

IN THE UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA, FORT MYERS DIVISION

In Re:

ULRICH FELIX ANTON ENGLER

Case No. 9:08-bk-04360-~~ALP~~ MSW

Debtor.

APPLICATION TO EMPLOY SPECIAL COUNSEL

COMES NOW the Trustee, ROBERT E. TARDIF JR., and respectfully represents to the Court:

That because of the complicated nature of various legal problems involved in the administration of this estate, such as prosecution of fraudulent transfer litigation and other related litigation in Germany the Trustee deems necessary and appropriate to administer assets of this estate and other actions that may arise in this bankruptcy case, the Trustee requests the Court allow him to employ an attorney to assist him. The Trustee suggests to the Court that Karl Becker, whose normal hourly rate is \$ _____, be employed. A verified statement is included in this Application to Employ Special Counsel. *see attached*

WHEREFORE the Trustee moves the Court to enter an Order authorizing the Trustee to employ the attorneys and firm referenced above and to pay them a reasonable fee for their services from the estate, subject to further application and order of this Court prior to payment of any fees.

Verified Statement

Karl Becker, Nelkenstrasse 14, 76532 Baden-Baden Germany, proposed attorney for the Trustee declares under penalty of perjury that I am an attorney with said law firm which is rendering services subject to the Court's appointment for the Trustee in said cause, and that I have not and will not in any guise or form agree to share my compensation for such services with any person, except with persons who are of counsel or members of my law firm. Except as set forth hereafter, I have no connection with the debtor, creditors, or any other party in interest, their respective attorneys and accountants, the United States Trustee, or any person employed in the Office of the United States Trustee. Executed on 12/07/10.

[Handwritten Signature]
Karl Becker
Rechtsanwalt
Nelkenstr. 14, 76532 Baden-Baden
Tel. 0721/801909-0, Fax 8019099

Certificate of Service

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished electronically to the Assistant United States Trustee, 501 E. Polk Street, Suite 1200, Tampa, Florida 33602 on 4/25/11.

/s/ Robert E. Tardif Jr.
Robert E. Tardif Jr., Trustee
P.O. Box 2140
Fort Myers, Florida 33902
Telephone: 239/362-2755
Facsimile: 239/362-2756

Karl Becker
Rechtsanwalt

Rechtsanwalt · Karl Becker · Nelkenstr. 14 · 76532 Baden-Baden

Herrn
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RAKarlBecker@aol.com

B.-Baden, 12.01.2011

188/10BE12 /Be

(Bitte stets angeben)

Tardiff / Kind

Case No. 9:08-bk-04360-ALP

Dear Mr. Robert Tardif,

I would like to inform you that in Germany an Attorney is not allowed to charge fees (for examle hourly fees) in a lawsuit that are below the fees prescribed for such proceedings by law. Because of this law, I must not represent the bankruptcy trustee for less than the amount in the official fe charts. The charts depend on the value of controversy.

In the spezial Engler case, the value of the controversy is approximately \$ 578.000 (= approximately € 445.000). The proceeding begins with a payment order (Mahnbescheid). The attorney fees fort he payment order are here € 2.898. No value added tax is payable for legal services to the U.S.. In the first instance - the real trail - the attorney fees would be another € 4.337. In unlikly event of second instance the attorney fees are another € 8.078,40.

The mentioned attorney fees are only the fees fort he attorney of one side. In German civil procedure law the losing party has to pay ist own attorney fees and the attorney fees of the winnig party. If a party loses in part, it pays the total fees according to such part (pro rata). Therefore bankruptcy trustee wins the lawsuit he can claim back the fees from the defendant.

If you have any questions, or if I canbe of any assistance please contact me.

Regards

Karl Becker
Rechtsanwalt

