

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re: ) Chapter 11  
)  
INTEGRATED HEALTH ) Case No. 00-389 (MFW)  
SERVICES, INC., et al., )  
) Jointly Administered  
Debtors. )  
) **Objection Deadline: October 9, 2003 at 4:00 p.m.**  
) **Hearing Date: October 14, 2003 at 10:30 a.m.**

**FINAL FEE APPLICATION OF THE BAYARD FIRM AS COUNSEL FOR THE  
OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF PREMIERE  
ASSOCIATES, INC. AND ITS SUBSIDIARIES FOR ALLOWANCE OF  
COMPENSATION AND REIMBURSEMENT OF EXPENSES  
FOR THE FINAL PERIOD FROM JANUARY 8, 2002 THROUGH MAY 12, 2003**

Name of Applicant: The Bayard Firm

Authorized to Provide  
Professional Services to: The Official Committee of Unsecured Creditors of  
Premiere Associates, Inc. and its Subsidiaries

Date of Retention: Order entered April 12, 2002 *Nunc Pro Tunc* to January 8,  
2002

Period for which final compensation  
and reimbursement is sought: January 8, 2002 through May 12, 2003

Amount of Final Compensation sought  
as actual, reasonable and necessary for the  
period of January 8, 2002 through  
May 12, 2003: \$231,502.00

Amount of Final Expense Reimbursement sought  
as actual, reasonable and necessary for the  
period of January 8, 2002 through  
May 12, 2003: \$66,582.64

This is an:    interim and X final application.

The total time expended for the preparation of this fee application is estimated to be approximately 15.0 hours.

## Summary of Previous Fee Applications

<b>Date Filed</b>	<b>Period Encompassed</b>	<b>Requested Fees</b>	<b>Requested Expenses</b>	<b>Paid Fees</b>	<b>Paid Expenses</b>
04/16/02	January 8, 2002 through January 31, 2002	\$24,643.00	\$15,602.52	\$24,643.00	\$15,602.52
04/30/02	February 1, 2002 through February 28, 2002	\$11,464.00	\$9,587.10	\$11,464.00	\$9,587.10
05/03/02	March 1, 2002 through March 31, 2002	\$9,031.00	\$2,057.35	\$9,031.00	\$2,057.35
05/29/02	April 1, 2002 through April 30, 2002	\$16,133.00	\$2,448.54	\$16,133.00	\$2,488.54
07/23/02	May 1, 2002 through May 31, 2002	\$7,086.00	\$1,061.86	\$7,086.00	\$1,061.86
07/25/02	June 1, 2002 through June 30, 2002	\$9,043.00	\$940.28	\$9,043.00	\$940.28
09/06/02	July 1, 2002 through July 31, 2002	\$7,250.00	\$632.14	\$7,250.00	\$632.14
09/25/02	August 1, 2002 through August 31, 2002	\$6,748.00	\$752.74	\$6,748.00	\$752.74
10/25/02	September 1, 2002 through September 30, 2002	\$5,126.00	\$952.17	\$4,100.80	\$952.17
12/09/02	October 1, 2002 through October 31, 2002	\$8,495.00	\$4,784.88	\$6,796.00	\$4,784.88
01/13/03	November 1, 2002 through November 30, 2002	\$3,501.00	\$114.09	\$2,800.80	\$114.09
03/03/03	December 1, 2002 through December 31, 2002	\$16,350.00	\$4,558.58	\$13,080.00	\$4,558.58
03/03/03	January 1, 2003, through January 31, 2003	\$34,182.00	\$9,478.25	\$27,345.60	\$9,478.25

04/04/03	February 1, 2003 through February 28, 2003	\$33,699.50	\$8,146.36	\$26,959.60	\$8,146.36
04/28/03	March 1, 2003 through March 31, 2003	\$17,639.00	\$1,354.79	\$14,111.20	\$1,354.79
05/22/03	April 1, 2003 through April 30, 2003	\$14,179.50	\$3,957.65	\$11,343.60	\$3,957.65
06/13/03	May 1, 2003 through May 31, 2003 <sup>1</sup>	\$6,932.00	\$153.34	\$5,545.60	\$153.34

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<sup>1</sup> The original fee application for May 2003 was filed for the period from May 1, 2003 through and including May 31, 2003; however, a Certification of Counsel was filed on August 19, 2003 to reflect the correct time period—through and including May 12, 2003—and the corresponding compensation and reimbursement of expenses requested.

