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Signed and Filed: March 03, 2009

DENNIS MONTALI  
U.S. Bankruptcy Judge

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9 Heller Ehrman LLP

10 UNITED STATES BANKRUPTCY COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 In re:  
14 Heller Ehrman LLP,<sup>1</sup>  
15 Debtor

Case No.: 08-32514

Chapter 11

**ORDER APPROVING RETENTION  
OF FOLGER LEVIN & KHAN AS  
SPECIAL MALPRACTICE COUNSEL**

[NO HEARING REQUIRED]

19 The Court has considered the *Debtor's Application To Employ Folger Levin & Khan as*  
20 *Special Malpractice Counsel* (the "Application") and the declaration of J. Daniel Sharp in support  
21 thereof (the "Declaration"), both filed on or about February 23, 2009. It appears that Folger Levin &  
22 Khan LLP (the "Firm") does not represent or hold any interest adverse to the Debtor or to the estate  
23 with respect to the matters on which it is to be employed and that its employment is in the best  
24 interest of the estate. It further appears that due and sufficient notice of the Application has been  
25 given under the circumstances and that no hearing on the Application is required. Based on the  
26 record before the Court, and after due deliberation and sufficient cause shown,

27 **IT IS HEREBY ORDERED THAT:**

28 <sup>1</sup> The Debtor's address is 333 Bush Street, San Francisco, CA 94104, Federal Tax I.D. No. 94-1217308.

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1. The Application is granted in its entirety.

2. The Debtor is authorized to employ the Firm as special counsel, effective as of the date of December 28, 2008, under section 327(e) of the Bankruptcy Code, on the terms set forth more fully in the Application.

3. The Debtor is authorized to compensate the Firm in accordance with sections 330 and 331 of the Bankruptcy Code as an expense of administration pursuant to sections 507(a) and 503(b) of the Bankruptcy Code, in such amounts and at such times as the Court may hereafter determine and allow. The *Guidelines for Compensation and Expense Reimbursement of Professionals and Trustees* promulgated by the United States Bankruptcy Court in the Northern District of California shall apply.

\*\*END OF ORDER\*\*

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**COURT SERVICE LIST**

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