

DISCLAIMER: Use of this form is not required. This form is intended for employment applications under Section 327(a). The form may need to be revised for employment applications under other sections. This form should NOT be used in any case subject to the United States Trustee's large case fee guidelines.

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UNITED STATES BANKRUPTCY COURT
Southern District of Indiana

In re:)
)
[Name of Debtor(s)]) Case No.
)
Debtor(s))

APPLICATION TO EMPLOY [FIRM] AS [ROLE]
[AND AUTHORIZE USE OF INTERIM COMPENSATION PROCEDURE
PROVIDED FOR IN B-2014-1(b)(4)]

[name of debtor(s)] (the "Debtor(s)") hereby submit(s) an Application to Employ [firm] (the "Firm") as [role] [, authorize interim compensation procedure provided for in B-2014-1(b)(4),] and states as follows:

1. The Debtor(s) filed a voluntary petition under Chapter 11 on [date of filing]. No trustee or examiner has been appointed in this case and the Debtor(s) continue(s) to operate a business as debtor-in-possession pursuant to 11 U.S.C. §§1107 and 1108.
2. The Debtor(s) will require [type of professional services], including but not limited to: [add short, general description of professional services to be rendered] ("services").
3. The Debtor(s) selected the Firm because it has considerable experience in matters of this character and the Debtor(s) believe(s) that the Firm is well qualified to serve the Debtor(s) in this capacity. Prior to the filing of this case, the Firm has been engaged to represent the Debtor(s) pursuant to the engagement letter attached hereto as Exhibit "A". The Debtor(s) seek(s) approval of the Firm's employment as set forth in that engagement letter and pursuant to 11 U.S.C. §§327(a) and 328(a).

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4. To the best of the Debtor(s) knowledge, and as disclosed by the Firm in the Affidavit of Disinterestedness in Support of Application to Employ, (the "Affidavit") attached as Exhibit "B", the Firm does not hold or represent any interest that is materially adverse to the interests of the Debtor(s) and the Firm and its partners and associates are "disinterested persons" as that term is defined in 11 U.S.C. §101(14).

5. As set forth in the Affidavit, the Firm may have previously represented, may currently represent, and may in the future represent, entities that are claimants of the Debtor(s) or other parties in interest in this case in matters that are unrelated to the Debtor(s) or this chapter 11 case. The Firm has not, and will not, represent any such party in relation to the Debtor(s) or this chapter 11 case. In the event the Firm discovers additional potential or actual conflicts of interest relating to this employment after the filing of this application, the Firm will promptly file and serve a supplemental affidavit or other verified statement disclosing the additional information, pursuant to L.R. B-2014-1(a).

6. The Debtor(s) request(s) the Firm be compensated on an [hourly / contingent fee] basis and be reimbursed for actual and necessary expenses incurred by the Firm and that all fees and expenses be paid as allowed by the court. *(If employment is on a contingency basis, state the percentage and the triggering event upon which the contingency fee will be paid)*. The expenses related to the services to be provided to the Debtor(s) will be in accordance with the applicable guidelines established by the United States Trustee.

7. The names of the professionals currently working on or that will work on this case and their hourly rates are:

Name	Position	Rate

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8. The Debtor(s) believe(s) that the terms upon which it proposes to employ the Firm are usual and customary, that the rates are reasonable based upon the Firm's capabilities and the market range for comparable services.
9. The Firm received a retainer of [enter amount] on [enter date]. After payment of fees and expenses incurred prior to the petition date, the Firm still holds [enter amount] in retainer.
10. *(if application seeks authorization of draw down procedure)* Pursuant to L.R. B-2014-1(b)(4), a statement of the Firm's services and related charges will be provided to the Debtor(s) on a monthly basis. If the Debtor(s) [has/ have] no objection(s) to the fees and charges, the Firm will file a "Notice of Draw" which sets forth the amount of the proposed draw with a copy of the monthly billing statement supporting the amount of the draw. The Notice of Draw will be distributed as set forth in L.R. B-2014-1(b)(4). If there is no objection, the Firm will be entitled to payment of 80% of the requested fees and 100% of the requested expenses, subject to final allowance by the court and without prejudice to the Firm periodically filing applications for allowance and payment of fees and expenses.

Or

10. *(if application does not seek authorization of draw down procedure)* The Firm will seek authorization to use the interim compensation procedure provided for in B-2014-1(b)(4) by separate application.

WHEREFORE, the Debtor(s) respectfully request(s) that the court: (1) authorize the retention and appointment of [firm] as [role] in this chapter 11 case and to perform the services more fully set out herein; (2) *(if application requests approval of draw down procedure)* authorize [firm] to use the interim compensation procedure provided for in B-2014-1(b)(4); and (3) grant all other appropriate relief.

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(Typed name of Moving Party)
(required signature block)

(OR)

/s/_____
(Signature of Counsel for Party)
(required signature block)

CERTIFICATE OF SERVICE

(Certificates of Service forms are available on the Court's website under Rules & Forms > Local Forms > Motions & Related Notices/Certificates of Service/Orders)

Attach Exhibit A (Engagement Letter)

Attach Exhibit B (Affidavit)

Attach Statements Supporting Draw Amount