

THE UNITED STATES BANKRUPTCY COURT  
DISTRICT OF DELAWARE

IN RE:  
LOEWEN GROUP INTERNATIONAL INC.,  
a Delaware Corporation, et al.,

Case No. 99-1244 (PJW)

Chapter 11

Debtor

**FOURTEENTH AND FINAL APPLICATION OF YANTEK CONSULTING GROUP, INC. FOR ALLOWANCE OF  
COMPENSATION FOR ACTUAL, REASONABLE AND NECESSARY SERVICES RENDERED AND OF ALL ACTUAL,  
REASONABLE AND NECESSARY EXPENSES INCURRED  
FEBRUARY 15, 2000, THROUGH JANUARY 1, 2002**

Name of Applicant:	Yantek Consulting Group, Inc.
Authorized to Provide Professional Services to:	Debtors
Date of Retention:	February 15, 2000
Period for which Compensation and Reimbursement is sought:	February 15, 2000 through January 1, 2002
Amount of compensation Reasonable and necessary:	\$758,843.00
Amount of reimbursement Sought is actual, Reasonable and Necessary:	\$320,680.20

This is an  interim  final application.

The total time expended for the preparation of this application is approximately 6 hours.

**ATTACHMENT A  
TO  
Yantek Consulting Group, Inc. has filled the following prior applications:**

Fee Application Filing Date, Docket No.	Period Covered	Total Fees Requested	Total Expenses Requested	Certification of No Objection Filing Date, Docket No.	Amount of Fees Paid (80%)	Amount of Expenses Paid (100%)	Amount of Holdback Fees Sought
8-8-2000-4893	2/15/00-6/15/00	\$97,240.00	\$31,810.28	9-15-00-5114	\$77,792.00	\$31,810.28	\$19,448.00
8-30-00-5000	7/1/00-7/31/00	\$37,385.00	\$14,517.11	9-12-00-5151	\$29,908.00	\$14,517.11	\$10,582.60
10-13-00-5460	8/1/00-8/31/00	\$52,913.00	\$20,996.35	11-7-00-5633	\$42,330.40	\$20,996.35	\$10,582.60
10-30-00-5573	9/1/00-9/30/00	\$81,906.00	\$36,328.58	11-28-00-5780	\$65,524.80	\$36,328.58	\$16,381.20
12/7/00-5823	10/1/00-10/31/00	\$71,735.00	\$39,478.62	2-7-01-6425	\$57,388.00	\$39,478.62	\$14,347.00
1-23-01-6464	11/1/00-11/30/00	\$33,556.00	\$16,270.90	2-28-01-6520	\$33,556.00	\$16,270.90	\$0.00
1-23-01-6245	12/1/00-12/31/00	\$18,877.00	\$10,660.79	2-28-01-6516	\$18,877.00	\$10,660.79	\$0.00
3-19-01-6656	1/1/01-2/28/01	\$57,453.00	\$34,609.23	4-17-01-6830	\$57,453.00	\$34,609.23	\$0.00
5-30-01-7099	3/1/01-4/30/01	\$55,942.00	\$22,963.62	6/20/01-7233	\$55,942.00	\$22,963.62	\$0.00
7-17-01-7368	5/1/01-5/31/01	\$15,298.00	\$7,063.93	9-6-01-7866	\$12,238.40	\$7,063.93	\$3,059.60
9/4/01-7851	6/1/01-7/31/01	\$39,876.00	\$14,594.67	9-28-01-8073	\$7,975.20	\$14,594.67	\$7,975.20
12-03-01-8642	8/1/01-9/30/01	\$90,473.00	\$36,928.27	12-27-01-8788	\$18,094.60	\$36,928.27	\$18,094.60
	10/1/01-1/02/02	\$106,199.00	\$34,457.85		\$0.00	\$0.00	\$140,656.85
<b>Totals</b>	2/15/00-1/02/02	<b>\$758,853.00</b>	<b>\$320,680.20</b>		<b>\$477,078.60</b>	<b>\$286,221.35</b>	<b>\$241,127.65</b>

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Yantek Consulting Group, Inc. ("Yantek") respectfully as follows:

1. Yantek is a specialist for executory contracts in bankruptcy for the above-captioned debtors and debtors-in-possession (the "Debtors").
2. On June 1, 1999, the Debtors filed voluntary petitions for reorganization under chapter 11 of title 11 the United States Code (the "Bankruptcy Code").
3. The Court has jurisdiction over this matter pursuant to 28 U.S.C. 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. 157 (b) (2). The venue of these chapter 11 cases and this Application is proper pursuant to 28 U.S.C. 1408 and 1409. Yantek Consulting Group, Inc. ("Yantek") makes this Application pursuant to the following: (a) section 330(a) and 331 of the Bankruptcy Code, (b) Federal Rule of Bankruptcy Procedure 2016, (c) Local Bankruptcy Rule 4.4, (d) the Order on Procedure of Allowance and Payment of Professional Interim Fees and Expenses entered on August 24, 1999 (the "Interim Compensation Order"), and (e) certain applicable provisions of the Guidelines for Applications for Compensation and Reimbursement of Expenses of Professional adopted by the Office of the United States Trustees (the "U.S. Trustee")
4. On April 21, 2000, the Debtors sought to retain and employ Yantek Consulting Group, Inc. ("Yantek") to assist in administering their executory contracts. On May 31, 2000, the Court entered an order (the "Retention Order") authorizing Yantek's retention as contract consultant.
5. By its Amended Administrative Order, Pursuant to Sections 105(a) And 331 Of The Bankruptcy Code, Establishing Procedures For Interim Compensation And Reimbursement of Expenses Of Professionals (D.I. 5859) (the "Amended Administrative Order") dated December 12, 2000, the Court established

revisions to the procedures for interim compensation and reimbursement of expenses for all professionals in these cases. In particular, the Court authorized that, upon the expiration of twenty (20) days after the service (the "Objection Deadline"), the Professional may file a Certificate of No Objection with the Court, after which the Debtors are authorized to pay each Professional an amount (the "Actual Interim Payment") equal to the lesser of (i) 80 percent of the fees and 100 percent of the expenses requested in such monthly interim fee application and (ii) 80 percent of the fees and 100 percent of the expenses not subject to an objection.

