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UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

IN RE: §
Debtor 1 § Case Number: XX-XXXXX
Debtor 2 §
Debtor(s) § Chapter 13

Application to Employ Special Litigation Counsel

NOW INTO COURT come(s) Debtor 1 and Debtor 2 who represent(s) as follows:

Jurisdiction, Venue and Predicates for Relief

1. This court has jurisdiction to consider this motion pursuant to 28 U.S.C. § 1334 and by virtue of the reference from the District Court for the Western District of Louisiana pursuant to Local District Court Rule 83.4.1. This is a core proceeding under section 28 U.S.C. § 157(b)(2)(A) and (O). Venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409. The statutory predicates for the relief requested herein are 11 U.S.C. §§ 105, 327(e), 328(a), 329 and Fed. R. Bankr. P. 2014 and 2016.

Background

2. This Application seeks authorization of the employment of _____ [insert name of attorney/firm] to serve as special litigation counsel to prosecute a claim or cause of action more particularly described as follows: _____ [describe the claim or cause of action with such particularity as appropriate to fairly apprise others of the controversy at issue, including, if applicable, reference to a pending lawsuit, case number and venue].

3. This Application seeks authorization to pay Proposed Counsel on a contingency fee basis with the attorney to receive [___]% of any recovery [or describe an alternative fee arrangement] plus reimbursement of actual, necessary expenses and other charges incurred. If no

recovery is made, no amount will be due by Debtor(s). A copy of the proposed employment agreement is attached as **Exhibit 1**.

4. 11 U.S.C. § 328(a) permits the trustee, with court approval, to employ an attorney on a contingency fee basis.

5. 11 U.S.C. § 327(e) permits the trustee, with court approval, to employ an attorney for a specified purpose. Under § 327(e), four requirements must be met in order for counsel's retention by a debtor to be approved: (i) the representation is in the best interest of the estate, (ii) the attorney represented the debtor in the past, (iii) the attorney is for a specific purpose approved by the court, other than to represent the debtor in conducting the bankruptcy case, (iv) the attorney does not represent or hold an interest adverse to the debtor or the debtor's estate with respect to the matter on which such attorney is to be employed.

6. In this case, the Proposed Counsel satisfies all four requirements imposed by § 327(e).

7. Proposed Counsel has experience in representing clients with similar circumstances to those of Debtor(s).

8. A declaration of the Proposed Counsel is attached hereto.

WHEREFORE, Debtor(s) request(s) this court to approve the employment of the Proposed Counsel on the terms described herein.

Date: _____

Signature: /s/ [electronic signature]

Name: _____

Address: _____

Address: _____

Telephone: _____

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Declaration in Support of Application to Employ Special Litigation Counsel

The undersigned submits this Declaration pursuant to 28 U.S.C. § 1746, Sections 327, 329 and 504 of the United States Bankruptcy Code ("**Bankruptcy Code**") and Fed. R. Bankr. P. 2014(a), 2016(b) and 5002(a) ("**Bankruptcy Rules**"):

1. This Declaration is submitted in support of an Application to Employ my law firm as special counsel to the debtor for the limited purposes disclosed in the Application.
2. Compensation will be payable to my law firm on a contingency fee basis as set forth in the Application, plus reimbursement of actual, necessary expenses and other charges incurred.
3. My law firm does not represent or hold any interest adverse to the Debtor(s) or to the estate with respect to the matter on which my law firm is to be employed.
4. My law firm presently has no material connections (other than as set forth herein) with the Debtor(s) or the estate, its creditors, or any other party in interest or their respective attorneys or accountants, the United States Trustee, or any person employed in the office of the United States Trustee. [*if there are any material connections with any of the listed parties, provide full disclosure here*].
5. No agreement exists, nor will any be made, to share any compensation received by my law firm for its services with any other person or firm, except as permitted by Section 504(b) of the Bankruptcy Code and Rule 2016 of the Bankruptcy Rules.
6. Pursuant to the disclosure requirement of Rule 5002(a) of the Bankruptcy Rules, to the best of my knowledge, neither I nor any person with whom I am associated in the practice of law is a relative by blood or marriage to any Bankruptcy Judge of the United States Bankruptcy Court for the Western District of Louisiana.
7. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Date: _____

Signature: /s/ [electronic signature]
Name: _____

Certificate of Service

I certify that I filed this document using the court's CM/ECF system which generated a "Notice of Electronic Filing" indicating that it was transmitted to the filing party and all registered users of the CM/ECF system having appeared in the case in which the filing is made. Pursuant to LBR 9013-1, transmission of the Notice of Electronic Filing to a registered user via the CM/ECF system constitutes service of the pleading or other document.

I also certify that I served this document on the following non-registered users of the CM/ECF system:

(Name)
(Mailing address)

(Name)
(Mailing address)

by depositing same in the United States Mail properly addressed and with sufficient postage affixed on the date set forth below.

Date: _____

Signature: /s/ [electronic signature]
Name: _____