Review, revise certificate of service
10/01/2013	MIF	0.40	170.00	Prepare notice of report (.1), correspond with Weston regarding posting and service of same (.2), instruct regarding filing (.1)
10/02/2013	MIF	0.90	382.50	Telephone Weston and Gulick regarding access to behavioral records (.2), telephone McMurray regarding same and regarding other new information (.7)
10/02/2013	MIF	0.10	42.50	Review new filing
10/02/2013	MIF	0.60	255.00	Prepare response to Weston and follow up on call with him and with client (.6)
10/04/2013	MIF	0.10	42.50	Follow up on filing of notice
10/04/2013	MIF	0.10	42.50	Write to Garden City Group regarding service of notice
10/07/2013	MIF	0.30	127.50	Prepare for call with Weston and with Berkowitz
10/08/2013	MIF	0.60	255.00	Telephone Adam Berkowitz regarding revisions to medical malpractice order (.3), review agenda (.1), correspond regarding hearing on Thursday (.2)
10/09/2013	MIF	0.10	42.50	Correspond regarding status of sale
10/10/2013	MIF	0.30	127.50	Review and edit McMurray draft invoice (.3)
10/11/2013	MIF	0.30	127.50	Correspond regarding hearing notice
10/11/2013	MIF	0.10	42.50	Correspond regarding access to records of nursing home patients with dementia
10/13/2013	MIF	0.10	42.50	Read Children's and Women's stipulation, write to client regarding same
10/15/2013	MIF	0.10	42.50	Review order, write to client regarding same
10/16/2013	MIF	0.30	127.50	Remind client regarding report (.1), correspond regarding draft of report (.2)
10/16/2013	MIF	0.40	170.00	Correspond regarding status and review of draft report (.3), telephone client regarding same (.1)
10/16/2013	MIF	0.10	42.50	Review new pleadings
10/17/2013	MIF	2.00	850.00	Review and provide mark-up of draft of report (1.9), correspond regarding same (.1)
10/18/2013	MIF	0.20	85.00	Correspond with Garden City Group regarding service
10/18/2013	MIF	0.10	42.50	Review notice of assigned contracts, write to client regarding same
10/18/2013	MIF	0.60	255.00	Telephone A. Shah regarding new medical records arrangement (.3), telephone client regarding same, regarding treatment of malpractice claims and regarding possible revision to report (.3)
10/18/2013	MIF	0.30	127.50	Assemble and instruct regarding table of contents (.2), telephone client regarding status of drafts (.1)
10/20/2013	MIF	0.30	127.50	Write to client last night regarding treatment of patient record transfer in the report
10/20/2013	MIF	0.10	42.50	Review pleading regarding assumption of contracts last night, write to client regarding same
10/20/2013	MIF	0.20	85.00	Review of table of contents (.1), correspond with client regarding status of report (.1)
10/21/2013	MIF	2.40	1,020.00	Telephone client regarding issues in report (.4), prepare revisions (1.8), coordinate service and filing (.2)
10/21/2013	MIF	0.10	42.50	Write to client regarding issue raised by report
10/21/2013	MIF	0.30	127.50	Prepare cover sheet and transmittal letter
10/21/2013	MIF	0.30	127.50	Correspond with debtors' counsel regarding posting of report (.1), instruct regarding copy for client (.2)
10/21/2013	MIF	0.10	42.50	Follow up on requestors
10/22/2013	MIF	0.20	85.00	Correspond with client regarding posting of report
10/23/2013	MIF	0.20	85.00	Follow up on and correspond regarding client's returned check
10/23/2013	MIF	0.20	85.00	Review new pleadings (.1), write to client regarding same (.1)

Date: 01/06/2014

Detail Fee Task Code Billing Report
NEUBERT, PEPE & MONTEITH, P.C.

