

**U.S. BANKRUPTCY COURT
District of South Carolina**

Case Number:12-01220-W

Order Granting Application for Employment Nunc Pro Tunc

The relief set forth on the following pages, for a total of 3 pages including this page, is hereby **ORDERED.**

**FILED BY THE COURT
03/26/2012**



Entered: 03/26/2012

A handwritten signature in cursive script that reads "John E. Waites". The signature is written in black ink and is positioned above a horizontal line.

Chief US Bankruptcy Judge
District of South Carolina

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF SOUTH CAROLINA

IN RE:) CASE NUMBER: 12-01220-W
The Cliffs Club & Hospitality) CHAPTER 11
Group, Inc., et al, d/b/a)
The Cliffs Golf & Country Club) ORDER GRANTING APPLICATION
Debtor (s)) TO EMPLOY JOHN B BUTLER III
P.A. **NUNC PRO TUNC**

Before the court is the Application ("Application") of John B Butler III, P.A. ("Applicant") to be employed *Nunc Pro Tunc* as Local Counsel for the Unsecured Creditors Committee ("Committee").

It appears that the Unsecured Creditors Committee and its Lead Counsel have requested that Applicant be retained as Local Counsel for the Committee.

It also appears as if *Nunc Pro Tunc* employment of Applicant is warranted under the nine part test set forth in In re Anderson Place Associates, C. A. 8:91-1889-20 (D.S.C. 1/31/91) aff'd 92-1288 (4th Cir. 5/24/93)(unpub.).

Based on Applicant's Application and Affidavit of Disinterestedness, it appears at this time as if Applicant is a disinterested party as defined by under 11 U.S.C. §101(14) and §1103(b) and represents or holds no interest adverse to the interest of the estate with respect to the matters in which he is to be employed.

Applicant has agreed to represent the Committee for the compensation subsequently allowed and approved by this Court and has asserted that no Committee Member has agreed to pay Applicant for any fees or expenses not awarded by this Court.

Applicant shall be compensated in accordance with 11 U.S.C. §§ 330, 331 and such Federal Bankruptcy Rules, Local Rules or Operating Orders as may be applicable. Notwithstanding any term of the Application or Order to the contrary the compensation of Applicant is subject to review by the Court pursuant to 11 U.S.C. §330 and is not authorized pursuant 11 U.S.C. §328.

It is therefore ordered that the Unsecured Creditors Committee be authorized to employ John B Butler III, P.A. *Nunc Pro Tunc* to March 7, 2012, as Local Counsel on the terms set forth above.