

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

IN RE	§	
	§	
UPH HOLDINGS, INC.,	§	CASE NO. 13-10570
PAC-WEST TELECOMM, INC,	§	CASE NO. 13-10571
TEX-LINK COMMUNICATIONS, INC.	§	CASE NO. 13-10572
UNIPOINT HOLDINGS, INC.	§	CASE NO. 13-10573
UNIPOINT ENHANCED SERVICES, INC.	§	CASE NO. 13-10574
UNIPOINT SERVICES, INC.	§	CASE NO. 13-10575
NWIRE, LLC	§	CASE NO. 13-10576
PEERING PARTNERS	§	CASE NO. 13-10577
COMMUNICATIONS, LLC	§	
	§	
DEBTORS	§	Jointly Administered
	§	Under
	§	
EIN: 45-1144038; 68-0383568; 74-2729541;	§	
20-3399903; 74-3023729; 38-3659257; 37-	§	CASE NO. 13-10570
1441383; 27-2200110; 27-4254637	§	(Chapter 11)
	§	
6500 RIVER PL. BLVD., BLDG. 2, # 200	§	
AUSTIN, TEXAS 78730	§	

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**TAMARACK ASSOCIATES, INC.'S SIXTH FEE REQUEST FOR
PAYMENT OF COMPENSATION AND REIMBURSEMENT OF EXPENSES
FOR THE PERIOD FROM OCTOBER 1, 2013 THROUGH OCTOBER 31, 2013**

This pleading requests relief that may be adverse to your interests.

If no timely response is filed within 10 days from the date of service, the relief requested herein may be granted without a hearing being held.

A timely filed response is necessary for a hearing to be held.

TO THE HONORABLE TONY M. DAVIS, UNITED STATES BANKRUPTCY JUDGE:

Tamarack Associates, Inc., (“Tamarack”) has applied, pursuant to the *Order Granting Debtors’ Motion for Order Establishing Monthly Fee and Expense Reimbursement Procedures* (the “Order”) entered by this Court on May 15, 2013 (Docket No. 186), for payment to

Tamarack of interim compensation for services rendered and reimbursement of expenses incurred during the period commencing October 1, 2013 through October 31, 2013.

Tamarack seeks payment of interim compensation in the total amount of \$4,156.00. This total is comprised as follows: \$4,120.00 (80% of the fees for services rendered) *plus* \$36.00 (100% of the interim expenses incurred). Summaries of the fees and expenses are attached hereto as Exhibits "A," "B," and "C."

Pursuant to the Order, any party objecting to the payment of interim compensation and reimbursement of expenses as requested must file a written objection with the Court and serve a copy delivered by U.S. mail and e-mail to the following within ten (10) days after the date of mailing this notice:

- (a) UPH Holdings, Inc./Pac-West Telecomm, Inc./Tex-Link Communications, Inc./UniPoint Holdings, Inc./UniPoint Enhanced Services, Inc.; UniPoint Services, Inc./ nWire, LLC/ Peering Partners Communications, Inc., 6500 River Place Blvd., Bldg. 2, Suite 200, Austin, Texas, 78730 (Attn: J. Michael Holloway, President);
- (b) Counsel to the Debtors, JACKSON WALKER L.L.P., 100 Congress Avenue, Suite 100, Austin, Texas 78701 (Attn: Patricia Tomasco, ptomasco@jw.com, and Jennifer F. Wertz, jwertz@jw.com);
- (c) Office of the United States Trustee, 903 San Jacinto Blvd., Suite 230, Austin, Texas 78701 (Attn: Valerie Wenger);
- (d) Counsel for the Official Committee of Unsecured Creditors, KELLEY DRYE & WARREN LLP, 101 Park Avenue New York, NY 10178 (Attn: Benjamin Blaustein, BBlaustein@KelleyDrye.com, and Craig A. Wolfe, cwolfe@kelleydrye.com);
- (e) Any other creditor or party in interest who requests notice; and
- (f) Counsel for Hercules Technology II, LP,, Cole, Schotz, Meisel , Forman & Leonard, P.A., 25 Main Street, Hackensack, New Jersey 07601 (Attn: Stuart Komrower).

