

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

SHARITY MINISTRIES, INC.,<sup>1</sup>

Debtor.

Chapter 11 (Subchapter V)

Case No.: 21-11001 (JTD)

**CERTIFICATION OF COUNSEL**

I, Nicolas E. Jenner, counsel to the above-captioned debtor and debtor in possession (the “Debtor”) hereby certify as follows to the best of my knowledge, information and belief:

1. On July 8, 2021 (the “Petition Date”), the Debtor filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code, 11 U.S.C. §§ 101, *et seq.* in the United States Bankruptcy Court for the District of Delaware (the “Court”).

2. Prior to the Petition Date, Gibbons provided legal services (the “Legal Services”) to the Debtor in connection with a New Jersey state court action.

3. Gibbons currently holds a pre-petition claim in the approximate amount of \$16,077.50 (the “Pre-Petition Amount”) for legal services.

4. Prior to the Petition Date, and substantially contemporaneously with Gibbons commencing Legal Services, the Debtor provided Gibbons with an advance deposit for legal fees to be incurred in the amount of \$10,000 (the “Advance”) which Advance was not offset or applied to the Legal Services prior to the Petition Date.

5. Gibbons asserts that it may offset the amount of the Advance against the Prepetition Amount in accordance with applicable law and the Bankruptcy Code. In order to avoid unnecessary additional legal fees over such a modest amount, the Parties have entered into

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<sup>1</sup> The last four digits of the Debtor’s federal tax identification number is 0344. The Debtor’s mailing address is 821 Atlanta Street, Suite 124, Roswell, GA 30075.

that certain *Stipulation Allowing Setoff of Claims Between Sharity Ministries, Inc. and Gibbons P.C.* (the “Stipulation”).

6. Attached hereto as **Exhibit A** is a proposed order (the “Proposed Order”). Attached as Exhibit 1 to the Proposed Order is the Stipulation. The Debtor consulted with the U.S. Trustee, the Subchapter V Trustee and the Official Committee of Members with regard to the Stipulation and Proposed Order. The U.S. Trustee, the Subchapter V Trustee and the Official Committee of Members do not object to the entry of the Proposed Order. In accordance with the Court’s electronic order processing procedures, a clean copy of the Proposed Order shall be uploaded to CM/ECF.

7. Accordingly, the Debtor respectfully requests that the Court enter the Proposed Order at its earliest convenience.

Dated: September 8, 2021  
Wilmington, Delaware

**LANDIS RATH & COBB LLP**

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*Counsel for the Debtor and  
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