Page: 4

Trans Date	Tmkr	Hours to Bill	Amount	
Timekeeper MIF Mark I. Fishman				
10/25/2013	MIF	0.10	42.50	Arrange coverage
10/25/2013	MIF	0.30	127.50	Telephone client regarding current status and issues
10/27/2013	MIF	0.10	42.50	Review new filings
10/29/2013	MIF	0.10	42.50	Review new pleading
10/31/2013	MIF	0.20	85.00	Follow up yesterday and today and instruct regarding copy of report
10/31/2013	MIF	0.10	42.50	Review new docket entry
11/05/2013	MIF	1.00	425.00	Review new pleadings, write to client regarding same (.3), review transition correspondence, write to client regarding same (.4), telephone client regarding same (.3)
11/06/2013	MIF	0.60	255.00	Telephone Craig Freeman regarding Metal Quest agreement, write to client regarding same
11/07/2013	MIF	0.30	127.50	Correspond with client regarding review of Metal Quest agreement (.2), assemble new versions (.1)
11/07/2013	MIF	0.10	42.50	Telephone client regarding Metal Quest issues
11/07/2013	MIF	1.10	467.50	Review and analysis of Metal Quest agreement and exhibit
11/08/2013	MIF	1.60	680.00	Further analysis of Metal Quest agreement (.1), telephone client regarding same (1.4), follow up on same (.1)
11/10/2013	MIF	1.40	595.00	Compose response to Craig Freeman and debtor regarding Metal Quest agreement and procedures for patient notification (1.2), review new pleadings (.2)
11/11/2013	MIF	0.30	127.50	Correspond with Freeman regarding revisions to Metal Quest agreement
11/12/2013	MIF	0.10	42.50	Review notice of closing, write to client regarding same
11/12/2013	MIF	1.90	807.50	Review revisions to Metal Quest agreement and follow up on and correspond regarding same
11/12/2013	MIF	0.40	170.00	Telephone client regarding revisions to Metal Quest agreement
11/13/2013	MIF	0.70	297.50	Correspond with client and Freeman regarding revisions and issues in Metal Quest agreement and regarding patient access (.5), follow up on same (.1), review new filings (.1)
11/14/2013	MIF	1.40	595.00	Review Metal Quest's proposed revisions, prepare for Weston call regarding patient records, including review of previous case objection and transcript (.4), telephone client regarding same (.1), conference call with client and Garfunkel regarding patient notifications (.6), telephone client in preparation for same (.1), write to client in follow up (.2)
11/17/2013	MIF	0.40	170.00	Review latest drafts of Metal Quest agreement
11/18/2013	MIF	0.20	85.00	Review correspondence and new docket entries
11/19/2013	MIF	0.10	42.50	Write to client regarding suggested edit
11/19/2013	MIF	0.30	127.50	Prepare coversheet and transmittal letter
11/20/2013	MIF	0.30	127.50	Review transmittal letter (.1), instruct regarding filing and service (.1), correspond with Weston regarding same (.1)
11/20/2013	MIF	0.10	42.50	Review new docket entry
11/21/2013	MIF	0.10	42.50	Write to client regarding hearing
11/21/2013	MIF	0.50	212.50	Write to court regarding telephonic, follow up on and instruct regarding same
11/21/2013	MIF	0.10	42.50	Review further revised Metal Quest agreement
11/22/2013	MIF	0.10	42.50	Review correspondence
11/24/2013	MIF	0.10	42.50	Review correspondence regarding Metal Quest
11/25/2013	MIF	0.10	42.50	Follow-up on telephonic
11/25/2013	MIF	0.10	42.50	Review new docket item
11/26/2013	MIF	0.10	42.50	Correspond regarding Metal Quest agreement and regarding patient noticing
11/26/2013	MIF	0.10	42.50	Correspond regarding adjournment
11/27/2013	MIF	0.30	127.50	Correspond regarding adjournment, calendar same (.2), read notice (.1)
11/27/2013	MIF	0.30	127.50	Correspond with Freeman and client regarding formalizing the notification procedures and final version of agreement
