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

In re: § Chapter 11

§

§ ADVANTA CORP., et al.,

**Jointly Administered** 

§ § Case No. 09-13931 (KJC)

§ §

Debtors. **Objection Deadline:** 

August 26, 2010

# NOTICE OF MONTHLY FEE AND EXPENSE INVOICE

To: The Notice Parties Listed on Exhibit A hereto

Name of Applicant: Warren H. Smith & Associates, P.C.

Authorized to Provide

Professional Services to: The United States Bankruptcy Court

Date of Retention: February 4, 2010 nunc pro tunc to January 29, 2010

Period for which compensation and/or

reimbursement is sought: July 1, 2010 through July 31, 2010

Summary of Monthly Fee and Expense Invoice Statements for Compensation Period:

		Requested		Paid	
Date Filed	Period Covered	Fees	Expenses	Fees	Expenses
3/8/2010	2/1/2010-2/28/2010	\$325.00	\$0.00	\$260.00	\$0.00
4/6/2010	3/1/2010-3/31/2010	\$729.50	\$34.60	\$583.60	\$34.60
5/7/2010	4/1/2010-4/30/2010	\$262.50	\$67.56	\$210.00	\$67.56
6/4/2010	5/1/2010-5/31/2010	\$2,659.75	\$159.04	\$2,127.80	\$159.04
7/6/2010	6/1/2010-6/30/2010	\$24,232.25	\$106.93	\$0.00	\$0.00

**ADVANTA JULY '10 INVOICE** 

	8/6/10	7/1/2010-7/31/2010	\$2,105.25	\$513.93	\$0.00	\$0.00
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PLEASE TAKE NOTICE that Warren H. Smith and Associates, P. C. (the "Applicant") has today filed this Notice of Monthly Fee and Expense Invoice for July 1, 2010 through July 31, 2010 (this "Monthly Fee Statement") pursuant to the Order Appointing Fee Auditor and Establishing Related Procedures Concerning the Allowance and Payment of Compensation and Reimbursement of Expenses of Applicants and Consideration of Fee Applications (the "Fee Auditor Order).

PLEASE TAKE FURTHER NOTICE that responses or objections to this Monthly Fee Statement, if any, must be filed on or before August 26, 2010 at 4:00 p.m. (prevailing Eastern Time) (The "Objection Deadline") with the United States Bankruptcy Court for the District of Delaware, 5th Floor, 824 Market Street, Wilmington, Delaware 19801.

PLEASE TAKE FURTHER NOTICE that upon the expiration of the Objection Deadline, the Applicant shall certify in writing to the Debtors and Counsel to the Debtors that no objection, or an objection, has been filed with the Court relative to his Notice, whichever is applicable, after which the Debtors shall pay to the Professional an amount equal to the lesser of (i) 80 per cent of the fees and 100 percent of the expenses requested in this Monthly Fee Statement or (ii) 80 percent of the fees and 100 percent of the expenses not subject to an objection. All fees and expenses in this Monthly Fee Statement will be included in the next interim application for compensation and reimbursement of expenses to be filed and served by the Applicant at a later date, and will be subject to objection at such time.

Dated: August 6, 2010

Respectfully submitted,

WARREN H. SMITH & ASSOCIATES, P. C.

By:

Warren H. Smith

State Bar No. 18757050

325 N. Saint Paul Suite 1250 Dallas, Texas 75201 (214) 698-3868 (214) 722-0081 (FAX)

FEE AUDITOR

# **CERTIFICATE OF SERVICE**

I, Warren H. Smith, certify that I am not less than 18 years if age, and that service of a copy of the attached *Notice of Monthly Fee and Expense Invoice* (for Warren H. Smith & Associates, P. C. for July, 2010) was made August 6, 2010, upon the Notice Parties identified as "Exhibit A".

Under penalty of perjury, I declare that the foregoing is true and correct.

Warren H. Smith

#### SERVICE LIST

# **Notice Parties**

#### Mark D. Collins

Richards Layton & Finger One Rodney Square PO Box 551 Wilmington, DE 19899 302-6517531 302-651-7701 (fax) collins@rlf.com

# Diane W. Sanders

Linebarger Goggan Blair & Sampson, LLP P.O. Box 17428 Austin, TX 78760 512-447-6675 512-443-5114 (fax) austin.bankruptcy@publicans.com

# Stephen W. Spence

Phillips, Goldman & Spence 1200 N. Broom Street Wilmington, DE 19806 302 655-4200 302-655-4210 (fax) sws@pgslaw.com Assigned: 02/04/10

#### Richard A. Barkasy

Schnader Harrison Segal & Lewis LLP 824 Market Street, Suite 1001 Wilmington, DE 19801 302-888-4554 302-888-1696 (fax) rbarkasy@schnader.com

