

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

IN RE: CHINESE-MANUFACTURED DRYWALL  
PRODUCTS LIABILITY LITIGATION

CIVIL ACTION

NO. 09-02047

THIS DOCUMENT RELATES TO: ALL CASES

SECTION "L" (5)

ORDER

The Court has received an invoice from Phillip A. Garrett, CPA, detailing the work he performed and the cost thereof in connection with the Objectors' hearings and proceedings regarding common benefit fees.

In addition, the Court has received an invoice from Special Master Dan Balhoff from the law firm, Perry, Balhoff, Mengis & Burns, LLC, who conducted the hearings, oversaw discovery, and issued a Report and Recommendation on fees allocation.

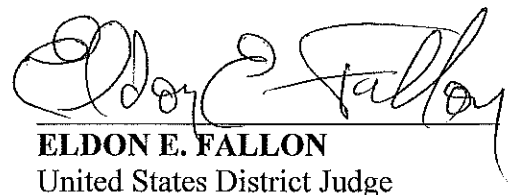
After reviewing the invoices, which are attached to this Order, the Court finds the amounts fair and reasonable in light of the work performed by both individuals. Accordingly,

**IT IS ORDERED** that the following amounts be paid from the funds set aside for attorney's fees and cost:

- **\$385,000.000** to **PERRY, BALHOFF, MENGIS & BURNS, LLC**
- **\$19,846.44** to **PHILLIP A. GARRETT, CPA**

At a future time, the Court will make a decision as to the appropriate apportionment to these fees among the interested parties.

New Orleans, Louisiana, this 24th day of October, 2017.

  
**ELDON E. FALLON**  
United States District Judge

**Perry, Balhoff, Mengis & Burns, LLC**

2141 Quail Run Drive  
Baton Rouge, LA 70808  
Telephone: 225-767-7730  
Fax: 225-767-7967  
Tax ID: 72-1310179  
October 17, 2017

**Chinese Drywall Special Master – Fee Issue**

File # 99438-0046  
Invoice # 70329

<b>Description</b>	<b>Hours</b>	<b>Amount (@ \$500/hr)</b>
initial documents received from Court (130 documents); email communications (1139 reviewed or sent); additional documents received from parties (153 documents); preparation of Special Master Case Management Order No. 1; preparation of Special Master's Ruling Concerning Objectors' October 7, 2016 Request to Modify Special Master Case Management Order No. 1; preparation of Special Mater Case Management Order No. 2; preparation of Special Master's Ruling Concerning Requests for Additional Discovery; preparation of Special Master's Case Management Order Regarding Evidentiary Hearing; status conference appearances (9 times; including travel to and from New Orleans); additional meetings with Judge Fallon and/or counsel in New Orleans (4 times; including travel to and from New Orleans); meetings with counsel in Baton Rouge (2 times); prepare for and attend depositions (4 depositions; including travel to and from New Orleans); prepare for and attend evidentiary hearing (2 days; including travel to and from New Orleans); telephone conferences with parties (numerous); prepare final recommendations (including review of approximately 1,000 exhibits)	770.00	\$385,000.00

<b>Special Master CDW Monthly Billing Summary</b>	
<b>Activity</b>	<b>Hours</b>
<b>July 2016</b>	
Initial Review of documents provided by the Court (R. Docs. 21, 22, 144-1, 147, 151, 337, 12961, 16934, 17379, 17402, 17567, 17639, 17832, 18037, 20205, 20257, 20282, 20239, 20293, 20309, 20336, 20337, 20338, 20340, 20341, 20343, 20344, 20346, 20347, 20348, 20349, 20350, 20351, 20354, 20355, 20356, 20357, 20376, 20380, 20382, 20384, 20390, 20392, 20394, 20396, 20397, 20398, 20407, 20410, 20411, 20112, 20413, 20415, 20417, 20430, 20433, 20434, 20435, 20436, 20455, 20456, 20464)	30.00
Email communications (30) and telephone communications (numerous)	6.00
Attend status conference, travel to and from New Orleans (8/25/16) (prorated)	1.00
<b>August 2016</b>	
Continued review of documents provided by the Court	25.00
Email communications (93) and telephone communications (numerous)	18.60
<b>September 2016</b>	
Email communications (114) and telephone communications (numerous)	22.80
Prepare Special Master Case Management Order No. 1 (entered 9/5/16)	8.00
Separate meetings with various counsel (Jimmy Faircloth and Val Exnicios at Special Master Baton Rouge office; Eddie Sexton at Special Master Baton Rouge office; Skip Lambert at Special Master Baton Rouge office; member of Fee Committee at Herman office in New Orleans; Richard Taylor at courthouse in New Orleans)	10.00
<b>October 2016</b>	
Email communications (98) and telephone communications (numerous)	19.60
Attend status conference, travel to and from New Orleans (10/20/16) (prorated)	1.00
Special Master's Ruling Concerning Objectors' October 7, 2016 Request to Modify Special Master Case Management Order No. 1 (10/28/16)	20.00
<b>November 2016</b>	
Email communications (122) and telephone communications (numerous)	24.40