If an objection is timely filed and served, the Debtors will pay Tamarack only those amounts not in dispute until the Court hears and resolves such disputes. Any disputed amount must have a description of the objection to each line item in dispute; it shall not be sufficient to simply object to all fees and expenses.

Respectfully submitted,

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By: /s/Patricia B. Tomasco

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COUNSEL FOR DEBTORS

CERTIFICATE OF SERVICE

This will certify that on the 6th day of October, 2013, a true and correct copy of the foregoing pleading was served, via the Court's CM/ECF notification system and/or regular first class mail, on the persons and entities listed on the attached Master Service List.

/s/ Patricia B. Tomasco
Patricia B. Tomasco

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Exhibit A

Tamarack Associates, Inc.
Fee Application - October 2013

Activity Type	Hours	Professional Fees	Expenses
General Bankruptcy/ Travel	0.0	0.00	36.00
Business Analysis	19.9	4,975.00	
Accounting Analysis	0.0	0.00	
Fee Application	0.0	0.00	
Bankruptcy Hearing	0.0	0.00	
Plan Review	0.0	0.00	
Tax Issues	0.7	175.00	
Total	20.6	5,150.00	36.00

80% Fees	4,120.00
Expenses	36.00
Amount Due this Invoice	4,156.00

Expense Detail

Fares	0.00
Ground Transportation	0.00
Lodging	0.00
Meals	0.00
Office Expenses	36.00
Parking	0.00
Total Expenses	36.00

Exhibit B

Tamarack Associates, Inc.
Fee Application - October 2013

Professional Fee Detail					
Date	Rate	Hours	Total	Description	Category
10/2/13	250	0.7	175.00	Receive TNCI working capital calculation, write up analysis, take part in discussion with attorneys.	Business Analysis
10/3/13	250	1.1	275.00	Research and write up information for Patty's response re: Working capital calculation	Business Analysis
10/4/13	250	0.6	150.00	Request financial information needed to back up working capital, review and respond to emails dealing with estate issues	Business Analysis
10/7/13	250	0.2	50.00	TC with Scott re:working capital - research tax payments at request of Patty	Business Analysis
10/8/13	250	0.5	125.00	Review and forward San Antonio PIC assessment, review and respond to emails, request other financial information	Business Analysis
10/8/13	250	0.5	125.00	Intercept attempt to spend estate funds on TNCI matters. Communicate change of access information	Business Analysis
10/11/13	250	0.8	200.00	TC with Mike Holloway, status and plans for short term course of action (0.4), review and respond to emails dealing with regulatory filings (0.4)	Business Analysis
10/16/13	250	0.6	150.00	Multiple phone calls with Mike Holloway regarding status of case, draft joint email regarding working capital and send to Mike for edits	Business Analysis
10/21/13	250	3.2	800.00	Calculate payments due and enter into QuickBooks, determine status of accounts (1.7) review and respond to emails (0.8) TC with attorneys, compile	Business Analysis
10/22/13	250	2.2	550.00	Enter financial information into QuickBooks, arrange payment of professionals (1.4) research APA and start calculation of release ratio, work on US Trustee report (0.8).	Business Analysis

Exhibit B

Tamarack Associates, Inc.
Fee Application - October 2013

Date	Rate	Hours	Total	Description	Category
10/22/13	250	2.0	500.00	Calculate release ratio for interim closing, TC with attorneys - re: information needed, TC with Mike - financial reporting	Business Analysis
10/23/13	250	5.8	1,450.00	Calculate Sept end of month balance sheet and Income statement, prepare and distribute September US Trustee report	Business Analysis
10/28/13	250	1.7	425.00	Compile list of payables for Mike, email, TC with Mike (0.8) calculate correct Hercules interest and outstanding balance due, circulate (0.8) email	Business Analysis
		19.9	4,975.00	Subtotal - Business Analysis	

Exhibit C

Tamarack Associates, Inc.
Fee Application - October 2013

Expense Detail

<u>Date</u>	<u>Amount</u>	<u>Description</u>
10/21/13	36.00	Pacer Charges
	36.00	Total Expenses