



SO ORDERED.

SIGNED July 16, 2013.


ROBERT SUMMERHAYS
UNITED STATES BANKRUPTCY JUDGE

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

IN RE:

PICCADILLY RESTAURANTS, LLC,
ET AL.,

DEBTORS

* CASE NO. 12-51127
*
* (JOINT ADMINISTRATION)¹
*
* CHAPTER 11
*
* JUDGE ROBERT SUMMERHAYS

ORDER AUTHORIZING THE DEBTORS TO CONTINUE THE RETENTION OF FTI CONSULTING, INC., PURSUANT TO SECTIONS 327(a) AND 328(a) OF THE BANKRUPTCY CODE AND BANKRUPTCY RULE 2014(a)

Considering the Application (the “Application”) for an Order Authorizing the Debtors to Continue and Expand the Scope of the Employment and Retention of FTI Consulting, Inc. (“FTI”), pursuant to sections 327(a) and 328(a) of Title 11 of the United States Code (the

¹ Jointly administered with *In re Piccadilly Food Service, LLC*, 12-51128 (Bankr. W.D. La. 2012), and *In re Piccadilly Investments, LLC*, 12-51129 (Bankr. W.D. La. 2012).

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“Bankruptcy Code”), and Rule 2014(a) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), filed herein on May 24, 2013 (Docket #848); and the Court having jurisdiction to consider the Application and the relief requested therein in accordance with 28 U.S.C. §1334; and consideration of the Application requested therein being a core proceeding pursuant to 28 U.S.C. §157(b); no trustee or examiner having been appointed in these chapter 11 cases, and due and proper notice of the Application having been provided, and it appearing that no other or further notice need be provided, and a hearing having been held to consider the relief requested in the Application (the “Hearing”); and upon the record of the Hearing, and all of the other proceedings had before the Court; and the Court having found and determined that the relief sought in the Application, as modified herein, is in the best interests of the Debtors, their estates and creditors, and all parties in interest, and that the legal and factual bases set forth in the Application establish just cause for the relief granted herein, and the Court having considered the objections filed thereto, and after due deliberation and sufficient cause appearing therefor,

IT IS ORDERED that the Application is hereby **GRANTED**, as modified herein.

IT IS FURTHER ORDERED that, pursuant to sections 327(a) and 328(a) of the Bankruptcy Code and Bankruptcy Rule 2014(a), the Debtors are authorized to continue to employ FTI for a period of 90 days *nunc pro tunc* to July 5, 2013 and ending on October 5, 2013.

IT IS FURTHER ORDERED that, with respect to the monthly fee of Seventy-Five Thousand Dollars (\$75,000.00) described in the Original Engagement Contract (as defined in the Application) (the “Monthly Fees”):

(a) The Debtors are hereby authorized to continue to pay FTI the Monthly Fee on the first day of each month, in accordance with the Original Engagement Letter; and

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(b) FTI is relieved from any requirement to comply with the procedures set forth in this Court's prior Order Granting the Motion for Administrative Procedures for Interim Compensation for Compensation and Reimbursement of Expenses for Professionals and Committee Members (Docket #321) (the "Fee Order"), so that FTI is relieved from any obligation to serve monthly fee statements, and FTI is relieved from any obligation to file and/or serve any applications for interim or final compensation with respect to its Monthly Fee. However, on or before the 15th day of the month following the prior month for which services were rendered, FTI shall provide a monthly fee statement to the United States Trustee, counsel for the Unsecured Creditors' Committee, Counsel for Atalaya, and Counsel for the Debtors. The monthly fee statement will be in a format acceptable to the United States Trustee, but at a minimum will include the total hours worked by each professional at FTI with an allocation of time to each project that person worked on.

IT IS FURTHER ORDERED that, in order to be entitled to the reimbursement of any expenses from the Debtors pursuant to this Order and the Original Engagement Letter, FTI is required to comply with the procedures set forth in the Fee Order, including but not limited to filing interim and final fee applications, and is required to otherwise comply with the applicable provisions of the Bankruptcy Code, the Bankruptcy Rules and the Local Rules of this Court.

IT IS FURTHER ORDERED that, in order to be entitled to be paid any Standard Hourly Fees with regard to Additional Testimony (as each of those terms are defined in the Original Engagement Contract) from the Debtors, FTI is required to comply with the Fee Order, including but not limited to filing interim and final fee applications, and FTI is required to

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otherwise comply with the applicable provisions of the Bankruptcy Code, the Bankruptcy Rules and the Local Rules of this Court.

IT IS FURTHER ORDERED that the Court will hold a hearing on whether the scope of FTI's retention will be expanded as prayed for in the Application and whether FTI will be entitled to a success fee, on August 13, 2013 at 1:30 PM in Lafayette, Louisiana. All objections with respect to the success fee are preserved and reserved.

IT IS FURTHER ORDERED that the Court will retain jurisdiction with respect to all matters arising from or related to the implementation of this Order.

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This Order was prepared and is being submitted by:

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**Attorneys for Piccadilly Restaurants, LLC,
Piccadilly Food Service, LLC, and
Piccadilly Investments, LLC**

{N2664637.1}

United States Bankruptcy Court
Western District of Louisiana

In re:
Piccadilly Restaurants, LLC
Debtor

Case No. 12-51127-RRS
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0536-4

User: lchamp
Form ID: pdf8

Page 1 of 2
Total Noticed: 3

Date Rcvd: Jul 16, 2013

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 18, 2013.

db +Piccadilly Restaurants, LLC, c/o Jones Walker et al, 201 St. Charles Ave #5100,
New Orleans, LA 70170-5101
aty +Jones, Walker, Waechter, Poitevent, Carrere & Dene, 201 St. Charles Avenue, 51st Floor,
New Orleans, LA 70170-5000
consult +FTI Consulting, 1001 17th Street Ste 1100, Denver, CO 80202-2056

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

tr DIP

TOTALS: 1, * 0, ## 0

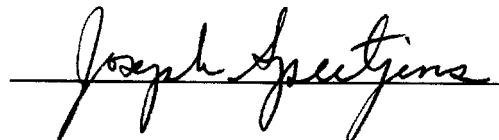
Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 18, 2013

Signature: _____



The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 16, 2013 at the address(es) listed below:

Albert J. Derbes, IV on behalf of Creditor Committee Official Committee of Unsecured Creditors ajdiv@derbeslaw.com

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TOTAL: 43