# Pennsylvania Department of Labor & Industry

Unemployment Compensation Tax Svc's. Reading Bankruptcy & Compliance Unit 625 Cherry Street, Room 203 Reading, PA 19602-1184 (610) 378-4460 (610) 378-4459 (fax)

#### Soundpost Partners, LP

Jane Lester, Managing Member 405 Park Ave., 6th Floor New York, NY 10022

# Michael Joseph Custer

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#### Zachary I Shapiro

Richards, Layton & Finger, P.A. 920 North King Street, P.O. Box 551 Wilmington, DE 19801 302-651-7700 302-651-7701 (fax) shapiro@rlf.com

#### Garvan F. McDaniel

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#### Howard A. Cohen

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# Shawn M. Christianson

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#### John D. Demmy, Esq.

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# **Christopher Page Simon**

Cross & Simon, LLC 913 North Market Street, 11th Floor Wilmington, DE 19899 302-777-4200 302-777-4224 (fax) csimon@crosslaw.com

#### **United States Trustee**

844 King Street, Room 2207 Lockbox #35 Wilmington, DE 19899-0035 302-573-6491 302-573-6497 (fax) USTPREGION03.WL.ECF@USDOJ.GOV a Levee Lowenstein Sandler, PC 65 Livingston Ave. Roseland, NJ 07068 973-597-2480 973-597-2481 (fax) ilevee@lowenstein.com

#### Ronald L. Cohen

Seward & Kissel LLP One Battery Park Plaza New York, NY 10004 212-574-1200 212-480-8421 (fax) cohen@sewkis.com

#### Jeffrey S. Stein

The Garden City Group, Inc. 105 Maxess Road Melville, NY 11747 631-470-6834 631-940-6554 (fax) Kenneth\_Freda@gardencitygroup.com

# Warren H. Smith & Associates, P.C.

325 North St. Paul Street Suite 1250 Dallas, TX 75201 Tax Id# 01-0584406

Invoice submitted to: Advanta Corp. Attention: Philip M. Browne P.O. Box 844 Springhouse PA 19477

August 03, 2010

In Reference To: Advanta Corp. Invoice #10036

# **Professional Services**

		<u>Hours</u>	<u>Amount</u>
7/1/2010 BSR	detailed review of Richards Layton's March 2010 monthly fee application	1.90	503.50
JAW	Proofread WHSmith June 2010 fee detail and Notice (0.4); draft summary of same (0.1)	0.50	76.25
MVV	Draft monthly fee application of WHSA (.7); preliminary review of same (.1); send same to J. Wehrmann for review (.1).	0.90	126.00
BSR	detailed review of Richards Layton's Feb. 2010 monthly fee application	0.90	238.50
7/2/2010 BSR	Receive and review WGM's 1st interim fee application	0.30	79.50
7/6/2010 AL	Electronic filing with the Court of WHSA's June Invoice	0.30	13.50
7/7/2010 AL	Electronic filing with the court of WHSA's May CNO	0.20	9.00
AL	Draft WHSA's May CNO	0.30	13.50
7/9/2010 AL	Update database with Weil's May fee application (hard copy)	0.20	9.00

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		<u>Hours</u>	<u>Amount</u>
7/13/2010 BSR	Receive and review response of Richards Layton & Finger to initial report (1st)	0.10	26.50
AL	research all applications received for the current interim (.7); confer with B. Ruhlander re same (.1).	0.80	36.00
7/20/2010 BSR	research regarding status of responses to initial reports	0.30	79.50
7/21/2010 AL	Update database with A&M's 1Q IR Response (.1); Latham's 1Q IR Response (.1)	0.20	9.00
7/23/2010 AL	Update database with A&M's May fee application (hard copy)	0.20	9.00
7/28/2010 AL	Electronic filing with the court of WHSA's June CNO	0.30	13.50
AL	Update database with RLF's June fee application (hard copy)	0.20	9.00
MW	Draft CNO for June invoice of WHSA (.3); research PACER to verify no objections (.5).	0.80	112.00
7/29/2010 BSR	research regarding recently filed pleadings and orders	0.10	26.50
7/31/2010 BSR	detailed review of expense portions of WGM's Jan., Feb., and March 2010 monthly fee application	2.70	715.50
For p	professional services rendered	11.20	\$2,105.25
Addit	ional Charges :		
7/1/2010 West	law Charges		202.54
7/31/2010 PACE	ER Charges		181.60
Third	party copies & document prep/setup.		129.79

			<u>Amount</u>
Total additional charges			\$513.93
Total amount of this bill		_	\$2,619.18
Timekeeper Summary  Name Anthony Lopez Bobbi S. Ruhlander James A. Wehrmann Melanie White	Hours 2.70 6.30 0.50 1.70	Rate 45.00 265.00 152.50 140.00	Amount \$121.50 \$1,669.50 \$76.25 \$238.00