



494 Broad Street  
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Tax ID# 22-2940404  
[www.genovaburns.com](http://www.genovaburns.com)

AP MEWA  
ATTN: John McSorley  
c/o Concord Management Resources  
1 Mill Ridge Ln, Suite 100  
Chester, NJ 07930  
jmcsorley@concordmgt.com

December 5, 2022  
Invoice No.: 485721

For professional services rendered and disbursements through November 30, 2022

**Client Matter: 24718.3**

**RE: Chapter 11 Debtor**

**PROFESSIONAL SERVICES RENDERED**

Date	Atty	Task	Description Of Services Rendered	Hours	Rate	Amount
7/14/22	TC	B110	File Fee Application for February through May.	.50	200.00	100.00
11/01/22	A_C	B110	Review email from D. Clarke with exhibits to S. Placona,	.10	200.00	20.00
11/01/22	DWC	B110	Multiple collection issues; motion to dismiss; counterclaims raised; request info from concord and sm law	2.10	550.00	1,155.00
11/01/22	DWC	B110	Prepare for hearing on OTSC re dissolution petition	2.70	550.00	1,485.00
11/01/22	DWC	B110	Rvw and execute mediation statement for brainbuilders	.10	550.00	55.00
11/01/22	DWC	B110	Email with SM Law re coordination of affirmative defenses and motion to dismiss	.10	550.00	55.00
11/01/22	DWC	B110	Rvw proposed stip for payment plan	.40	550.00	220.00
11/01/22	LD	B110	Update member addresses.	.20	200.00	40.00
11/02/22	A_C	B110	Analyze strategy for 11/2 virtual hearing.	.20	200.00	40.00

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Date	Atty	Task	Description Of Services Rendered	Hours	Rate	Amount
11/02/22	A_C	B110	Review Notice of Appearance filed by Davidson Legal Group.	.10	200.00	20.00
11/02/22	DWC	B110	Multiple calls to members re collection suits, petition to dissolve; explain status and address concerns (Aspoli; Longo; Signature Marketing, Asceely)	2.40	550.00	1,320.00
11/02/22	DWC	B110	Follow up (third) with Nissenbaum re stip	.20	550.00	110.00
11/02/22	DWC	B110	Calls from multiple members re status of payment and case	2.10	550.00	1,155.00
11/02/22	DWC	B110	Email member re demand on stip payments	.30	550.00	165.00
11/03/22	DWC	B110	Hearing on state court proceeding	1.60	550.00	880.00
11/03/22	DWC	B110	Prepare for hearing in chancery on appointment of BWH and dissolution	3.80	550.00	2,090.00
11/03/22	DWC	B110	Rvw aetna claims information	.30	550.00	165.00
11/03/22	DWC	B110	Emails with Concord re information in prep for hearing	.40	550.00	220.00
11/03/22	DWC	B110	Emails from and to Mary Jo at DFL group re DOBI concerns	.60	550.00	330.00
11/03/22	DWC	B110	Call with SM Law and emails re package for Brad Rice re notice to insurance companies	.70	550.00	385.00
11/04/22	DWC	B110	Multiple emails with concord re lockbox procedure and reports	.60	550.00	330.00
11/07/22	DWC	B110	Email concord re outcome of OTSC	.60	550.00	330.00
11/07/22	DWC	B110	Email workers comp atty firm re collection on claims	.80	550.00	440.00
11/07/22	DWC	B110	Email member Choice Cabinetry re lock box payment	.70	550.00	385.00
11/07/22	DWC	B110	Rvw emails from concord and SM Law re Choice Cabinetry; issues re lock box payment and processing date	.80	550.00	440.00
11/07/22	DWC	B110	Rvw proposed redline from Nissenbaum; revise and propose edits	1.10	550.00	605.00

