

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
[DIVISIONAL OFFICE]**

In re:

[DEBTOR NAME(S)]

Debtor[s].

CHAPTER 13

CASE NO. **[XX-XXXXXX]-PMB**

**ORDER APPROVING SPECIAL COUNSEL,
SUBJECT TO OBJECTION (CONTINGENT FEE)**

Debtor[s], **[DEBTOR(s) NAME(S)]**, filed an *Application to Employ* (the “Application”) **[Professional’s Name(s)]** (“Special Counsel”) (Docket No. **[XX]**) to represent the Debtor[s] in matters relating to **[Type of Claim/Matter/Issue, e.g. Personal Injury Claim]** (the “Matter”) on **[Date]**. Special Counsel will represent Debtor[s] on a contingency fee basis. No notice or hearing on the Application is necessary. Based upon the affidavit included in the Application, it appears that Special Counsel is an attorney with expertise in the matter in which they are specially engaged and that this case justifies employment of professionals for the purpose specified.

Subject to objection filed by the United States Trustee, the Chapter 13 Trustee, or any other party in interest in this case within twenty-one (21) days from the date of entry of this Order, it is hereby **ORDERED** and **ADJUDGED** as follows:

1. Pursuant to 11 U.S.C. §327(e) and FED. R. BANKR. P. 2014, the employment of Special Counsel to represent Debtor[s] and the estate with respect to the Matter on the basis set forth in the Application is hereby approved.

2. Any compromise or settlement of claims relating to the Matter is subject to approval of this Court after notice to creditors and an opportunity to be heard with regard thereto. FED.R. BANKR. P. 9019(a), 2002(a)(3). Therefore, neither Debtor[s], Debtor[s] counsel, nor Special Counsel is authorized to settle, compromise or release any claims without approval of this Court. If a compromise is reached, Special Counsel or counsel for Debtor[s] shall file an application to approve same and shall provide notice of the proposed compromise and settlement and of a hearing thereon, if required, to the Chapter 13 Trustee, Debtor[s], and on the mailing matrix in this case.

3. No compensation shall be paid to Special Counsel until the Court has allowed such compensation in accordance with 11 U.S.C. § 330 and 331 and FED. R. BANKR. P. 2016, after notice and a hearing on an appropriate application for compensation, copies of which shall be served on the Chapter 13 Trustee and the United States Trustee.¹ Special Counsel should note that contingent fee agreements are subject to Court scrutiny and pursuant to 11 U.S.C. § 328, the Bankruptcy Court may allow compensation different from a contingent fee agreement. *Blancard v. Bergeron*, 489 U.S. 87 (1989).

¹ See the United States Trustee Guidelines for Reviewing Applications for Compensation.

4. Any objection to this Order shall be served on the United States Trustee, Special Counsel, the Chapter 13 Trustee, and counsel for Debtor[s]. If an objection is timely filed, counsel for the Debtor[s] shall schedule a hearing on the Application and such objection pursuant to the Court's Open Calendar Procedures, and shall provide notice of such hearing to the United States Trustee, the Chapter 13 Trustee, Special Counsel, and the objecting party.

Counsel for the Debtor[s] is directed to serve a copy of this Order on the United States Trustee, the Chapter 13 Trustee, Special Counsel, on all counsel that have filed a request for notices in this case, and on all creditors that have filed a proof of claim in this case, and to file with the Court a Certificate of Service indicating such service, all within three (3) business days of the entry of this Order. In lieu of the foregoing service, counsel for the Debtor[s] may serve a copy of this Order on the mailing matrix in this case.

END OF DOCUMENT