Prepare Special Master Case Management Order No. 2 (entered 11/14/16)	7.00
Attend status conference, travel to and from New Orleans (11/18/16) (prorated)	1.00
<b>December 2016</b>	
Email communications (118) and telephone communications (numerous)	23.60
Prepare for deposition of Phil Garrett	4.00
Travel to and from New Orleans for deposition of Phil Garrett	3.00
Attend deposition of Phil Garrett (12/14/16)	7.70
Attend status conference, travel to and from New Orleans (12/21/16) (prorated)	1.00
<b>January 2017</b>	
Email communications (83) and telephone communications (numerous)	16.60
Prepare for depositions of Russ Herman, Sandra Duggan, and Arnold Levin	10.00
Travel to and from New Orleans for deposition of Russ Herman	3.00
Deposition of Russ Herman (1/24/17)	10.10
Travel to and from New Orleans for deposition of Sandra Duggan	3.00
Supplemental deposition of Russ Herman (1/25/17)	0.30
Deposition of Sandra Duggan (1/25/17)	9.40
Travel to and from New Orleans for deposition of Arnold Levin	3.00
Deposition Arnold Levin (1/26/17)	11.20
Attend status conference, travel to and from New Orleans (1/31/17) (prorated)	1.00
<b>February 2017</b>	
Email communications (47) and telephone communications (numerous)	9.40
<b>March 2017</b>	
Email communications (68) and telephone communications (numerous)	13.60
<b>April 2017</b>	
Email communications (83) and telephone communications (numerous)	16.60
Prepare Special Master's Ruling Concerning Requests for Additional Discovery (entered 4/5/17)	2.00

Attend status conference, travel to and from New Orleans (4/6/17) (prorated)	1.00
Prepare Special Master's Case Management Order Regarding Evidentiary Hearing (entered 4/23/17)	8.00
<b>May 2017</b>	
Email communications (207) and telephone communications (numerous)	41.40
Attend status conference, travel to and from New Orleans (5/16/17) (prorated)	1.00
Prepare for evidentiary hearing	40.00
Travel to and from New Orleans for Evidentiary Hearing	3.00
Evidentiary Hearing Day 1 (5/31/17)	6.50
<b>June 2017</b>	
Email communications (76) and telephone communications (numerous)	15.20
Travel to and from New Orleans for Evidentiary Hearing	3.00
Evidentiary Hearing Day 2 (6/1/17)	8.00
Receive and review exhibits (1,000); draft recommendations	50.00
Attend status conference, travel to and from New Orleans (6/27/17) (prorated)	1.00
<b>July 2017</b>	
Receive briefs, draft recommendations; various communications	80.00
<b>August 2017</b>	
Draft recommendations; various communications	125.00
<b>September 2017</b>	
Draft recommendations; various communications	40.00
Travel to and from New Orleans; meet with Judge Fallon	4.00
<b>October 2017</b>	
Attend status conference, travel to and from New Orleans (10/12/17); deliver Special Master record to Judge Fallon (prorated)	0.50
<b>Total</b>	
	770.00

Philip A. Garrett CPA

600 Northwoods Drive

Abita Springs, La 70420

985-746-9165

[pgarrett@garrettco.com](mailto:pgarrett@garrettco.com)