11/27/2013	MIF	0.10	42.50	Review new docket item
12/02/2013	MIF	0.10	42.50	Review notice of presentment, write to client regarding same
12/04/2013	MIF	0.10	42.50	Review agenda
12/04/2013	MIF	1.90	807.50	Review motion regarding Metal Quest and outline possible issues regarding same (.6), review precedent regarding same (.2), telephone client regarding same (.1), review MRCA (.1), telephone client regarding same (.3)
12/04/2013	MIF	0.60	255.00	Conference call with Weston and Shah regarding Metal Quest motion/order (.4), telephone client regarding same (.1), review revised order (.1)
12/04/2013	MIF	0.20	85.00	Correspond and calendar regarding next fee application (.1), calendar adjourned hearing (.1)
12/05/2013	MIF	0.40	170.00	Correspond with client regarding additional documents from Weston (.1), write to Weston regarding same (.1), follow up further regarding revised order (.2)
12/05/2013	MIF	0.20	85.00	Write to client regarding report
12/05/2013	MIF	0.20	85.00	Review United States trustee pleading (.1), correspond regarding same (.1)
12/06/2013	MIF	0.10	42.50	Review correspondence
12/06/2013	MIF	0.10	42.50	Correspond with client regarding custody agreement
12/06/2013	MIF	0.10	42.50	Respond to client inquiry
12/09/2013	MIF	1.70	722.50	Telephonic participation in hearing
12/09/2013	MIF	0.10	42.50	Telephone client regarding remaining tasks
12/10/2013	MIF	0.10	42.50	Correspond regarding administrative bar date for malpractice claims
12/10/2013	MIF	0.50	212.50	Review administrative bar notice pleadings
12/12/2013	MIF	0.20	85.00	Correspond regarding fee order (.1) and regarding client's next invoice (.1)
12/12/2013	MIF	0.10	42.50	Review new docket entries
12/13/2013	MIF	0.20	85.00	Correspond with and instruct client regarding administrative bar date motion
12/13/2013	MIF	0.10	42.50	Telephone client regarding next report
12/13/2013	MIF	0.30	127.50	Review administrative bar order, as entered; correspond with client regarding same
12/15/2013	MIF	0.50	212.50	Correspond regarding service of administrative bar notice, review prototypes for same
12/16/2013	MIF	0.30	127.50	Correspond regarding notice to patients of bar date and of record storage and access
12/16/2013	MIF	0.10	42.50	Review new docket item
12/16/2013	MIF	0.10	42.50	Review fee order, as entered
12/17/2013	MIF	0.50	212.50	Review draft report, outline possible revisions, correspond with client regarding same
12/17/2013	MIF	1.30	552.50	Prepare revised draft of report
12/18/2013	MIF	1.40	595.00	Prepare revised draft (.9), correspond regarding interplay of insurance with administrative bar date (.5)
12/18/2013	MIF	0.20	85.00	Telephone McMurray regarding further revisions
12/18/2013	MIF	0.10	42.50	Telephone McMurray regarding insurance coverage for admin. malpractice claims
12/18/2013	MIF	0.10	42.50	Write to client regarding his invoice
12/18/2013	MIF	0.10	42.50	Telephone Craig Freeman regarding termination of PCO
12/18/2013	MIF	0.20	85.00	Further revise draft of report
12/19/2013	MIF	0.30	127.50	Correspondence regarding finalizing report
12/19/2013	MIF	0.30	127.50	Review client's draft of invoice (.1), write to client regarding same (.1), review revised draft (.1)
12/19/2013	MIF	0.30	127.50	Instruct regarding filing and regarding transmittal (.1), prepare cover sheet (.1), prepare transmittal letter (.1)
12/20/2013	MIF	0.30	127.50	Write to client regarding finalizing report (.1), telephone client regarding same (.1), instruct regarding same (.1)
12/20/2013	MIF	0.30	127.50	Instruct and follow up on service and further dissemination (.3)