**Timekeeper Summary**

<b>Timekeeper</b>	<b>Position with Firm, Years in That Position, Year of Obtaining Relevant License, Area of Expertise</b>	<b>Hourly Rate</b>	<b>Total Hours Billed</b>	<b>Total Compensation</b>
Neil B. Glassman, Esq.	Joined firm as associate in 1986; Became Director in 1988; Member Del. Bar since 1982. Areas of Expertise: Bankruptcy and Commercial Law.	\$440.00	0.5	\$220.00
Charlene D. Davis, Esq.	Joined firm as associate in 1988; Became director in 1993; Member Del. Bar since 1984. Areas of Expertise: Bankruptcy and Commercial Litigation.	\$375.00	148.0	\$55,500.00
		\$425.00	222.8	\$94,690.00
		\$212.50 (travel rate)	5.8	\$1,232.50
Michael L. Vild, Esq.	Joined firm as associate in 1996; Became a Director on January 1, 1999. Member Del. Bar since 1991. Areas of Expertise: Bankruptcy, Commercial and Corporate Litigation.	\$350.00	0.2	\$70.00
		\$395.00	23.9	\$9,440.50
Patricia L. Enerio, Esq.	Joined firm in 1999; Member of Del. Bar since 1998. Areas of Expertise: Corporate and Commercial Litigation.	\$275.00	0.5	\$137.50
Anthony M. Saccullo, Esq.	Joined firm in 2001; Member of Del. Bar since 2001; Area of Expertise: Bankruptcy and Creditors' Rights.	\$190.00	38.3	\$7,277.00
		\$225.00	92.5	\$20,812.50
Walter Cavers	Paralegal, Joined firm in 2001. Area of Expertise: Bankruptcy.	\$130.00	1.5	\$195.00

Sharon Trent	Paralegal; Joined firm in 1998. Areas of Expertise: Bankruptcy and Litigation.	\$130.00	14.8	\$1,924.00
C. Liana Shaw	Paralegal; Joined firm in 2000. Area of Expertise: Bankruptcy and Corporate Litigation	\$125.00	78.1	\$9,762.50
		\$130.00	111.2	\$14,456.00
Heidi M. Snyder	Paralegal; Joined firm in 1998. Area of Expertise: Bankruptcy.	\$125.00	4.4	\$550.00
		\$130.00	19.3	\$2,509.00
Tiffany N. Scott	Paralegal; Joined firm in 2001. Area of Expertise: Bankruptcy.	\$125.00	1.4	\$175.00
		\$130.00	0.7	\$91.00
Steven G. Weiler	Paralegal; Joined firm in 2002. Area of Expertise: Bankruptcy.	\$125.00	2.4	\$300.00
Pamela Pollock	Paralegal; Joined firm in 2001. Area of Expertise: Bankruptcy.	\$125.00	17.3	\$2,162.50
Janice Tarantino	Database Specialist. Joined firm in 1981.	\$125.00	0.3	\$37.50
Brian K. Kennedy	Case Mgmt. Asst. Joined firm in 2000.	\$80.00	55.6	\$4,448.00
Michelle L. Grieco	Case Mgmt. Asst.; Joined firm in 2001.	\$80.00	32.0	\$2,560.00
Jared Schierbaum	Case Mgmt. Asst.; Joined firm in 2001.	\$80.00	1.5	\$120.00
		\$90.00	2.3	\$207.00
Jamie Osburn	Case Mgmt. Asst.; Joined firm in 2001.	\$90.00	0.3	\$27.00
Kian Green	Case Mgmt. Asst.; Joined firm in 2002.	\$80.00	18.4	\$1,472.00
Jacqueline Lately	Case Mgmt. Asst.; Joined firm in 2003.	\$80.00	1.2	\$96.00
Shannon Wallace	Case Mgmt. Asst.; Joined firm in 2003.	\$80.00	12.4	\$992.00

