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7 Attorneys for Trustee,
8 Michael G. Kasolas

The following constitutes the order of the court.
Signed February 7, 2017


William J. Lafferty, III
U.S. Bankruptcy Judge

10 UNITED STATES BANKRUPTCY COURT

11 NORTHERN DISTRICT OF CALIFORNIA

12 OAKLAND DIVISION

14 In re

15 FOX ORTEGA ENTERPRISES, INC.,
dba PREMIER CRU,

17 Debtor.

Case No. 16-40050-WJL

Chapter 7

**ORDER APPROVING SUPPLEMENTAL
APPLICATION FOR EMPLOYMENT OF
COUNSEL FOR TRUSTEE ON
CONTINGENCY BASIS**

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20 The Court having considered the *Supplemental Application to Employ Counsel for Trustee*
21 *on Contingency Basis* ("Supplemental Application") filed by Michael G. Kasolas, the trustee of
22 the above-captioned estate; and finding that the firm of Wendel, Rosen, Black & Dean ("Wendel
23 Rosen") is disinterested and does not hold or represent an interest adverse to the Debtor or the
24 estate with respect to the avoidance claims on which the trustee seeks to employ it on a
25 contingency fee basis, and it further appearing that the terms of the contingency fee arrangement
26 are reasonable and customary and under the circumstances in the best interests of creditors and the
27 estate, and for good cause,
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ORDER TO EMPLOY ON CONTINGENCY FEE BASIS

1 **IT IS ORDERED** that:

2 1. The trustee's Supplemental Application is approved;

3 2. The trustee's *Application to Employ Counsel for Trustee* filed on January 20, 2016
4 [Docket No. 13] is hereby modified to incorporate the operative terms of the Supplemental
5 Application as set forth in Paragraphs 5-8 thereof;

6 3. Wendel Rosen's employment to pursue avoidance claims and European wine
7 claims on a contingency basis is hereby approved under 11 U.S.C. §328(a);

8 4. All other terms and conditions of Wendel Rosen's employment under the
9 *Application to Employ Counsel for the Trustee* shall remain in effect.

10 5. Any compensation or reimbursement of costs shall be payable to Wendel Rosen
11 only upon further court order after notice to creditors and interested parties as required under
12 Bankruptcy Rule 2002 (a) (6) as modified by the *Order Granting Motion to Reduce Notice*
13 *Required for Future Notices Under Bankruptcy Rule 2002 (a)* entered herein on October 25, 2016
14 [Doc #437];

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17 ****END OF ORDER****
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COURT SERVICE LIST

All parties entitled to service are ECF participants in this case.