Date: 01/06/2014

Detail Fee Task Code Billing Report
NEUBERT, PEPE & MONTEITH, P.C.

Page: 5

	Trans Date	Tmkr	Hours to Bill	Amount	
Timekeeper MIF Mark I. Fishman					
	12/20/2013	MIF	0.10	42.50	Review new docket items
	12/20/2013	MIF	0.10	42.50	Finalize chambers letter
	12/26/2013	MIF	0.30	127.50	Correspond with Garfunkel regarding notice to patients
	12/27/2013	MIF	0.10	42.50	Correspond with client on weekend
Total for Timekeeper MIF		Billable	138.00	58,650.00	Mark I. Fishman
Timekeeper JLC Jennifer L. Cammarano					
	06/24/2013	JLC	1.20	270.00	Review order directing the appointment of a patient care ombudsman; research HIPAA regulations regarding disclosures pursuant to court orders and application of said regulations to language in court order incorporating HIPAA privacy regulations
	07/01/2013	JLC	1.80	405.00	Review and evaluate proposed business associate agreement for Sound Shore to ensure compliance with requirements under the Omnibus Rule; review possible safeguards by PCO upon access to patient information; prepare security policy for PCO
	07/08/2013	JLC	1.20	270.00	Review revised BAA and correspondence from Attorney Gulick regarding revisions to BAA; review HIPAA and HITECH regulations regarding applicable termination requirements to BAA; respond to inquiry from Attorney Fishman regarding revised BAA from Attorney Gulick
	08/21/2013	JLC	1.10	247.50	Telephone conference with Attorney Fishman; research regarding access to behavioral health records under HIPAA and New York's Mental Hygiene Law; memo to Attorney Fishman regarding same; legal research regarding what constitutes interests of justice pursuant to New York's Mental Hygiene Law; review and update citations to motion for access to patient records
Total for Timekeeper JLC		Billable	5.30	1,192.50	Jennifer L. Cammarano
GRAND TOTALS					
		Billable	143.30	59,842.50	

EXHIBIT D

	<u>Trans Date</u>	<u>Tmkr</u>	<u>Amount</u>	
Timekeeper				
	07/29/2013		0.15	Photocopies 1 @ \$0.15
	09/25/2013		39.00	Photocopies 260 @ \$0.15
	09/25/2013		23.70	Photocopies 158 @ \$0.15
	10/21/2013		11.85	Photocopies 79 @ \$0.15
Total for Timekeeper		Billable	74.70	
Timekeeper MIF Mark I. Fishman				
	07/02/2013	MIF	13.12	Delivery services/messengers: Susan Golden
	07/11/2013	MIF	86.00	MIF-Court Call fees
	07/18/2013	MIF	13.12	Delivery services/messengers: John Spicer
	07/18/2013	MIF	13.12	Delivery services/messengers: Craig E. Freeman
	07/18/2013	MIF	14.97	Delivery services/messengers: Lisa J. Lenderman
	07/18/2013	MIF	13.12	Delivery services/messengers: Scott Griffin
	07/18/2013	MIF	13.12	Delivery services/messengers: William E. Curtin
	07/18/2013	MIF	13.12	Delivery services/messengers: Afsheen A. Shah
	07/29/2013	MIF	13.12	Delivery services/messengers - FedEx - Susan Golden, Esq.
	07/29/2013	MIF	13.12	Delivery services/messengers - FedEx - Afsheen A. Shah, Esq.
	07/29/2013	MIF	13.12	Delivery services/messengers - FedEx - Craig E. Freeman, Esq.
	07/29/2013	MIF	13.12	Delivery services/messengers - Frank Oswald, Esq.
	07/29/2013	MIF	17.91	Delivery services/messengers - FedEx - Robert P. Sweeter, Esq.
	07/29/2013	MIF	13.12	Delivery services/messengers - FedEx - Honorable Robert D. Drain
	08/02/2013	MIF	8.00	Out-of-town travel-parking expense in White Plains
	08/08/2013	MIF	13.17	Delivery services/messengers: fed ex; Honorable Robert D. Drain
	08/16/2013	MIF	58.00	Court call fee
	08/20/2013	MIF	15.02	Delivery services/messengers: Lisa J. Lenderman
	08/20/2013	MIF	13.17	Delivery services/messengers: Afsheen A. Shah
	08/20/2013	MIF	13.17	Delivery services/messengers: Fed ex; Craig E. Freeman
	08/20/2013	MIF	13.17	Delivery services/messengers: Fed ex; John Spicer
	08/20/2013	MIF	13.17	Delivery services/messengers: Fed ex; Susan Golden
	08/20/2013	MIF	13.17	Delivery services/messengers: fed ex; Togut, Segal&Segal
	08/20/2013	MIF	13.17	Delivery services/messengers: Fed ex; Honorable Robert D. Drain
	09/18/2013	MIF	13.26	Delivery services/messengers: Fed ex; John Spicer
	09/18/2013	MIF	13.26	Delivery services/messengers: Fed ex; Craig E. Freeman, Esq
	09/18/2013	MIF	15.13	Delivery services/messengers: Fed ex; Lisa J. Lenderman, Esq
	09/18/2013	MIF	13.26	Delivery services/messengers: Fed ex; Scott Griffin, Esq.
	09/18/2013	MIF	13.26	Delivery services/messengers: Susan Golden, Esq.
	09/18/2013	MIF	13.26	Delivery services/messengers: Fed ex; Asfeen A. Shah, Esq
	09/26/2013	MIF	79.00	MIF-Courtcall fee
	10/18/2013	MIF	13.35	Delivery services/messengers: Honorable

