

**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. Waite". 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.

Certificate of Notice Page 4 of 5
United States Bankruptcy Court
District of South Carolina

In re:
The Cliffs Club & Hospitality Group, Inc
Debtor

Case No. 12-01220-jw
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0420-7

User: brooks
Form ID: pdf01

Page 1 of 2
Total Noticed: 2

Date Rcvd: Mar 26, 2012

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 28, 2012.

db +The Cliffs Club & Hospitality Group, Inc., 3598 Highway 11, Travelers Rest, SC 29690-3598
aty +Gary W Marsh, McKenna Long & Aldridge LLP, 303 Peachtree Street NE, Suite 5300,
Atlanta, GA 30308-3265

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

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

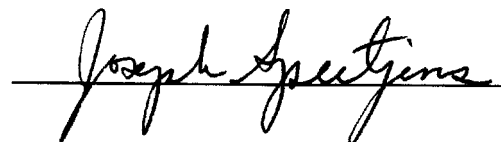
Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

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: Mar 28, 2012

Signature:



District/off: 0420-7

User: brooks
Form ID: pdf01

Page 2 of 2
Total Noticed: 2

Date Rcvd: Mar 26, 2012

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 26, 2012 at the address(es) listed below:

BMC Group, Inc. bmc-cliffs@bmcgroup.com
Bryan E. Bates on behalf of Debtor The Cliffs Club & Hospitality Group, Inc.
bbates@mckennalong.com, krohling@mckennalong.com
Charles W Azano on behalf of Creditor Wells Fargo Bank, National Association cwazano@mintz.com
Dana Elizabeth Wilkinson on behalf of Debtor CCHG Holdings, Inc. danawilkinson@charter.net,
dwecfmail@gmail.com
Daniel S Bleck on behalf of Creditor Wells Fargo Bank, National Association dsbleck@mintz.com
Elizabeth J. Philp on behalf of Creditor Wells Fargo Bank, National Association
lphilp@mcnair.net, rmobley@mcnair.net
Jane H. Downey on behalf of Creditor William & Flonnie Shaw jane@mttlaw.com,
jessica@mttlaw.com;corey@mttlaw.com
John B. Butler on behalf of Creditor Cliffs Members AD Hoc Group, Inc. jbbiii@bellsouth.net
John M. Levengood on behalf of Debtor The Cliffs Club & Hospitality Group, Inc.
mlevengood@mckennalong.com,
sbrooks@mckennalong.com;gmarsh@mckennalong.com;bbates@mckennalong.com
Jonathan B Alter on behalf of Creditor Cliffs Members AD Hoc Group, Inc.
jonathan.alter@bingham.com, linda.miller@bingham.com
Joseph F. Buzhardt on behalf of U.S. Trustee US Trustee's Office USTPRegion04.CO.ECF@usdoj.gov,
robert.b.doyle@usdoj.gov
Julio E. Mendoza on behalf of Interested Party Carlile Development Company, LLC
rmendoza@nexsenpruet.com, ecf@nexsenpruet.com
Linda Barr on behalf of U.S. Trustee US Trustee's Office linda.k.barr@usdoj.gov
Michael Kevin McCarrell on behalf of Creditor Helena Chemical Company
kevin.mccarrell@smithmoorelaw.com, betty.ward@smithmoorelaw.com;kim.harmstad@smithmoorelaw.com
Michael M. Beal on behalf of Creditor Wells Fargo Bank, National Association mbeal@mcnair.net,
astokes@mcnair.net
Nancy E. Johnson on behalf of Creditor NewLife Turf, Inc. nej@njohnson-bankruptcy.com,
notices4nej@njohnson-bankruptcy.com
R. Geoffrey Levy on behalf of Interested Party Keowee Falls Investment Group, LLC, A
Corporation llfecf@levylawfirm.org, levylawecf@gmail.com
Thomas L. Ogburn on behalf of Creditor TCF Equipment Finance, Inc. togburn@poynerspruill.com,
dfurr@poynerspruill.com
US Trustee's Office USTPRegion04.CO.ECF@usdoj.gov
William L Rothschild on behalf of Interested Party Carlile Development Company, LLC
br@orrem.com

TOTAL: 20