

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION**

**In re:**

**LYDIA CLADEK, INC.,**

**CASE NO. 3-10-bk-02805-PMG  
CHAPTER 11**

**Debtor.**

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**APPLICATION FOR REIMBURSEMENT OF EXPENSES OF  
THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS**

The Official Committee of Unsecured Creditors (the "Committee"), by and through its undersigned counsel, hereby submits this Application (the "Application") pursuant to Section 503(b)(3)(F) of the Bankruptcy Code seeking reimbursement of expenses incurred by Committee Chairman, Noel Yell, during the period of June 1, 2010 through August 31, 2010 (the "Reimbursement Period"), and in support thereof respectfully represents as follows:

**JURISDICTION AND VENUE**

1. This 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)(3). Venue of the Debtor's Chapter 11 Case and this Application in this District is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

2. The relief requested herein is sought pursuant to Section 503(b)(3)(F) of the Bankruptcy Code.

**Background**

3. On April 2, 2010, several petitioning creditors filed an involuntary Chapter 11 petition against Lydia Cladek, Inc. (the "Debtor"), Case No. 10-bk-02800-PMG, in the United States Bankruptcy Court, Middle District of Florida, Jacksonville Division (the "Involuntary Case").

4. Subsequently, on April 5, 2010, Lydia Cladek, Inc. filed the instant voluntary Chapter 11 petition (the "Voluntary Case").

5. On April 7, 2010, several creditors filed an Emergency Motion to Consolidate the Involuntary and Voluntary Chapter 11 cases of Lydia Cladek, Inc. (Dkt. No. 13) along with an Emergency Motion to Appoint a Chapter 11 Trustee (Dkt. No. 11).

6. On April 12, 2010, the Court entered its Order Granting Motion to Consolidate providing that the Voluntary Case shall be the lead case. On that date, the Court also entered its Order Granting Motion to Appoint Chapter 11 Trustee (Dkt. No. 32), appointing Michael Phelan as Chapter 11 Trustee (the "Trustee").

7. On June 1, 2010, the United States Trustee appointed an Official Committee of Unsecured Creditors (Dkt. No. 111).

#### **EXPENSES INCURRED**

8. Ms. Yell incurred out-of-pocket expenses during the Reimbursement Period in the aggregate amount of \$494.25, which expenses were reasonable and necessary in connection with the performance of her duties as Committee Chairman, including attendance at in-person meetings and hearings. A detailed breakdown of Ms. Yell's expenses is set forth in **Exhibit A**.

#### **RELIEF REQUESTED**

9. By this Application, applicants seeks an allowance of reimbursement of expenses on behalf of the Committee members in the aggregate amount of \$494.25 (which amount represents 100% of expenses incurred).

**CONCLUSION**

WHEREFORE, the Committee respectfully requests that the Court (i) grant Noel Yell's reimbursement in the amount of \$494.25 for actual and necessary costs; (ii) direct the Trustee to pay all expenses incurred in the amount of \$494.25; and (iii) grant such other and further relief as the Court may deem just and proper.

Dated this 27th day of December 2010.

Respectfully submitted,

/s/ Jon E. Kane

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**ATTORNEYS FOR THE OFFICIAL  
COMMITTEE OF UNSECURED  
CREDITORS**

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on December 27, 2010, the foregoing was filed and served via the Court's ECF/Electronic Filing System, and to the extent that the foregoing was not served electronically via the CM/ECF system, I caused a copy of the same to be served via first class mail postage on December 28, 2010 prepaid upon all parties and counsel on the attached Amended Official Service List as of December 20, 2010.

/s/ Jon E. Kane

Jon E. Kane, Esq.

Lydia Cladek, Inc.  
Case No.: 3:10-bk-2805-PMG  
**AMENDED OFFICIAL SERVICE LIST**  
**(amended as of December 20, 2010)**

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## **EXHIBIT A**

**In re Lydia Cladek, Inc.**  
**Case No.: 3:10-bk-02805-PMG**

### **SUMMARY OF DISBURSEMENTS FOR NOEL YELL, COMMITTEE CHAIRPERSON**

<b>DESCRIPTION</b>	<b>DISBURSEMENT REQUESTED</b>
Mileage (at \$0.50 per mile) - 340 miles	\$ 170.00
Rental of projection used at August 12, 2010 hearing	\$ 324.25
<b>TOTAL</b>	<b>\$ 494.25</b>



**NORTH FLORIDA MULTIMEDIA**  
 P.O. Box 551418  
 Jacksonville, FL 32255-1418  
 Phone: (904) 992-6477  
 Fax: (904) 992-6478

**Rental Agreement**

**DATE:** August 11, 2010  
**ORDERED BY:** Michael Egelman **501-7085**  
**FOR:** Courtroom Presentation  
**BILL TO:** Law Offcs Mike Rogerson  
 501 Riverside Ave (7th Floor)  
 Jacksonville, FL  
 Phone:(904) 355-1700

Rep: Mark Ihrie

Qty	Description	Unit Price	AMOUNT
1	2000 Lumen LCD Projector (Upgraded to 3000)	\$250.00	\$250.00
1	7ft Tripod Screen	\$25.00	\$25.00
1	Long VGA Laptop-LCD Cable (NC)		
1	Extension Cord w/power strip (NC)		
Equipment is being charged for one day of usage. To be delivered on <b>Thursday 8/12</b> , and to be picked up on <b>Friday 8/13</b>  Please deliver to the "Bill To" address on this agreement. You will need to go to the "Ever Bank" plaza in Riverside on the 7th floor.  Client requests delivery between <b>10:30-11:30 AM</b>  Go to the front desk at the Law Firm and ask for <b>MICHAEL EGELMAN</b> , and show him how to set up the projector. You may also reference the name <b>Jon Kane</b> .			
<b>Paid IN FULL BY Noel Yell's Master Card **8320</b>			
<b>SUBTOTAL</b>			\$ 275.00
<b>STATE TAX RATE</b>			6.00%
<b>COUNTY TAX RATE</b>			1.00%
<b>TOTAL SALES TAX</b>			19.25
<b>LABOR</b>			
<b>DELIVERY</b>			30.00
<b>TOTAL</b>			<b>\$ 324.25</b>

Received by: \_\_\_\_\_

Signature:

**Rental Agreement:** It is understood and agreed that the customer is renting the above equipment for a specified period only and is responsible for its safe return. Liability for loss or damage to equipment rests solely with the customer, and the customer agrees to pay for any loss or damages to the equipment. NORTH FLORIDA MULTIMEDIA shall not be held liable for any consequential damages. This is **NOT** an invoice.

**Late Charge:** After 30 days from the date of invoice, a charge of 1 1/2% per month will be made on past due accounts.

**Thank You**

*Mileage - 2 days 85 miles each way  
 total 340 miles*