Totals	907.9	\$231,502.00
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**Blended Rate: \$254.99**

## COMPENSATION BY PROJECT CATEGORY

	<u>Total Hours</u>	<u>Total Fees</u>
Asset Analysis	1.7	\$527.50
Litigation/Adversary Proceeding	100.3	\$27,567.50
Case Administration	248.20	\$29,426.00
Court Hearings	144.00	\$53,312.50
Creditor Inquires	.40	\$160.00
Cash Collateral/ DIP Financing	9.30	\$3,613.00
Disclosure Statement	6.8	\$2,074.00
Other Professional Retention Applications	.90	\$141.00
Employee Matters	.2	\$80.00
Leases/Executory Contracts	14.30	\$5,039.50
Fee Application	120.90	\$28,626.50
TBF Fee Applications/Compensation	30.70	\$6,122.50
Other Professional Fee Applications	20.30	\$5,677.50
Meeting of Creditors	8.90	\$3,492.50
Stay Relief Matters	.70	\$277.50
Non-Working Travel (half standard rate)	5.8	\$1,232.50
Claims Analysis and Resolution	5.80	\$2,007.00
Plan	51.80	\$16,998.50
Use, Sale or Lease of Property	136.80	\$45,084.00
Trustee Reporting/Schedules	.10	\$42.50
<b>Total:</b>	907.90	\$231,502.00

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OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF PREMIERE  
ASSOCIATES, INC. AND ITS SUBSIDIARIES FOR ALLOWANCE OF  
COMPENSATION AND REIMBURSEMENT OF EXPENSES FOR THE  
PERIOD FROM JANUARY 8, 2002 THROUGH MAY 12, 2003**

Pursuant to sections 330 and 331 of title 11 of the United States Code (the “Bankruptcy Code”) and Rule 2016 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), The Bayard Firm (“Bayard”) hereby applies to this Court for final approval of its reasonable compensation and reimbursement of expenses in the chapter 11 cases of the above-captioned debtors (the “Debtors”) for professional legal services rendered as co-counsel to the Official Committee of Unsecured Creditors of Premiere Associates, Inc. and its Subsidiaries (the “Premiere Group Committee”) in the amount of \$231,502.00 for compensation and \$66,582.64 in reimbursement of expenses for the period commencing January 8, 2002 through and including May 12, 2003 (the “Final Application Period”). In support of the Application, Bayard respectfully represents as follows:

## **Background**

1. On or about February 1, 2000 (the “Petition Date”), IHS and 436 affiliates, including Premiere Associates, Inc. and its subsidiaries (the “Premiere Group Debtors”), filed voluntary petitions under chapter 11 of the Bankruptcy Code. Subsequently, this Court permitted consolidation of all cases for administrative purposes only.

2. The Debtors have continued in possession of their properties and the management of their businesses as debtors in possession pursuant to sections 1107 and 1108 of the Bankruptcy Code.

3. On January 4, 2002, the Office of the United States Trustee held an organizational meeting and appointed the following members to the Premiere Committee: Angell Care, Inc. and Bermuda Village Limited Partnership, Attn: Don G. Angell; Health Care Services Group, Inc.; and Great Oaks Nursing Home, Inc. Thereafter, the Premiere Committee selected Don G. Angell as its Chairman.

4. Also on January 4, 2002, the Premiere Group Committee determined, subject to this Court’s approval, to retain the law firm of Blanco Tackabery Combs & Matamoros, P.A. (“BTCM”) and The Bayard Firm as its counsel in this matter. On April 12, 2002 the Court approved the Committee’s application to retain Bayard.

