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UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

IN RE:	§	
	§	
Debtor 1	§	Case Number: 16-XXXXX
Debtor 2	§	
Debtors	§	Chapter 13

***NUNC PRO TUNC APPLICATION TO EMPLOY [NAME OF LAW FIRM]
AS SPECIAL LITIGATION COUNSEL PURSUANT TO 11 U.S.C. § 328(a)
NOTICE OF HEARING AND RESPONSE DEADLINE***

A hearing has been set on [Date] at [Time] at the [United States Courthouse, Courtroom Four, 300 Fannin St. Shreveport, LA 71101] or [United States Courthouse, Bankruptcy Courtroom, 201 Jackson Street, Monroe, Louisiana 71201].

Debtor 1 and Debtor 2 have filed papers with the court to obtain an order employing [name of firm] as special litigation counsel. Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one. If you do not want the court to grant the relief sought in the motion/application/objection, then **on or before seven days from the hearing date set forth for the motion**, you must file with the court a written response explaining your position by mailing your response by regular U.S. Mail to Clerk United States Bankruptcy Court, 300 Fannin St. Shreveport, Louisiana 71101 OR your attorney must file a response using the court's ECF System.

The court must receive your response on or before the date set above.

You must also send a copy of your response either by 1) the court's ECF System or by 2) regular U.S. Mail to:

Attorney Name, Esq. 123 Main St. Shreveport, LA 71101 and

Todd Johns, Chapter 13 Trustee, address.

IF YOU OR YOUR ATTORNEY DO NOT TAKE THESE STEPS, THE COURT MAY DECIDE THAT YOU DO NOT OPPOSE THE RELIEF SOUGHT IN THE MOTION/OBJECTION AND MAY ENTER AN ORDER GRANTING THAT RELIEF WITHOUT FURTHER HEARING OR NOTICE.

Now comes Debtor 1 and Debtor 2 (the “Movant”), who files this Application to Employ [Law Firm Name] (the “Firm”) as special litigation counsel pursuant to 11 U.S.C. § 328(a).

1. The Movant desires to employ the Firm on a contingency fee basis [or other fee arrangement] to represent the Movant in analyzing and prosecuting [define the claim to be pursued] against third parties.

2. The employment of the Firm is required at this time to pursue the estate’s claims. A contingency fee arrangement was negotiated as the estate does not have sufficient unencumbered funds with which to engage counsel and pursue litigation [or other basis for the negotiated fee agreement].

3. The Firm maintains offices at [Street], [City], [State] [Zip Code]. The Firm’s main telephone number is [() -]. The Firm’s fax number is [() -].

4. The Movant has selected the Firm because its members have extensive experience in matters relating to []. The Movant believes that the Firm can provide the estate with the required legal expertise to allow the Movant to handle this litigation effectively and prudently.

5. [Attorney name] of the Firm will be designated as attorney-in-charge and will be responsible for the representation of the Movant by the Firm as set forth in this Application.

[Attorney name] has significant experience in handling litigation matters of this type. The Movant has selected [Attorney name] because of his/her prior experience and specialization in []. The debtor(s) believe that [Attorney name] and the Firm are well qualified to represent the debtor(s).

6. The Firm will render professional services including, but not limited to the following:

[Describe here] *Example: Assisting the debtor in analyzing/prosecuting claims owned by the estate against [name]; preparing and filing such pleadings as are necessary to pursue the estate’s claims against [name]; conducting appropriate examinations of witnesses, claimants and other parties in interest in connection with such litigation; collecting any judgment that may be entered in the contemplated litigation; handling any appeals that may result from the contemplated litigation; performing any other legal services that may be appropriate in connection with the prosecution of the litigation described above.*

7. Statement Regarding Connections to the Case:

The Firm has [or has not] previously represented the debtor[s] prior to [or during] this bankruptcy case. [Describe any connections]. The Firm has no other connection with the Debtor, its creditors, any other parties in interest, their respective attorneys and accountants, the United States trustee, or any person employed in the office of the United States trustee and are “disinterested persons” within the definition of Section 101(14) of the Bankruptcy Code on the matters for which it is to be engaged as special counsel.

9. Compensation:

The debtor(s) have negotiated a contingency fee arrangement with the Movant. Under the proposed agreement, the Firm will receive [_____] % of any recovery [or Describe the fee arrangement]. A copy of the proposed agreement is attached as Exhibit A.

In reaching his decision, the debtor(s) have evaluated the estate's available resources, the complexity of the litigation, the anticipated costs and the associated risks of the litigation. Under the circumstances, the debtor(s) believe that the terms of the proposed agreement are both reasonable and prudent. The Firm has/has not received any funds from the Debtor or any other party in this case. [If funds have been received, identify amounts received].

10. *Nunc Pro Tunc* Employment

The Debtor originally contacted the Firm on [date] to represent the Debtor in connection with the litigation. The Firm immediately took action in the case to protect the Debtor's interests and has continuously since represented the Debtor. The Firm was not aware of the bankruptcy filing because [state reasons]. As soon as the Firm discovered the existence of the bankruptcy, it promptly took all necessary actions to prepare and file this *nunc pro tunc* application.

The Court has discretion to issue an order approving the employment of an attorney *nunc pro tunc* under its general equity powers. *In re Triangle Chemicals, Inc.*, 697 F.2d 1280, 1288-89 (5th Cir. 1983). [Set forth reason why the application was not filed earlier. Explain why *nunc pro tunc* approval is required. Explain the prejudice to parties in interest of *nunc pro tunc* approval]. The Firm understands that it bears responsibility for ensuring that its employment applications are properly filed with the Court. The Firm has, however, acted reasonably and prudently in this case. No party has been prejudiced. Under these circumstances, an order *nunc pro tunc* is appropriate.

Accordingly, the Movant requests that the Court approve the retention of the Firm as special litigation counsel under 11 U.S.C. § 328(a) *nunc pro tunc* as set forth above and for such other relief as is just.

Respectfully submitted,

Attorney Name, Esp.
123 Main St.
Shreveport, LA 71101
123-456-7890

CERTIFICATE OF SERVICE

I hereby certify that on (month), (day), (year), a copy of the foregoing (specific name of filing) was served on the following registered ECF participants, electronically through the court's ECF System at the email address registered with the court:

(Name)

Todd Johns, Chapter 13 Trustee

U.S. Trustee

and on the following by ordinary U.S. Mail addressed to:

(Name)

(Mailing address)

(Name)

(Mailing address)

/s/ Attorney Name, Esq.
Attorney Name, Esq.