	<u>Trans Date</u>	<u>Tmkr</u>	<u>Amount</u>	
Timekeeper MIF Mark I. Fishman				
	10/18/2013	MIF	13.35	Robert D. Drain Delivery services/messengers: Fed ex; John Spicer
	10/18/2013	MIF	15.24	Delivery services/messengers: Lisa Lenderman
	10/18/2013	MIF	13.35	Delivery services/messengers: Fed ex; Susan Golden
	10/18/2013	MIF	13.35	Delivery services/messengers: Craig E. Freeman
	10/18/2013	MIF	13.35	Delivery services/messengers: Scott Griffin
	10/18/2013	MIF	13.35	Delivery services/messengers: Afsheen Shah
	11/01/2013	MIF	60.00	MIF-Court call fees
	11/20/2013	MIF	8.71	Delivery services/messengers: John Spicer
	11/20/2013	MIF	10.43	Delivery services/messengers: Fed ex; Lisa J. Lenderman
	11/20/2013	MIF	8.71	Delivery services/messengers: Susan D. Golden/ William E.C
	11/20/2013	MIF	8.71	Delivery services/messengers: Fed ex; Martin Bunin/ Craig Freeman
	11/20/2013	MIF	8.71	Delivery services/messengers: Fed ex; Frank Oswald/ Scott Griffin
	11/20/2013	MIF	8.71	Delivery services/messengers: Burton weston/ Afsheen Shah
	12/18/2013	MIF	123.00	MIF-Courtcall fees
	12/20/2013	MIF	13.26	Delivery services/messengers: Fed ex; John Spicer
	12/20/2013	MIF	15.13	Delivery services/messengers: Fed ex; Lisa J. Lenderman
	12/20/2013	MIF	13.26	Delivery services/messengers: Fed ex; Susan Golden
	12/20/2013	MIF	13.26	Delivery services/messengers: Fed ex; Craig E. Freeman
	12/20/2013	MIF	13.26	Delivery services/messengers: Fed ex; Scott Griffin
	12/20/2013	MIF	13.26	Delivery services/messengers: Fed ex; Afsheen A. Shah
	12/20/2013	MIF	13.26	Delivery services/messengers: Honorable Robert D. Drain
Total for Timekeeper MIF		Billable	<u>1,023.85</u>	Mark I. Fishman
GRAND TOTALS				
		Billable	<u>1,098.55</u>	