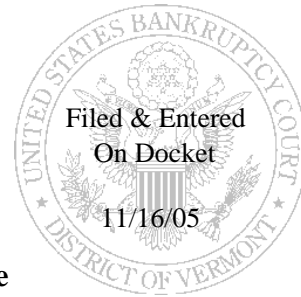


UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT



In re:
FIBERMARK, INC.,
FIBERMARK NORTH AMERICA, INC., and
FIBERMARK INTERNATIONAL HOLDINGS, INC.,
Debtors.

Chapter 11 Case
04-10463
Jointly Administered

ORDER
GRANTING RYAN, SMITH & CARBINE, LTD.'S MOTION
FOR APPROVAL OF FEES AND ALLOWANCE OF ADMINISTRATIVE EXPENSES

On September 1, 2004, Ryan Smith & Carbine, Ltd. (“RS&C”), in its capacity as local counsel for the Official Committee of Unsecured Creditors (the “Committee”), filed an Interim Application for Compensation and for Reimbursement of Expenses for the time period from April 7, 2004 through July 31, 2004 (doc. # 555) (“RS&C’s First Application”). In its September 23, 2004 Order allowing RS&C’s First Application in part, the Court disallowed \$1,356.25 of attorney’s fees that had been incurred between March 31, 2004 and April 6, 2004, prior to the date of RS&C’s *nunc pro tunc* retention of April 7, 2005 (the “Retention Date”) (doc. # 624). On September 6, 2005, RS&C filed a Motion for Allowance of Administrative Expense under §503(b)(4)¹ seeking allowance of the attorney’s fees that related to professional services rendered prior to the Retention Date and were previously disallowed (doc. # 1857)(the “Administrative Expense Motion”).

Upon review of the Administrative Expense Motion and the Court’s Order of September 23, 2004 (the “Fee Order”), the Court ascertained that the Fee Order contained a mathematical error in the calculation of fees earned for professional services rendered prior to the Retention Date. The Court denied allowance of all attorney’s fees earned between March 31, 2004 and April 6, 2004, setting the amount of those fees at \$1,356.25; however, the amount of professional fees requested and applied for during that timeframe actually total \$2,712.40. Although RS&C has only requested \$1,356.25 in the Administrative Expense Motion, the Court considers the Administrative Expense Motion to request allowance for all attorney’s fees incurred prior to the Retention Date and disallowed in the Fee Order.

After consideration of the timesheets and narrative filed as part of the Administrative Expense Motion, the Court finds that the professional fees earned by RS&C prior to the Retention Date, *in toto*, are properly compensable as an administrative expense under §503(b)(4).


¹ Unless otherwise indicated, all statutory references herein are to the United States Bankruptcy Code as in effect prior to the effective date of the Bankruptcy Abuse Prevention and Consumer Protection Act since this case was filed prior to October 17, 2005.

THEREFORE, IT IS HEREBY ORDERED that

1. Ryan, Smith & Carbine, Ltd.'s Administrative Expense Motion is granted.
2. Ryan, Smith & Carbine, Ltd.'s fees for professional services rendered between March 31, 2004 and April 6, 2004, \$2,712.40, are allowed in full.
3. To the extent RS&C has not previously been paid for the legal services it provided between March 31, 2004 and April 6, 2004 (i.e., prior to the Retention Date), RS&C has an allowed administrative expense in that amount and is entitled to compensation.
4. The Debtors are hereby authorized and directed to pay to Ryan, Smith & Carbine, Ltd. \$2,712.40 for professional services rendered from March 31, 2004 to April 6, 2004, to the extent not previously paid.

SO ORDERED.

November 16, 2005
Rutland, Vermont



Colleen A. Brown
United States Bankruptcy Judge