

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

In re:

[DEBTOR NAME(S)]

Debtor[s].

CHAPTER 7

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

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

Counsel for the Chapter 7 Trustee (the “Trustee”) filed an *Application to Employ* (the “Application”) **[Professional’s Name(s)]** (“Special Counsel”) (Docket No. **[XX]**) to represent the Trustee in matters relating to **[Type of Claim/Matter/Issue, e.g. Personal Injury Claim]** (the “Matter”) on **[Date]**. Special Counsel will represent the Trustee 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 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 the Trustee 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 the Trustee, counsel for the Trustee, 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 the Trustee 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 Trustee, United States Trustee, Debtor[s], counsel for the 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 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 Trustee, and counsel for Debtor[s]. If an objection is timely filed, counsel for the Trustee 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 Trustee, Special Counsel, and the objecting party.

Counsel for the Trustee is directed to serve a copy of this Order on the Debtor[s], counsel for the Debtor[s], the United States Trustee, Special Counsel, all counsel that have filed a request for notices in this case, and 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.

END OF DOCUMENT