

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF INDIANA  
NEW ALBANY DIVISION

IN RE: ) Chapter 11  
)  
EASTERN LIVESTOCK CO., LLC, ) Case No. 10-93904-BHL-11  
)  
Debtor. ) Hon. Basil H. Lorch III

**FIRST INTERIM APPLICATION OF HOOVER HULL LLP FOR  
COMPENSATION AND REIMBURSEMENT OF EXPENSES  
AS SPECIAL COUNSEL FOR JAMES A. KNAUER, CHAPTER 11 TRUSTEE**

Hoover Hull LLP ("Hoover Hull") hereby makes its first interim application ("Application") for the allowance and payment of its attorneys' fees as special counsel for James A. Knauer, the chapter 11 trustee appointed in this case (the "Trustee") and for reimbursement of out-of-pocket expenses advanced on behalf of the Trustee. In support of this Application, Hoover Hull states as follows:

1. Petitioning creditors commenced the above-captioned chapter 11 case ("Chapter 11 Case") against Debtor on December 6, 2010 ("Petition Date") by filing an involuntary petition for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101 et seq. ("Bankruptcy Code"). This Court entered its *Order For Relief In An Involuntary Case And Order To Complete Filing* [Docket #110] on December 28, 2010.

2. On December 27, 2010, the Court entered its *Order Approving The Appointment Of James A. Knauer As Chapter 11 Trustee* [Docket #102] ("Trustee Order"), approving the United States Trustee's *Notice Of Appointment And Application for Order Approving Appointment of Trustee* [Docket #98] pursuant to 11 U.S.C. § 1104.

3. This Court, by order dated February 1, 2011 [Docket #248], approved the Trustee's retention of Hoover Hull as the Trustee's special counsel.

4. This Application is the first interim application filed by Hoover Hull seeking compensation and reimbursement of out-of-pocket expenses advanced by special counsel for the Trustee for the period January 14, 2011 through and including August 31, 2011.

5. In the course of its representation of the Trustee, Hoover Hull has performed a variety of services related to the related to the investigation of claims and objections asserted by or against Fifth Third Bank, N.A., all of which are described in detail in the billing statements attached as **Exhibit A**. All of the services performed by Hoover Hull for and on behalf of the Trustee fall within the Litigation category.

6. Hoover Hull has reviewed its detailed summary of time, and has attempted to eliminate double billing for conference time between Hoover Hull's timekeepers, except where the participation of the timekeepers has demonstrable benefit to the estate. The designation of "NC" or "\$0.00" after a description of services means that no time has been charged for those services. Where possible and efficient, Hoover Hull encourages the use of lesser billing rate attorneys to perform labor intensive tasks, with oversight and review by more experienced attorneys.

7. Since Hoover Hull's investigation of potential claims against Fifth Third Bank is ongoing, Hoover Hull has redacted its invoices to preserve the applicable attorney client privilege and attorney work product and to otherwise avoid prejudice to the interests of the Trustee. **Exhibit A** provides the detail of the time and hourly billing rate for each attorney, law clerk or paralegal of Hoover Hull who has performed services in this case. A summary of the fees requested by Hoover Hull for each such attorney, law clerk or paralegal and the number of hours worked for each individual, the billing rate requested and the total fees claimed is set forth below, segregated into separate matters for accounting and billing purposes:

Attorney/Paralegal Name	Hours	Rate	Total Fee
JD Hoover	26.3	\$390	\$10,257.00
ST White	134.3	\$310	\$41,633.00
JD Roberts	17.7	\$275	\$4,867.50
<b>TOTALS</b>			\$56,757.50

8. Hoover Hull has advanced the sum of \$845.64 for out-of-pocket expenses incurred in connection with this case on behalf of the Trustee during the period from January 14, 2011 through and including August 31, 2011. A summary of the out-of-pocket expenses incurred by Hoover Hull is set forth in **Exhibit A**.

9. Hoover Hull has received no payment for its fees or out-of-pocket expenses. This Application is the first application of Hoover Hull and no prior fees have been awarded to Hoover Hull as special counsel for the Trustee in this case.

10. No agreement or understanding exists between Hoover Hull and any other person or entity for the sharing of compensation received for services rendered in connection with this case.

11. All services rendered and all expenses incurred for which compensation or reimbursement is sought have been rendered or incurred exclusively on behalf of the Trustee and represent necessary and proper legal assistance in the administration of this chapter 11 case.

WHEREFORE, Hoover Hull requests (i) the Court to award compensation by allowing attorneys' fees in the amount of Fifty-Six Thousand Seven Hundred Fifty-Seven Dollars and 50/100 Dollars (\$56,757.50) plus order reimbursement for out-of-pocket expenses incurred in the amount of Eight Hundred Forty-Five Dollars and 64/100 Dollars (\$845.64), and (ii) grant Hoover Hull all other just and proper relief.

Respectfully submitted,

/s/ Sean T. White

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Trustee

**CERTIFICATE OF SERVICE**

I hereby certify that on the 11<sup>th</sup> November, 2011, a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System. Parties may access this filing through the Court's system.

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I further certify that on the 11<sup>th</sup> day of November, 2011, a copy of the foregoing pleading was served via electronic mail transmission on the following:

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/s/ Sean T. White

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