



1 John D. Fiero (CA Bar No. 136557)
Kenneth H. Brown (CA Bar No. 100396)
2 Miriam P. Khatiblou (CA Bar No. 178584)
Teddy M. Kapur (CA Bar No. 242486)
3 PACHULSKI STANG ZIEHL & JONES LLP
150 California Street, 15th Floor
4 San Francisco, California 94111-4500
Telephone: 415/263-7000
5 Facsimile: 415/263-7010

Signed and Filed: March 03, 2009

DENNIS MONTALI
U.S. Bankruptcy Judge

6 E-mail: jfiero@pszjlaw.com
kbrown@pszjlaw.com
7 mkhatiblou@pszjlaw.com
tkapur@pszjlaw.com

8 Attorneys for Debtor and Debtor in Possession
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,¹
15 Debtor

Case No.: 08-32514

Chapter 11

**ORDER APPROVING RETENTION
OF LOVITT & HANNAN, INC. AS
SPECIAL COUNSEL TO THE
DEBTOR**

16
17
18
19 The Court has considered the *Debtor's Application to Employ Lovitt & Hannan, Inc. as*
20 *Special Counsel* (the "Application") and the declaration of Ronald Lovitt in support thereof (the
21 "Declaration"), both filed on or about February 23, 2009. It appears that Lovitt & Hannan, Inc. (the
22 "Firm") does not represent or hold any interest adverse to the Debtor or to the estate with respect to
23 the matters on which it is to be employed and that its employment is in the best interest of the estate.
24 It further appears that due and sufficient notice of the Application has been given under the
25 circumstances and that no hearing on the Application is required. Based on the record before the
26 Court, and after due deliberation and sufficient cause shown,

27
28
¹ The Debtor's address is 333 Bush Street, San Francisco, CA 94104, Federal Tax I.D. No. 94-1217308.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IT IS HEREBY ORDERED THAT:

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****

1 **COURT SERVICE LIST**

2 United States Trustee
3 Donna S. Tamanaha, Assistant U.S. Trustee
4 235 Pine Street, Suite 700
5 San Francisco, CA 94104
6 Vicky Namken
7 IBM Corporation
8 13800 Diplomat Dr.
9 Dallas, TX 75234

7 Pachulski Stang Ziehl & Jones LLP
8 Attn: John Fiero
9 Attn: Miriam Khatiblou
10 150 California Street
11 15th Floor
12 San Francisco, CA 94111

10 Thomas A. Willoughby, Esq.
11 Felderstein Fitzgerald Willoughby & Pascuzzi, LLP
12 400 Capitol Mall, Suite 1450
13 Sacramento, CA 95814

13 Lovitt & Hannan, Inc.
14 Attn: Ronald Lovitt
15 900 Front Street, Suite 300
16 San Francisco, CA 94111