

Note: This is a suggested but not required form of order, for cases pending before Judge Jacobvitz, to approve retention of counsel where Court approval is required. The form of order may be modified to apply to retention of counsel by a Trustee or Committee, retention of other professionals, or retention of professionals who charge other than on an hourly basis.

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEW MEXICO

In re:

(*NAME*)

Debtor.

ORDER APPROVING DEBTOR'S EMPLOYMENT OF (*NAME*)

This matter came before the Court, pursuant to Bankruptcy Code §(*section number*) and Bankruptcy Rule 2014, upon the Debtor's Motion to (*insert name of motion*), filed on (*date*) (the "Motion") (Docket No. __).

The Court, having reviewed the record and considered the Motion, and being sufficiently advised, FINDS: (a) on (*Date*), the Debtor filed its voluntary petition under chapter (*insert chapter number*) of the Bankruptcy Code; (b) on (*date*), the Debtor filed the Motion seeking approval, effective as of such filing date, of the Debtor's employment of (*insert name of firm or attorney to be retained*) ("Attorneys") as attorneys for Debtor in this bankruptcy case; (c) on (*date*), Attorneys filed disclosures pursuant to Bankruptcy Rules 2014 and 2016. (Docket No(s). __); (d) on (*date*), Debtor served notice of the Motion by mail on all creditors and other parties in interest shown on the mailing list maintained by the Clerk of the Bankruptcy Court for this case, specifying an objection deadline of twenty days from the mailing date, to which three days is added under Bankruptcy Rule 9006(f); (e) the notice given of the Motion was sufficient in form and content; (f) the objection deadline, including three days added under Bankruptcy Rule

9006(f), expired on *(date)*; (g) *(no objections to the motion were filed, timely or otherwise.)*
(Or): (recite any objections and the disposition of the objections); and (h) the Motion is well taken and should be granted as provided herein. It is, therefore,

ORDERED:

1. Debtor's employment of Attorneys, pursuant to Bankruptcy Code §*(section number)*, to render services as provided in the engagement letter attached to Attorneys' Rule 2014 disclosure, hereby is approved effective as of the date the Motion was filed.

2. Debtor is authorized to pay Attorneys on a monthly basis, upon receipt of Attorneys' billing statements and prior to the Court's determination of the allowability of Attorneys' compensation, 75% of billed fees and 100% of reimbursable costs, and 100% applicable gross receipts tax on fees and taxes that are paid. Such payments are to be made *(if applicable: first, from a pre-petition retainer in held in Attorneys' trust account, and when the retainer is fully expended, thereafter)* from *(other)* funds of the estate *(if applicable: subject to authority to use cash collateral to make such payments)*. The Debtor may pay Attorneys interim compensation at the following hourly rates:

3. All fees, costs and gross receipts tax charged or paid on a monthly basis or otherwise, including rates charged, are subject to ultimate approval of the Bankruptcy Court under Bankruptcy Code §§ 328, 330 and 331.

4. Attorneys will file fee applications at least every 180 days. The fee applications will contain a detailed statement showing services performed by Attorneys, compensation received, and any compensation previously approved.

Robert H. Jacobvitz
UNITED STATES BANKRUPTCY JUDGE

Submitted by:

(SIGNATURE BLOCK)

Copy of Order to:

United States Trustee
P.O. Box 608
Albuquerque, New Mexico 87103