



SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

In re:)
)
 MCUBE PETROLEUM, INC., a Washington) NO. 09-2-08315-6
 corporation;)
) NOTICE TO CREDITORS AND
 BASILAM PETROLEUM, LLC, a) INTERESTED PARTIES OF HEARING
 Washington limited liability company;) ON PETITIONERS' MOTION FOR
) PAYMENT OF FEES AND COSTS AS AN
 DISKI PETROLEUM, LLC, a Washington) ADMINISTRATIVE EXPENSE
 limited liability company;)
)
 HALMAHERA - REMBANG, LLC, a)
 Washington limited liability company;)
)
 ORNA INTERNATIONAL, LTD, a British)
 Virgin Islands entity; and)
)
 LARAMIE PETROLEUM, INC., a)
 Washington corporation,)
)
)

TO: THE CLERK OF THE COURT
 AND TO: THE HONORABLE FRANK E. CUTHBERTSON
 AND TO: ALL PARTIES-IN-INTEREST

1 Hearing Date: Friday, July 30, 2010
2 Hearing Time: 9:00 a.m.
3 Response Due: Tuesday, July 27, 2010
4 Location: Pierce County Superior Court
 Judge Cuthbertson, Department 21
 930 Tacoma Avenue South, Tacoma, WA 98402

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6 PLEASE TAKE NOTICE that Petitioners Michael Hinrichsen and Thomas Neu
7 (individually "Hinrichsen" and "Neu, and collectively "Petitioners") have filed a Motion
8 with this Court seeking an Order for payment of their costs and expenses in assisting in the
9 filing of this insolvency proceeding. Petitioners were investors in Halmahera-Rembang,
10 LLC (one of the receivership entities herein) and were members of the new Board of
11 Directors of MCube Petroleum Inc. ("MCube") from December 2007 and February 2008
12 until dissolution of the entity. They were instrumental in conducting investigations that led
13 ultimately to placing MCube into receivership on May 7, 2009 ("Receivership Estate").
14 Their efforts helped posture the Receivership Estate so that the Receiver could recover
15 substantial funds which will ultimately benefit all of the investors and creditors of the
16 receivership entities.
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19 The Petitioners took the laboring oar for the New Board in investigating the
20 condition of the company, determining which assets it held, investigating improper
21 activities, and recommending strategies. These activities were a challenge, since the
22 Company virtually had no financial resources. Many of the direct costs associated with
23 these efforts were borne by Neu and Hinrichsen. They had limited access to professional
24 advice, limited cooperation from prior Board members and previous management (and in
25 fact, received threats from some still loyal to the perpetrator of the fraud), and were faced
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1 with angry shareholders who continually called and added further cost of time, although
2 many were supportive of their efforts. At great personal expense, the New Board
3 performed its due diligence, and in the process uncovered significant fraud and
4 misrepresentation and discovered that leases and contracts were at risk of cancellation. They
5 worked closely with the U.S. Attorney's Office and government agencies and professionals
6 in Indonesia, the British Virgin Islands and the US, and maintained regular, daily contact
7 with an expert who they hired to handle due diligence and preserve assets in Indonesia.
8 Neu and Hinrichsen spent countless hours, equivalent to a second, full-time job, which took
9 them away from their families and at great cost to their regular careers.
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12 Neu and Hinrichsen consulted with attorney Paul Brain, beginning early in 2008,
13 who advised that an insolvency proceeding for MCube would be the most efficient forum
14 for resolving the claims and provide the potential for a recovery to investors of the related
15 entities which were the LLC subsidiaries of MCube, their duly-appointed manager. The
16 Receiver has now collected substantial sums of money as a result of certain settlements.
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18 Petitioners timely filed their respective proof of claims. Hinrichsen's claim for fees
19 is \$193,096.75 and an unspecified amount for costs, which to-date are estimated to be
20 \$8,503.32, for a total of \$201,600.07. Neu's claim for his fees and out of pocket expenses
21 is \$136,562.17. Petitioners' claims for fees and costs are a reasonable and necessary
22 administrative expense incurred by the Receivership Estate, for the Petitioners' role in
23 efforts which led to placing the entities into receivership. The work they performed helped
24 develop a "common fund" which is a benefit to all of the creditors and investors of the
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1 Receivership Entities. In fact, there would be no recovery today without the work detailed
2 in their respective claims.

3 Any party desiring information as to the details of the Motion, including copies of
4 the supporting declarations of Thomas Neu and Michael Hinrichsen, may request same
5 from the Clerk of the Court or from the undersigned counsel.
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7 IF YOU OPPOSE the Motion, you must file your written Response with the Clerk
8 of the Court, serve two copies on the Judge's chambers and deliver copies to the
9 undersigned NOT LATER THAN THE RESPONSE DATE, which is *Tuesday, July 27,*
10 *2010.*
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12 IF NO RESPONSE IS TIMELY FILED AND SERVED, the Court may, in its
13 discretion, GRANT THE MOTION PRIOR TO THE HEARING, WITHOUT FURTHER
14 NOTICE, and strike the hearing.
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16 DATED this 29th day of June, 2010.



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