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11/08/22	DWC	B110	Conf with SM Law and Sub V Trustee regarding collection suits; merger of proceedings	1.30	550.00	715.00
11/08/22	DWC	B110	Multiple emails re Chestnut Hill; business sold; indemnification clause	.40	550.00	220.00
11/08/22	DWC	B110	Multiple emails with Aetna and counsel re BrainBuilders	.80	550.00	440.00
11/08/22	DWC	B110	Rvw Friedman contract modifications and research effectiveness	.80	550.00	440.00
11/08/22	DWC	B110	Rvw information from Windsor and Concord re calculation of assessment	1.40	550.00	770.00
11/08/22	LD	B110	Telephone call with creditor to update addresses.	.20	200.00	40.00
11/09/22	DWC	B110	Rvw multiple member responses; compile information and devise course of action	2.70	550.00	1,485.00
11/09/22	SS	B110	Researching unilateral contract modification without knowledge of one party and whether the modifications or the original contract is enforceable.	3.70	200.00	740.00
11/10/22	DWC	B110	Emails with sub v trustee atty re hearing and docs for prep	.30	550.00	165.00
11/10/22	DWC	B110	Emails with Rice and SM Law re package of affirmative defenses and counterclaims	.40	550.00	220.00
11/10/22	DWC	B110	Call with SM LAW to discuss response to multiple members collection issues	.60	550.00	330.00
11/10/22	DWC	B110	Call with former member (BERKOWITZ) re payment plan	.40	550.00	220.00
11/10/22	DWC	B110	Email from Nissenbaum relenting and accepting stip demands	.20	550.00	110.00
11/10/22	DWC	B110	Coordinate conf call with concord and windsor to discuss assessment details and calculation	.80	550.00	440.00
11/10/22	DWC	B110	Rvw multiple member defenses and allegations; devise and propose course of action and next steps	1.40	550.00	770.00

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11/10/22	DWC	B110	Rvw court order granting OTSC; forward with input to receiver, client, and professionals.	1.80	550.00	990.00
11/10/22	SS	B185	Researching case law discussing whether a party can unilaterally modify a contract without providing the other party notice and whether the modification is enforceable.	7.50	200.00	1,500.00
11/11/22	A_C	B110	Review communications regarding Order to Show Cause from court.	.10	200.00	20.00
11/11/22	DMS	B110	Emails regarding Order signed and meeting.	.30	750.00	225.00
11/11/22	DWC	B110	Call with BWH re APEMT status and next steps	.60	550.00	330.00
11/11/22	DWC	B110	Calls with APEMT, professionals, receiver, to discuss next steps for BWH appointment	1.30	550.00	715.00
11/11/22	DWC	B110	Multiple emails and calls with professionals re effect of OTSC on obligations and duties	.80	550.00	440.00
11/11/22	DWC	B110	Emails with SM Law to address next steps on several member collection matters	.70	550.00	385.00
11/11/22	DWC	B110	Email from DOBI and to concord re reporting requirements	.40	550.00	220.00
11/11/22	DWC	B110	Email memo to Aetna re status of BrainBuilder case and next steps	.80	550.00	440.00
11/11/22	SS	B185	Researching cases discussing whether a party can unilaterally modify a contract without notifying the other party and whether the modification is enforceable.	2.30	200.00	460.00
11/13/22	DWC	B110	Coordinate service of OTSC	.20	550.00	110.00
11/14/22	DMS	B110	Call with Receiver's counsel regarding transition.	.50	750.00	375.00
11/14/22	DMS	B110	Call with Mario and Concord regarding transition.	.50	750.00	375.00
11/14/22	DWC	B110	Call with concord and Mario re next steps in light of entry of OTSC	.60	550.00	330.00

<b>Date</b>	<b>Atty</b>	<b>Task</b>	<b>Description Of Services Rendered</b>	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
11/14/22	DWC	B110	Call with BWH to discuss next steps and distribution of work to professionals	.70	550.00	385.00
11/14/22	DWC	B110	Call with BWH and concord re handover of control to BWH	.90	550.00	495.00
11/14/22	DWC	B110	Email re status of calls and scheduling	.60	550.00	330.00
11/14/22	DWC	B110	Email re consent judgment and warrant of satisfaction	.20	550.00	110.00
11/14/22	DWC	B110	Emails with BWH professionals re collection matters	.50	550.00	275.00
11/14/22	DWC	B110	Emails re getting APEMT vendor payment for service of OTSC	.30	550.00	165.00
11/14/22	SS	B185	Researching case law discussing whether a party can unilaterally modify a contract and whether the modification is enforceable.	4.20	200.00	840.00
11/15/22	DMS	B110	Email with DWC regarding meeting with Receiver and next steps.	.30	750.00	225.00
11/15/22	DWC	B110	Call with SM Law and BWH atty re responses to collection matters	1.10	550.00	605.00
11/15/22	DWC	B110	Call with QualCare re status and next steps in BrainBuilders	.80	550.00	440.00
11/15/22	DWC	B110	Email concord re handover issues	.30	550.00	165.00
11/15/22	DWC	B110	Rvw certs for execution; coordinate revision to ensure BWH is signatory	.80	550.00	440.00
11/15/22	DWC	B110	Multiple emails and calls with SM Law re member collection issues and responses and offers	.90	550.00	495.00
11/16/22	DMS	B110	Read IRS opinion and emails regarding same.	.50	750.00	375.00
11/16/22	DWC	B110	Rvw all outstanding collection issues requiring response; settlement; objection etc.; ensure consistency	2.80	550.00	1,540.00
11/16/22	DWC	B110	Emails with SM LAW re extension of time to respond to summary motions.	.70	550.00	385.00