Mr. Daniel J. Baihoff

Perry, Balhoff, Mengis & Burns, LLC

2141 Quail Run Drive

Baton Rouge, La 70808

TIME & COSTS FOR MONTH OF December 31, 2016

Re: Chinese Drywall - Special Master disclosures

Date	Employee	Description	Hours	Value
12/2/2016	Philip A. Garrett	NEW QUESTIONS FROM OBJECTIONS RESEARCHED: TIMING OF RETENTION BY COURT AND PSC; PRINT OUT 9A-28 A-F; CCMS SYSTEM; EXHIBITS FOR SETTLEMENT AMOUNTS;;OCTOBER 2011 STATEMENT	2.00	\$720.00
12/4/2016	Philip A. Garrett	OUTLINE PTO 9 DIFFERENT AREAS; TIME STANDARDS; TIME REPORTS- WHAT IS INCLUDED; HELD COST REPORTS AND SHARED COSTS REPORTS;ASSESSMENTS; DUTIES ON SHARED COSTS; DUTIES ON HELD COSTS	4.00	\$1,440.00
12/5/2016	Philip A. Garrett	AREAS OF INQUIRY BY OBJECTORS AND RESPONSES BY FEE COMMITTEE; VIRGINIA STIPEND AMOUNTS ; SETTLEMENT WORKPAPERS	2.00	\$720.00
12/6/2016	Philip A. Garrett	PTO28 - PREPARE OUTLINE OF DUTIES	1.00	\$360.00
12/8/2016	Philip A. Garrett	GO OVER CHANGE IN HOURS DUE TO PTO28 AND RECONCILE TO PRIOR SCHEDULES	2.50	\$900.00
12/10/2016	Philip A. Garrett	PULL TOGETHER 10 RANDOM SAMPLES AND SUPPORTING DOCUMENTS FOR TIME AND 1 SAMPLE OF HELD COSTS WITH SUPPORT AND LISTING OF ALL POSTED TIME SUBMISSIONS	8.00	\$2,880.00
12/12/2016	Bridgett Rosa	PREPARE AND REVIEW REPORTS FOR SPECIAL MASTER	2.00	\$300.00
12/12/2016	Philip A. Garrett	PREP FOR DEPOSITION - LISTING OF ALL INVOICES FROM GARRETTCO; VENDOR BACKUP TRACE TO SAMPLE LIST;- PUT TOGETHER SEPARATE FILES ON EACH INQUIRY	8.00	\$2,880.00
12/13/2016	Philip A. Garrett	PREPARE FOR DEPOSITION - CLEAR ANY AREAS OF QUESTIONS FROM WORKPAPERS	5.00	\$1,800.00
12/14/2016	Philip A. Garrett	ATTEND DEPOSITION AND GIVE TESTIMONY OVERNIGHT STAY FOR DEPOSITION	8.00	\$2,880.00
		TOTAL		\$ 324.19
				<u>\$15,204.19</u>

<b>Philip A. Garrett CPA</b>				
<b>600 Northwoods Drive</b>				
<b>Abita Springs, La 70420</b>				
<b>985-746-9165</b>				
<b>pgarrett@garrettco.com</b>				
Mr. Daniel J. Balhoff				
Perry, Balhoff, Mengis & Burns, LLC				
2141 Quail Run Drive				
Baton Rouge, La 70808				
TIME & COSTS FOR MONTH OF <b>September 30, 2016</b>				
Re: Chinese Drywall - Special Master disclosures				
<b>Date</b>	<b>Employee</b>	<b>Description</b>	<b>Hours</b>	<b>Value</b>
9/27/2016	Philip A. Garrett	INFORMATION PER SPECIAL MASTER CASE MANAGEMENT ORDER	3.20	\$1,152.00
9/27/2016	Bridgett Rosa	CROSS REFERENCE ALL NUMBERS IN AFFIDAVIT, MAKE CORRECTIONS TO MONTHL REPORTS	6.00	\$900.00
9/28/2016	Philip A. Garrett	KEY REPORTS TO VIEW AND PRODUCE - ALL REPORTS NEED TO TIE IN	3.00	\$1,080.00
9/29/2016	Philip A. Garrett	SIGN IN FOR "EXPENSE ONLY" USER	2.00	\$720.00
9/30/2016	Philip A. Garrett	REVIEW FIRST DRAFT OF REPORTS FOLDER - CHANGES TO REPORTS	1.50	\$540.00
		COPY COST		\$250.25
<b>TOTAL FOR SEPTEMBER, 2016</b>				<b>\$4,642.25</b>