6. On December 4, 2001, the Court entered the Findings of Fact, Conclusions Of Law And Order Confirming Fourth Amended Joint Plan of Reorganization of Loewen Group International, Inc., Its Parent Corporation And Certain Of Their Debtor Subsidiaries, As Modified (D.I. 8671) (the "Confirmation Order") confirming the Fourth Amended Joint Plan OF Reorganization of Loewen Group International, Inc., Its Parent Corporation And Certain Of Their Debtor Subsidiaries, As Modified (the "Plan"). Under the Plan and the Confirmation Order, the Court retained jurisdiction to consider final applications by retained professionals. These applications had to be filed within sixty days of January 2, 2002, the Plan's effective date. Pursuant to the Confirmation Order, Yantek submits this fee application for a final order (the "Fourteenth Fee Application") for final allowance of compensation for actual and necessary professional services rendered by it for the Debtors in the amount of **\$758,843.00** (of which the sum of **\$477,078.60** was previously paid pursuant to prior orders of this Court), together with reimbursement for actual and necessary expenses incurred in the amount of **\$320,883.96** (of which the sum of **\$286,221.35** was previously paid pursuant to prior orders of the Court) for the period February 15, 2000 through January 1, 2002 ("the Application Period"). As indicated above, Yantek has filed thirteen prior applications setting forth in detail the actual and necessary professional services rendered on behalf of the Debtors, together with actual and necessary expenses incurred on behalf of the Debtors, for the Period from February 15, 2000 to January 1, 2002.<sup>1</sup>
7. Any payment made pursuant to the interim monthly fee applications under either procedure is subject to final approval of all fees and expenses. Upon approval of a professional's final fee application, the

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<sup>1</sup> These applications and the orders approving them are available upon reasonable request.

Debtors will be authorized to pay the 20% holdback and any other amounts remaining unpaid that are approved.

- 8 Accordingly, Yantek has effectively ceased consultation for the Debtors and is now consulting for the reorganized Debtors.
- 9 Yantek submits the Fourteenth And Final Fee Application (I) for allowance of reasonable compensation for actual reasonable and necessary professional services by it as consultants for the Debtors in these cases for the period from February 15, 2000 through January 1, 2002, and necessary expenses incurred in representing the Debtors during that same period. This application is made pursuant to the provisions of sections 327, 330 and 331 of the Bankruptcy code, Rule 2016 of the Federal Rules of Bankruptcy Procedure, the Yantek Retention Order and the Interim Compensation Order.

#### **Fee Statements**

10. This is Yantek's Fourteenth Fee Application as indicated above, Yantek has filed thirteen prior applications setting forth in detail actual and necessary professional services rendered of behalf to the Debtors, together with actual and necessary expenses incurred on behalf of the Debtors, for the period from February 15, 2000 to January 1, 2002. These interim applications are listed in the chart as **Exhibit A** along with the amounts of fees and expenses requested, the amounts Yantek has been paid, the balance remaining due and the docket number of each application.
11. The associates with Yantek who rendered services for the Debtors are listed, on a monthly basis in **Exhibit B**. In addition, Yantek has maintained daily records of the time spent in the rendering of services during the period of February 15, 2000 through January 1, 2002. The statements in **Exhibit C**, show the total time recorded by each associate as well as the Project Category that the work has been charged to.
12. Yantek's associates expended a total of **5860.6** hours rendering services to the Debtors during the period of Yantek's employment in this case. The blended rate for these services over Application Period is **\$129.48**.

#### **Disbursements**


13. Yantek has incurred actual, reasonable and necessary out-of-pocket disbursements during the Application in the amount of **\$320,680.20**. This disbursement sum is broken down into categories of charges and the monthly summaries of the expenses incurred by Yantek is included in **Exhibit D** attached hereto.

14. Yantek has endeavored to represent the Debtors in the most expeditious and economical manner possible. Tasks have been assigned to associates of Yantek so that work has been performed by those most familiar with the particular matter or task and, by the lowest hourly rate professional appropriate for a particular matter. Moreover, Yantek has sought to coordinate with other professionals involved in these cases so as to minimize and duplication of effort.
15. No agreement or understanding exists between Yantek and any other person for the sharing of compensation received to be received for services rendered in or in connection with these cases.
16. The undersigned has reviewed the requirements of Local Rule 2016-2 of the United States Bankruptcy Court for the District of Delaware and certifies to the best of his information, knowledge and belief that this application complies with Local Rule 2016-2.

WEREFOR, Yantek respectfully requests that this Court enter an order substantially in the form attached hereto (1) approving final compensation in the sum of **\$758,843.00** for actual, reasonable and necessary professional services rendered on behalf of the Debtors during the Application Period and actual costs and expenses incurred during the Application Period in the amount of **\$ 320,680.20**, and (ii) authorizing and directing the Debtors to pay the outstanding balance of the fees and expenses as set for the in Attachment A, less any amounts paid after the filing of this Fourteenth and Final Application, and granting such other relief as the Court may deem just and proper.

Dated: Wilmington, Delaware  
February 28, 2002

YANTEK CONSULTING GROUP, INC

  
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Frank R. Yantek, President