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11/16/22	DWC	B110	Emails and call with BWH re settlement authority	.40	550.00	220.00
11/16/22	DWC	B110	Call with QualCare re status and next steps for BB litigation	.80	550.00	440.00
11/17/22	A_C	B110	Analyze and process Cert. of Service.	.40	200.00	80.00
11/17/22	DMS	B110	Emails with DWC and B. Hofmeister regarding IRS and review opinion and discuss mediation.	.70	750.00	525.00
11/17/22	DMS	B110	Emails with DWC and B. Hofmeister regarding IRS mediation.	.30	750.00	225.00
11/17/22	DWC	B110	Multiple emails with Qualcare re BB strategy	.60	550.00	330.00
11/17/22	DWC	B110	Emails with SM Law re state court procedure on change of control to BWH	.40	550.00	220.00
11/17/22	DWC	B110	Emails with IRS counsel re next steps; mediation; JSO	.40	550.00	220.00
11/17/22	DWC	B110	Call with BWH to discuss transition and status	.60	550.00	330.00
11/17/22	DWC	B110	Call with marketwatch re article	1.30	550.00	715.00
11/17/22	DWC	B110	Emails with SM Law re responses to member collections; payment plans	1.80	550.00	990.00
11/17/22	DWC	B110	Emails with BWH professionals re assessment	.70	550.00	385.00
11/17/22	DWC	B110	Rvw proposed letter to member atty	.40	550.00	220.00
11/18/22	DMS	B110	More emails with Hofmeister and DWC regarding mediation.	.40	750.00	300.00
11/18/22	DWC	B110	Call with Aetna re status of case and issues with BrainBuilders	1.10	550.00	605.00
11/18/22	DWC	B110	Emails with BWH re IRS mediation and proposed next steps	.60	550.00	330.00
11/18/22	DWC	B110	Organize proofs and position memo for SM LAW on responses to motions to motions to dismiss	2.30	550.00	1,265.00
11/18/22	DWC	B110	Emails with rice/nagel re insurance issues.	.40	550.00	220.00

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11/18/22	DWC	B110	Call with Aetna to discuss brainbuilders	1.10	550.00	605.00
11/18/22	DWC	B110	Emails re scheduling of mediation on BrainBuilders	.30	550.00	165.00
11/18/22	DWC	B110	Rvw master trust doc	.30	550.00	165.00
11/18/22	DWC	B110	Multiple emails with BrainBuilders re master trust agreement	.60	550.00	330.00
11/21/22	DMS	B110	Email with Rice et al regarding D & O Claims.	.40	750.00	300.00
11/21/22	DWC	B110	Call with IRS to discuss mediation and JSO and status after SJ grant/denial	1.10	550.00	605.00
11/21/22	DWC	B110	Rvw complaint for member collection; emails re brainbuilders request for master trust agreement	.60	550.00	330.00
11/21/22	DWC	B110	Update BWH re BrainBuilders master trust agreement request	.30	550.00	165.00
11/21/22	DWC	B110	Rvw denied OTSC from Lang; emails discussing status and proposed next steps	.40	550.00	220.00
11/21/22	DWC	B110	Email with SM Law re organization of member motions and answers	.30	550.00	165.00
11/21/22	DWC	B110	Rvw pleadings from BWH re brainbuilders litigation (unrelated to adversary)	.70	550.00	385.00
11/21/22	DWC	B110	Zoom with BWH and SM Law re details of calculation of assessment	1.20	550.00	660.00
11/21/22	DWC	B110	Follow up on status of claims administration	.10	550.00	55.00
11/21/22	DWC	B110	Email with Dennis Alessi re member settlement offer	.60	550.00	330.00
11/21/22	DWC	B110	Forward cc law and policy invoice to BWH and concord	.10	550.00	55.00
11/21/22	DWC	B110	Draft response to BrainBuilders	.40	550.00	220.00
11/21/22	DWC	B110	Email concord on Freidman (unilateral modification of application)	.10	550.00	55.00