5. The Court has jurisdiction over this Application pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2). Venue of this case and Application in this District is proper pursuant to 28 U.S.C. §§ 1408 and 1409. The statutory predicates for the relief sought herein are sections 328 and 1103 of the Bankruptcy Code.



### **Relief Requested**

6. Bayard submits this Application in accordance with the Order Establishing Revised Procedures for Interim Compensation and Reimbursement of Expenses for Professionals entered by this Court on February 22, 2001 (the "Compensation Order"). All services for which compensation is requested by Bayard were performed for, or on behalf of, the Premiere Group Committee.

7. This Application is the final fee application (the "Application") filed by Bayard in these cases. By this Application, in connection with the professional services described below, Bayard seeks this Court's final approval for all interim applications filed in these cases and its corresponding compensation and expense reimbursement sought in these cases during the Final Application Period, in the amount of \$231,502.00 for compensation and \$66,622.64 as expense reimbursement.

8. Given the nature and value of the services provided by Bayard to the Premiere Group Committee as described herein, the amounts sought under this Application are fair and reasonable under section 330 of the Bankruptcy Code.

9. Other than interim payments made in accordance with the Compensation Order, Bayard has received no payment and no promises for payment from any source for services rendered in connection with these cases. There is no agreement or understanding between Bayard and any other person (other than members of Bayard) for the sharing of compensation to be received for the services rendered in these cases.

### **Summary of Service Rendered**

10. In general, the services rendered by Bayard as co-counsel to the Premiere Group Committee included, without limitation, the following:

- (a) representing the Premiere Group Committee at all hearings in these cases;
- (b) reviewing all pleadings and papers filed in these cases;
- (c) drafting or participating in the drafting of pleadings on behalf of the Premiere Group Committee;
- (d) advising the Premiere Group Committee and Blanco Tackabery Combs & Matamoros, P.A. (“BTCM”), lead counsel to the Premiere Group Committee, regarding practice and procedure in the United States Bankruptcy and District Courts for the District of Delaware;
- (e) coordinating responsibility for filing and service of all pleadings of the Committee relative to these cases;
- (f) coordinating weekly (or more frequent) updating of docket sheets, critical dates, schedules and calendars and maintaining case and pleadings files;
- (g) advising and representing the Premiere Group Committee with respect to information from the Debtors regarding their financial affairs and operations; and
- (h) participating in frequent conference calls and meetings with the Premiere Group Committee and its professionals and the Debtors and their professionals.

### **Amounts Requested**

11. For the Final Period, Bayard seeks this Court’s approval of its total compensation in these cases in the amount of \$231,502.00.

12. During the Final Application Period, Bayard incurred and or disbursed the actual and necessary costs and expenses related to these cases in the amount of \$66,582.64, as set forth below:

<b>Expense Category</b>	<b>Amounts</b>
Computer Research	\$ 2,334.32
Copies	\$37,306.59
Delivery Charges	\$ 5,679.80
Depositions & Transcripts	\$ 679.85
Docket Retrieval Charges	\$ 56.20
Downloaded Virtual Dockets	\$ 16.52
Electronic Imaging	\$ 12.30
Federal Express	\$ 1,305.12
Meals/Meetings	\$ 524.50
Miscellaneous Client Costs	\$ 200.00
Outside Fax Charges	\$ 2,297.64
Outside Postage	\$ 608.55
Pacer Document Downloads	\$ 517.58
Postage	\$10,353.35
Support Staff Overtime	\$ 1,639.29
Telecopier/Fax Charges	\$ 1,365.00
Telephone Calls	\$ 1,686.03
<b>Total:</b>	<b>\$66,582.64</b>

13. Pursuant to Rule 2016-2 of the Local Rules of this Court (the “Local Rules”), Bayard represents as follows with regard to its charges for actual and necessary costs and expenses:

- (a) Copy Charges are \$.15 per page, which charge is reasonable and customary in the legal industry representing costs of copy materials, acquisition, maintenance, storage and operation of copy machines, together with a margin for recovery of lost expenditures. In addition, Bayard often utilizes outside copier services for high volume projects, and this Application seeks the recovery of those costs.
- (b) Incoming facsimiles are not billed.
- (c) Out-going facsimiles are billed at the rate of \$1.00 per page. The costs represent operator time, maintaining several dedicated facsimile telephone lines, supplies and equipment, and includes a margin for recovery of lost expenditures. Toll telephone charges are not billed. In addition, the Firm utilizes the services of Sprint Fax for high volume, multiple-destination fax transactions, and this Application seeks the recovery of those costs.

