

cc: cal

RECEIVED AND FILED
99 APR 23 PM 1:47
U.S. BANKRUPTCY COURT
PATRICIA GRAY CLERK

1 BLAKE DAWSON WALDRON
2 NICHOLAS R. CARSON
3 Grosvenor Place
4 225 George Street
5 Sydney NSW 2000
6 Australia
7 Tel: (02) 9258-6000
8 Fax: (02) 9258-6999

9 IN THE UNITED STATES BANKRUPTCY COURT
10 FOR THE DISTRICT OF NEVADA

11 In re:) Case Nos. BK-N-98-30088-GWZ through
12) BK-N-98-30105-GWZ
13 PEGASUS GOLD CORPORATION, a) (Jointly Administered)
14 Nevada corporation; and related)
15 entities,) Date of Hearing: May 17, 1999
16 Debtors.) Time of Hearing: 9:00 a.m.
17) Set By:
18)

19 FINAL FEE APPLICATION BY BLAKE DAWSON WALDRON

20 Blake Dawson Waldron ("BDW") submits its third application ("Fee Application")
21 for an award of interim compensation for professional fees incurred from the
22 period December 1, 1998 to and including February 5, 1999 (the "Application
23 Period") and its application for final compensation for professional fees and
24 reimbursable expenses incurred during the period from July 16, 1998 to and
25 including February 5, 1999 and respectfully represents:

26 1. On January 16, 1998, the above-named Debtors ("Debtors") filed a petition
27 for relief under Chapter 11, Title 11, of the United States Code in the United States
28 Bankruptcy Court for the District of Nevada.

29 2. On July 24, 1998, Debtors filed their Application For An Order Approving
30 The Retention And Employment Of Blake Dawson Waldron As Special Counsel
31 ("Retention Application"). On August 6, 1998, such employment was approved by
32 this Court.

33 3. BDW, as Australian special counsel for Debtors, hereby applies for the
34 payment of interim compensation for services rendered and reimbursement of

2232

1 expenses incurred during the Application Period.

2 4. BDW seeks payment of compensation in the amount of Australian \$3,450.00
3 (Australian \$ is hereafter referred to as "A\$"), representing 100% of the fees for
4 services rendered during the Application Period. Members of BDW expended a
5 total of 8 hours 25 minutes in the provision of services to the Debtors during the
6 Application Period.

7 5. A copy of the billing statement, a summary setting out: (a) name of each
8 individual that performed services for Debtors during the application period;
9 (b) the status of such individuals as partner or associate; (c) the hourly billing rate
10 applicable to each such individual; and (d) the time expended by those
11 individuals during the Application Period are attached hereto as Exhibit "A".

12 6. During the Application Period, BDW performed services for Debtors
13 involving litigation support for Debtors against Bateman Project Engineering Pty
14 Ltd, Kinhill Pacific Pty Ltd and Kilborn Engineering Pacific Pty Ltd ("collectively,
15 "BKK"). As provided in the Retention Application, BDW was employed by Debtors
16 as special counsel to represent the interests of PGI and PGC throughout the BKK
17 litigation, and to continue the prosecution of such litigation by filing a Statement of
18 Claim against BKK in the Federal Court of Australia, New South Wales District
19 Registry ("Federal Court"). During BDW's previous application periods (from
20 July 16, 1998 through November 30, 1998, BDW prepared the Statement of Claim
21 and it was filed in the Federal Court. BDW monitored the progress of and attended
22 Court proceedings pursuant to this litigation in the Federal Court. In addition, BDW
23 prepared its fee application for the prior application periods and attended the
24 bankruptcy court hearing on such applications. In this way, the services of BDW
25 have greatly benefited the estate. BDW submits that the services provided by it are
26 in now way duplicative services provided by the other law firms employed in this
27 matter.

28 7. BDW has served a copy of this Fee Application on the office of the U.S.

1 Trustee and the Debtors.

2 8. BDW seeks final allowance of the compensation charge and expenses
3 incurred for the entire case as follows:

4 First application period

5 Fees \$65,900.00 (1)

6 Expenses \$2,790.20 (2)

7 Second application period

8 Fees \$4,241.57 (1)

9 Expenses \$525.95 (2)

10 Application period

11 Fees \$3,450.00 (1)

12 Total A\$77,007.72

13 Against which claim BDW gives credit for the amounts received in respect of the
14 first and second application periods namely A\$73,557.72.

15 9. Neither BDW nor any members of BDW has any agreement or understanding
16 of any kind to divide, payover, or share with any other person, except as among the
17 members of BDW, any portion of the fees or expenses to be awarded pursuant to
18 to this fee application.

19 THEREFORE, BDW respectfully requests that the Debtors pay final
20 compensation for services rendered and reimburse the expenses incurred as set out
21 in this Fee Application.

22 DATED this 1st day of March, 1999

23

24

25

26

27

28

BLAKE DAWSON WALDRON

By Nicholas Carson

NICHOLAS R. CARSON

Grosvenor Place
225 George Street
Sydney NSW 2000
Australia

Handwritten notes and calculations:

total reqd. = 73,591.57
 fees = 65,900.00
 exp = 3,316.15

 76,907.72

total awarded = 70,192.45
 E2 = 3,316.15
 E1 = 1475
 E3 = 1990
 E4 = 2232

65,850.88 + 2790.20 = granted in 1725
 4341.57 + 525.95 = granted in 2076
 3450.00 = granted in 4 (not on docket)

BLAKE DAWSON WALDRON

L A W Y E R S

225 GEORGE STREET, SYDNEY, NSW, 2000

Pegasus Gold Corporation
 C/- Mayer, Brown & Platt
 (Nicholas A. Laveris Esq.)
 1675 Broadway
 New York, New York 10019-5820
 UNITED STATES OF AMERICA

Telephone (02) 9258 6000
 Fax (02) 9258 6999
 DX 355 SYDNEY

Your Ref
 Our Ref NRC.820825
 Bill No

Pegasus Gold Corporation and Pegasus Gold Inc v BKK

22 Dec 98	DCF	Preparing Application for compensation, including telephone attendances and correspondence (1hr 25mins)	\$ 580.00
26 Jan.99	DCF	Telephone attendance: Judge Zive (30 min)	\$ 205.00
02 Feb 99	NRC	Telephone attendance: Mr Hillman; reviewing papers; Fax: Mr Hillman (3hrs 30 min)	\$1,435.00
03 Feb 99	NRC	Telephone attendances: Mr Hillman, Mr Dorter; Review issues; Fax: Mr Hillman (3hrs)	<u>\$1,230.00</u>
		Total	A\$3,450.00

DCF = David C. Frecker, senior partner A\$410 per hr
 NRC = Nicholas R. Carson, senior partner A\$410 per hr

*Unless otherwise stipulated in any Cost Agreement,
 this invoice is payable on presentation.*