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11/21/22	DWC	B110	Email member re OTSC	.20	550.00	110.00
11/21/22	DWC	B110	Email Brad Rice re new counter claim for notice to insurer	.10	550.00	55.00
11/22/22	DMS	B110	Review article on MEWA's and email with DWC and Hofmeister.	.30	750.00	225.00
11/22/22	DMS	B110	Emails with DWC regarding Nisserbaum settlement.	.30	750.00	225.00
11/22/22	DWC	B110	Draft proposed joint scheduling order; joint mediation order; rvw proposed order granting and denying dismissal	2.10	550.00	1,155.00
11/22/22	DWC	B110	Finalize NISSENBAUM stip and forward to BWH	.80	550.00	440.00
11/22/22	DWC	B110	Email BWH re update on call with IRS	.30	550.00	165.00
11/22/22	DWC	B110	Revise proposed JSO and mediation order	.90	550.00	495.00
11/22/22	DWC	B110	Follow up with Concord on claim analysis status	.20	550.00	110.00
11/22/22	DWC	B110	Rvw proposed SJ Order	.60	550.00	330.00
11/22/22	DWC	B110	Email BWH with update on Nissenbaum stip and resolution	.40	550.00	220.00
11/22/22	DWC	B110	Rvw email from SM Law re response to United Cable Co.; rvw 148 letter	.60	550.00	330.00
11/22/22	DWC	B110	Multiple emails re friedman	.30	550.00	165.00
11/23/22	DWC	B110	Rvw final drafts of nissenbaum pleadings	.40	550.00	220.00
11/23/22	DWC	B110	Rvw several issues on member collections	.80	550.00	440.00
11/23/22	LD	B110	Prepare draft application in support of consent order, and certificate of consent regarding Nissenbaum.	1.00	200.00	200.00
11/23/22	LD	B110	Email to Middlebrooks requesting review of consent order and authorization to submit to Court.	.20	200.00	40.00
11/25/22	DWC	B110	Call with BWH re status of all open issues	.60	550.00	330.00



Date	Atty	Task	Description Of Services Rendered	Hours	Rate	Amount
11/25/22	DWC	B110	Emails and call with BWH to discuss open issues; include claims objections	.70	550.00	385.00
11/25/22	DWC	B110	Draft and file second motion to extend time to object to claims and assume contracts	2.30	550.00	1,265.00
11/28/22	DWC	B110	Zoom with BWH and professionals and SM LAW re assessment	1.10	550.00	605.00
11/28/22	DWC	B110	Emails and call with SM LAW (MMiceli) re assessment detail and responses; other open member issues	.70	550.00	385.00
11/28/22	DWC	B110	Call with DOBI and BWH to touch bases and address concerns	.60	550.00	330.00
11/28/22	DWC	B110	Emails re scheduling of claim objection extension	.20	550.00	110.00
11/28/22	DWC	B110	Emails organizing call with aetna	.30	550.00	165.00
11/28/22	DWC	B110	Emails with SM LAW re multiple member collection issues	1.40	550.00	770.00
11/28/22	DWC	B110	Email to concord re aetna issues and claims processing	.20	550.00	110.00
11/29/22	A_C	B110	Review email from court with filed Notice of Appearance by S. Placona and A. Sodono.	.10	200.00	20.00
11/29/22	DMS	B110	Review Nissenbaum settlement order.	.20	750.00	150.00
11/29/22	DWC	B110	Call and email to Joe Casella re multiple client claims to QualCare	.50	550.00	275.00
11/29/22	DWC	B110	Call with Member Anthony Pinadella office re balance bill awaiting Aetna adjudication.	.40	550.00	220.00
11/29/22	DWC	B110	Call Eric Garfinkel re purchase of member	.30	550.00	165.00
11/29/22	DWC	B110	Email with Concord re BWH request for list of vendors; rvw file for vendor list	.30	550.00	165.00
11/29/22	DWC	B110	Call from Joe Casella on Howard Cohen claims	.50	550.00	275.00
11/29/22	DWC	B110	Call with Gary Shear (broker) re status	.30	550.00	165.00

