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*Special Counsel for Trustees,
David Birdsell, Anthony Mason,
Lothar Goernitz, and David Reaves*

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA**

In re:

[TITAN SOLAR POWER] PM & M
ELECTRIC, INC.,

Debtor.

THIS FILING APPLIES TO:

☒ All Debtors
☐ Specified Debtors

Chapter 7 Proceedings

Jointly Administered under

Case No. 2:24-bk-04978-MCW

**NOTICE OF FIRST AND FINAL FEE
APPLICATION FOR ALLOWANCE
AND PAYMENT OF TRUSTEE'S
FORENSIC ACCOUNTANT AND
FINANCIAL ADVISOR'S FEES AND
EXPENSES**

AND

NOTICE OF HEARING

Hearing Date: November 20, 2025

Hearing Time: 11:00 AM

Hearing Location: 230 N. First Avenue,
Phoenix, Arizona 85003 in Courtroom 702

TO: CREDITORS AND PARTIES-IN-INTEREST

**NOTICE OF FIRST AND FINAL FEE APPLICATION FOR ALLOWANCE AND
PAYMENT OF TRUSTEE'S FORENSIC ACCOUNTANT AND FINANCIAL
ADVISOR'S FEES AND EXPENSES**

NOTICE IS HEREBY GIVEN that David A. Birdsell, David M. Reaves, Anthony H. Mason, and Lothar Goernitz, chapter 7 bankruptcy trustees for all of the debtors in this jointly administered case (collectively, the "**Trustees**"), filed First and Final Fee Application for Allowance and Payment of Trustee's Forensic Accountant and Financial Advisor's Fees and

Expenses (“**Motion**”), a complete copy of which is on file with the Clerk of the Court and available for inspection. Parties may also contact Trustee Birdsell’s counsel at twitthoft@rllaz.com to request a copy of the Motion.

David A. Birdsell is the Chapter 7 trustee for the following fourteen (14) bankruptcy estates (the “**Birdsell Estates**”):

- PM & M Electric, Inc. [Titan Solar Power] 2:24-bk-04978-MCW
- Titan Solar Power AZ, Inc. 2:24-bk-04979-MCW
- Titan Solar Power FL, Inc. 2:24-bk-05226-MCW
- Titan Solar Power ID, Inc. 2:24-bk-05228-MCW
- Titan Solar Power IL, Inc. 2:24-bk-05230-MCW
- Titan Solar Power LA, Inc. 2:24-bk-05231-MCW
- Titan Solar Power MD, Inc. 2:24-bk-05233-MCW
- Titan Solar Power MO, Inc. 2:24-bk-05234-MCW
- Titan Solar Power MS, Inc. 2:24-bk-05235-MCW
- Titan Solar Power NC, Inc. 2:24-bk-05238-MCW
- Titan Solar Power NM, Inc. 2:24-bk-05240-MCW
- Titan Solar Power OH, Inc. 2:24-bk-05241-MCW
- Titan Solar Power TN, Inc. 2:24-bk-05245-MCW
- Titan Solar Power WI, Inc. 2:24-bk-05251-MCW

David M. Reaves is the Chapter 7 trustee for the following five (5) bankruptcy estates (the “**Reaves Estates**”):

- Titan Solar Power CO, Inc. 2:24-bk-05225-MCW
- Titan Solar Power TX, Inc. 2:24-bk-05248-MCW
- Titan Solar Power UT, Inc. 2:24-bk-05249-MCW
- Titan Solar Power VA, Inc. 2:24-bk-05250-MCW
- Titan Electrical Services, Inc. 2:24-bk-05253-MCW

Anthony H. Mason is the Chapter 7 trustee for the following four (4) bankruptcy estates (the “**Mason Estates**”):

- Titan Solar Power CA, Inc. 2:24-bk-05224-MCW
- Titan Solar Power NJ, Inc. 2:24-bk-05239-MCW
- Titan Solar Power SC, Inc. 2:24-bk-05243-MCW
- Titan Solar Power GA, Inc. 2:24-bk-05227-MCW

Lothar Goernitz is the Chapter 7 trustee for the Estate of Titan Solar Power NV, Inc. 2:24-bk-5025-MCW (“**Goernitz Estate**” and collectively with the Birdsell Estates, the Reaves Estates, and the Mason Estates, the “**Estates**”). The Birdsell Estates, Reaves Estates, and Mason Estates are jointly administered under the lead case, PM & M Electric, Inc. [Titan Solar Power], case number 2:24-bk-04978-MCW (“**Lead Case**”). Debtors¹ bankruptcy cases were commenced by voluntary petitions filed under Chapter 7 of Title 11 in June 2024.

At the hearing, the Court will consider the Motion, to compensate Resolute Commercial Services, LLC (“**Resolute**”). On March 26, 2025, Trustees filed an adversary complaint against former directors and officers of Debtors (“**Defendants**”) for the purpose of pursuing claims against Defendants for breaches of fiduciary duty and avoidable transfers, among other claims (the “**D&O Claims**”). Resolute is an accounting firm which played a vital role in substantiating the D&O Claims with forensic analysis documenting financial mismanagement and avoidable transfers by Defendants. Resolute reviewed thousands of pages of financial documentation and produced extensive reports in order to establish the Trustees’ claims set forth in the Trustees’ complaint. This analysis was crucial to bringing the D&O claims to mediation and in negotiating

¹ “**Debtors**” refers collectively to all Titan entities listed in Paragraphs 1-4.

1 Defendants' \$5 Million payment to the Estates. In total, Resolute spent 273.7 hours working on
2 the D&O Claims, and Trustees seek approval for Resolute's fees in the amount of \$131,449.50.
3 More information and details of Resolute's work are available on the Docket for this case at **ECF**
4 **No. 760**.

5 If you have an objection to this Motion, you must file your objection, specifying the
6 reason therefor, with the Clerk of the Bankruptcy Court (230 North First Avenue, Phoenix, AZ
7 85003) and serve a copy upon Theodore Witthoft, attorney for the Trustees at the address set
8 forth above on or before the expiration of twenty-one (21) days from the mailing of this
9 Notice. Unless you file and serve a timely objection, the Motion may be authorized without
10 further notice or hearing.

11 **NOTICE OF HEARING ON MOTION**

12 **PLEASE TAKE NOTICE** that a hearing will be held on **November 20, 2025**, at **11:00**
13 **a.m.** before the Honorable Madeline C. Wanslee. This hearing shall be held in person at the
14 United States Bankruptcy Court for the District of Arizona, 230 N. First Avenue, Phoenix,
15 Arizona 85003 in Courtroom 702.

16 RESPECTFULLY SUBMITTED this 23rd day of October, 2025.

17 **RUSING LOPEZ & LIZARDI, P.L.L.C.**

18 /s/ Theodore P. Witthoft

19 Jonathan M. Saffer

20 Theodore P. Witthoft

21 Daniel B. Bernardone

22 Alexander J. Relich

23 *Special Counsel for Chapter 7 Trustees*

24 *David Birdsell, Anthony Mason, David Reaves,*
25 *and Lothar Goernitz*

26 COPIES of the foregoing Notice were served via the Court's CM/ECF Notification System on
27 all parties that requested notice in this case with additional copies mailed by U.S. Mail to all
28 parties on the attached Exhibit A. **Exhibit A** contains, *inter alia*, the Official Mailing List for
each Estate settling under the Motion.²

² A copy of **Exhibit A** shall not be mailed, but is available upon written request to
twitthoft@rllaz.com.