14. In accordance with the factors enumerated in section 330 of the Bankruptcy Code, the amounts requested for compensation and expense reimbursement are fair and reasonable given (a) the complexity of these cases; (b) the time expended; (c) the nature and extent of the services rendered; (d) the value of such services; and (e) the costs of comparable services other than in a case under this title.


15. Bayard has reviewed the requirements of Local Rule 2016-2, and certifies that this Application and the Exhibits attached hereto comply therewith.

16. Bayard has sent a copy of this Application to the Debtors and the Office of the United States Trustee.

WHEREFORE, Bayard respectfully requests (i) this Court's final approval of its compensation and expense reimbursement in these cases: in the amount of \$231,502.00 as compensation together with reimbursement for actual and necessary expenses incurred in the amount of \$66,582.64 for the period commencing January 8, 2002 through and including May 12, 2003; and (ii) an Order authorizing and directing the Debtors to immediately remit payment to Bayard for all unpaid amounts approved by this Application.

Dated: September 24, 2003  
Wilmington, Delaware

THE BAYARD FIRM

By:   
Charlene D. Davis (No. 2336)  
Anthony M. Saccullo (No. 4141)  
222 Delaware Avenue, 9<sup>th</sup> Floor  
P.O. Box 25130  
Wilmington, Delaware 19899  
(302) 655-5000

Co-Counsel to the Official Committee of Unsecured  
Creditors of Premiere Associates, Inc. and its  
Subsidiaries

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:	)	Chapter 11
	)	
INTEGRATED HEALTH	)	Case No. 00-389 (MFW)
SERVICES, INC., <u>et al.</u> ,	)	
	)	Jointly Administered
Debtors.	)	

**ORDER APPROVING FINAL FEE APPLICATION OF THE BAYARD FIRM AS  
COUNSEL FOR THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS  
OF PREMIERE ASSOCIATES, INC. AND ITS SUBSIDIARIES FOR  
ALLOWANCE OF COMPENSATION AND REIMBURSEMENT OF EXPENSES  
FOR THE FINAL PERIOD FROM JANUARY 8, 2002 THROUGH MAY 12, 2003**

The Bayard Firm, as co-counsel for the Official Committee of Unsecured Creditors of Premiere Associates, Inc. and its Subsidiaries (the “Premiere Group Committee”), having filed its final application for allowance of compensation and reimbursement of expenses (the “Final Fee Application”); and parties-in-interest having received a copy of the Final Fee Application and notice of the date, time and manner by which to object to the relief sought in the Final Fee Application having been provided; no objections having been filed; and the Court having considered the Final Fee Application and having found the amounts requested in the Final Fee Application to be reasonable; it is hereby

ORDERED that the Final Fee Application is APPROVED; and it is further

ORDERED that all quarterly and/or interim fee applications filed by The Bayard Firm in these cases are hereby APPROVED; and it is further

ORDERED that the relief requested in the Final Fee Application is GRANTED, and The Bayard Firm is allowed total compensation for this case in the sum of \$231,502.00 for services rendered and the sum of \$66,582.64 as reimbursement for actual, necessary expenses incurred (collectively, the “Fee Award”); and it is further

ORDERED that the Debtors are hereby authorized and directed to immediately pay the amount of the Fee Award to The Bayard Firm, to the extent not already paid.

Dated: \_\_\_\_\_, 2003

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The Honorable Mary F. Walrath  
Chief United States Bankruptcy Judge