

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION

Plaintiff,

-against-

STEVEN BYERS, JOSEPH SHERESHEVSKY,
WESTRUST CAPITAL, LLC, WEXTRUST EQUITY
PARTNERS, LLC, WEXTRUST DEVELOPMENT
GROUP, LLC, WEXTRUST SECURITIES, LLC, AND
AXELA HOSPITALITY, LLC,

Defendants,

-and-

ELKA SHERESHEVSKY,

Relief Defendant

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 6-8-09

No. 08 Civ. 7104 (DC)

ECF Case

~~PROPOSED~~ ORDER ON THIRD INTERIM APPLICATION OF DELOITTE
FINANCIAL ADVISORY SERVICES LLP FOR ALLOWANCE OF
COMPENSATION AND REIMBURSEMENT OF EXPENSES INCURRED
DURING THE PERIOD OCTOBER 1, 2008 THROUGH DECEMBER 31, 2008

Securities and Exchange Commission v. Byers et al

Doc. 371

THIS MATTER coming before the Court on the Third Interim Application of Deloitte Financial Advisory Services LLP for Allowance of Compensation and Reimbursement of Expenses Incurred During the Period October 1, 2008 Through December 31, 2008 ("Third Interim Application"), the Court having considered the Third Interim Application and the exhibits thereto, and finding that Third Interim Application generally complies with standards for awarding fees and expenses enunciated in applicable law, that good and sufficient cause has been shown for granting the relief requested in the Third Interim Application, and that the notice of the hearing on the Third Interim Application complied with this Court's Amended Order Appointing Receiver,

entered on September 11, 2008 ("Receivership Order") and was otherwise sufficient in light of the interim award being sought, *and no objections having been received,* DC

NOW, THEREFORE,

IT IS HEREBY ORDERED THAT the Third Interim Application is granted.

IT IS FURTHER ORDERED that the fees requested by Deloitte Financial Advisory Services LLP ("Deloitte") with respect to FA Services (as defined in the Third Interim Application) for the period October 1, 2008 through December 31, 2008 are allowed on an interim basis in the amount of \$ 825,000.

IT IS FURTHER ORDERED that the fees requested by Deloitte with respect to CF/ED Services (also as defined in the Third Interim Application) for the period October 1, 2008 through December 31, 2008 are allowed on an interim basis in the amount of \$ 35,522.50.


IT IS FURTHER ORDERED that the expense reimbursement sought by Deloitte with respect to FA Services is allowed on an interim basis in the amount of \$ 100,822.45.

IT IS FURTHER ORDERED that the expense reimbursement sought by Deloitte with respect to CF/ED Services is allowed on an interim basis in the amount of \$ 4,136.45.

IT IS FURTHER ORDERED, that the Defendant Wextrust Entities, as the term is defined in the Receivership Order, are hereby authorized and directed on an interim basis to pay to Deloitte the amounts awarded herein from available funds.

SO ORDERED

Dated: 6/8, 2009
New York, New York


Denny Chin
2

Honorable Denny Chin
United States District Court