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11/29/22	DWC	B110	Rvw aetna spreadsheet re cohen and howard claims; paid already	.70	550.00	385.00
11/29/22	DWC	B110	Follow up with IRS on draft Mediation and JSO	.20	550.00	110.00
11/29/22	DWC	B110	Email SM Law re response to member atty re basis of atty fees	.30	550.00	165.00
11/29/22	DWC	B110	Emails to SM Law and BWH re Lang discovery request	.40	550.00	220.00
11/29/22	DWC	B110	Email from Withum re open invoice	.10	550.00	55.00
11/29/22	DWC	B110	Email from and to QualCare atty re cohen howard claims	.20	550.00	110.00
11/29/22	DWC	B110	Multiple emails with SM Law and BWH re lang disco request	.40	550.00	220.00
11/29/22	DWC	B110	Email from Concord re Pinadella	.10	550.00	55.00
11/29/22	LD	B110	File Certificate of Consent and Application in support of stipulation and consent order.	.40	200.00	80.00
11/29/22	LD	B110	Email filed certificate of consent and proposed stipulation and consent order to Chambers.	.20	200.00	40.00
11/30/22	DWC	B110	Calls and emails with SM Law and Members re member issues and responses	2.40	550.00	1,320.00
11/30/22	LD	B110	File certificate of service regarding second motion extending time to object and order shortening time (docket #525-527).	.30	200.00	60.00

**TOTAL PROFESSIONAL SERVICES****\$ 59,895.00**

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**SUMMARY OF PROFESSIONAL SERVICES**

Name	Staff Level	Hours	Rate	Total
Theresa Conoscenti	Paralegal	.50	200.00	100.00
Amelia Castro	Paralegal	1.00	200.00	200.00
Daniel M Stolz	Partner	4.70	750.00	3,525.00
Donald W. Clarke	Counsel	94.60	550.00	52,030.00
Lorrie Denson	Paralegal	2.50	200.00	500.00
Sydney Schubert	Law CLerk	17.70	200.00	3,540.00
<b>TOTALS</b>		<b>121.00</b>		<b>\$ 59,895.00</b>

Reviewed and Approved for Payment

**DISBURSEMENTS**

Description	Amount
10/19/22 WestLaw Research - WestLaw Research, Thomson Reuters - West Payment Center, 847321077	22.36
10/24/22 WestLaw Research - WestLaw Research, Thomson Reuters - West Payment Center, 847321077	94.30
10/28/22 WestLaw Research - WestLaw Research, Thomson Reuters - West Payment Center, 847321077	997.54
11/28/22 Other Professional, BMC Group, Inc., 429-20221128-1 - Professional Information Management Services.	11,195.83

**TOTAL DISBURSEMENTS** Reviewed and Approved for Payment **\$ 12,310.03**

**TOTAL THIS INVOICE** Reviewed and Approved for Payment **\$ 72,205.03**



494 Broad Street  
Newark, NJ 07102-3230  
Telephone 973-533-0777  
Fax 973-533-1112  
Tax ID# 22-2940404  
[www.genovaburns.com](http://www.genovaburns.com)

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AP MEWA  
ATTN: John McSorley  
c/o Concord Management Resources  
1 Mill Ridge Ln, Suite 100  
Chester, NJ 07930  
jmcsorley@concordmgt.com

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**REMITTANCE ADVICE**

**RE: Chapter 11 Debtor**

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**BALANCE DUE THIS INVOICE**

**\$ 72,205.03**

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**Payments via Wire/ACH are welcomed at:**

Investors Bank division of Citizens NA  
Short Hills, NJ

**Payments via Check can be mailed to:**

Genova Burns LLC  
ATTN: Accounts Receivable  
494 Broad Street  
Newark, NJ 07102-3230

Genova Burns LLC  
ABA: 221272031  
Account: 1000893972  
Swift Code: IBNJUS33 (for international wires only)

**To Pay by Credit/Debit Card, please click here:** [Pay Now](#)

**TERMS: DUE UPON RECEIPT**