

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

IN RE:	*	CASE NO. 12-51127
	*	
PICCADILLY RESTAURANTS, LLC, et al.,	*	(JOINTLY ADMINISTERED)
	*	
DEBTORS	*	CHAPTER 11
	*	
*****		JUDGE ROBERT SUMMERHAYS

**APPLICATION FOR ORDER AUTHORIZING THE OFFICIAL UNSECURED
CREDITORS COMMITTEE TO EMPLOY ATTORNEYS ON AN HOURLY FEE BASIS
NUNC PRO TUNC TO NOVEMBER 1, 2012**

The application of the Official Unsecured Creditors Committee (“OUCC”) of the above captioned bankruptcy proceeding (“Applicant”), respectfully represents:

1.

This Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1134. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1408 and 1409. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2).

2.

A Voluntary Petition for relief was filed under Chapter 11 of Title 11 of the United States Code in the above numbered and entitled bankruptcy proceeding on September 11, 2012 [P-1].

3.

An Order consolidating the case was signed and filed on September 14, 2012 [P-43].

4.

To perform its duties as OUCC, your applicant requires legal representation to assist and represent the OUCC in all matters related to the above numbered and entitled bankruptcy proceeding including but not limited to:

- a. advice and representation regarding DIP financing;
- b. advice and representation regarding critical vendor motions;
- c. advice and representation regarding plans of reorganization and disclosure statements;
- d. advise and representation regarding in connection with necessary or advisory motions;
- e. advice and representation regarding any and all Motions for Relief from Stay; and,
- f. advice and representation in connection with contracts and leases to which the Debtor was a party.

5.

Applicant avers that the representation required includes, but is not limited to, legal advice and preparation of any necessary or advisable motions, briefs and pleadings, including this motion and a fee application. The scope of representation may include representing the OUCC in the trial of various matters.

6.

Applicant suggests that Frederick L. Bunol, Albert J. Derbes, IV, and The Derbes Law Firm, L.L.C. are experienced bankruptcy counsel and are as equally competent to provide the legal services necessitated by the nature of this case and OUCC's needs as any other outside bankruptcy counsel, and will provide said services at a compensation rate competitive with other counsel and subject to approval by this Honorable Court. The firm has represented unsecured creditors committees in the United States Bankruptcy Court for the Eastern District of Louisiana in like matters.

7.

Applicant has agreed to hire The Derbes Law Firm, L.L.C. at The Derbes Law Firm's published, normal rates which for the year 2012 are as follows:

Frederick L. Bunol	\$225.00 per hour;
Albert J. Derbes, IV	\$295.00 per hour;
Eric J. Derbes	\$295.00 per hour;
Wilbur J. "Bill" Babin, Jr.	\$325.00 per hour;
Albert J. Derbes, III	\$350.00 per hour;
David Corkern	\$300.00 per hour;
Beau P. Sagona	\$295.00 per hour;
Melanie M. Mulcahy	\$250.00 per hour;
Daniel J. Poolson, Jr.	\$175.00 per hour;
Law Clerks	\$80.00 per hour;
Paralegals	\$75.00 per hour;
Legal Assistants	\$65.00 per hour; and,
Hugh J. Posner, C.P.A.	\$175.00 per hour.

The firm's minimum billing increment is one-tenth (1/10) of an hour. The Derbes Law Firm, L.L.C. also receives reimbursement for expenses on the basis of actual costs expended without markup. The Derbes Law Firm, L.L.C. has unlimited access to online research for a flat fee and accordingly no expenses will be charged for Westlaw or Lexis legal research. The Derbes Law Firm, L.L.C. charges 0.25 cents per page for photocopies.

8.

To the best of OUCC's knowledge, there is no connection between Frederick L. Bunol, Albert J. Derbes, IV, The Derbes Law Firm, L.L.C., the debtor, creditors, or any other party in interest in this bankruptcy, their respective attorneys and accountants, the United States Trustee, or any person employed in the office of the United States Trustee, and represents no interest adverse to the estate in the matter upon which said firm is to be employed, except as may be set forth in the accompanying affidavit(s).

The Derbes Law Firm's role as local counsel in Louisiana and maintaining an office in the city where a plurality of the committee members and the Debtor's counsel reside, will decrease the overall anticipated legal expenses of the OUCC in this matter. Anticipated lead counsel for the OUCC, Greenberg Traurig, LLP, will coordinate with The Derbes Law Firm, L.L.C. to ensure there is no duplication of services.

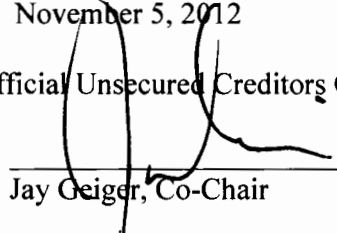
WHEREFORE, Applicant prays that Applicant be authorized to hire and retain Frederick L. Bunol, Albert J. Derbes, IV, and The Derbes Law Firm, L.L.C. to perform legal services on an interim basis for the rates stated above pending a hearing on this Application for Order Authorizing the Official Unsecured Creditors Committee to Employ Attorneys on an Hourly Fee Basis, and that Applicant be authorized to hire and retain Frederick L. Bunol, Albert J. Derbes IV, and The Derbes Law Firm, L.L.C. to perform the legal services required in this matter with compensation to be paid as administrative expenses in such amounts as this Court may hereinafter determine and allow, and that this application be approved *nunc pro tunc* to November 1, 2012, and for all other just or equitable relief as this Court may deem appropriate.

Dated: November 5, 2012

Respectfully Submitted:

The Official Unsecured Creditors Committee

THE DERBES LAW FIRM, L.L.C.

By: 
Jay Geiger, Co-Chair

/s/Albert J. Derbes, IV
Frederick L. Bunol (29,111)
Albert J. Derbes, IV (20,164)
The Derbes Law Firm, L.L.C.

By: 
Bill Kaye, Co-Chair

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*Proposed Attorneys for the
Official Unsecured Creditors Committee*