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9 Attorneys for Heller Ehrman LLP,  
Debtor and Debtor in Possession

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

**SUPPLEMENTAL DECLARATION OF  
JOEL D. ADLER IN SUPPORT OF  
DEBTOR'S APPLICATION TO  
EMPLOY ADLER LAW FIRM**

[NO HEARING REQUIRED]

18 I, Joel D. Adler, declare and state as follows:

19 1. I am the sole proprietor of the Adler Law Firm and I submit this affidavit on behalf of  
20 the Adler Law Firm as a supplement to my original declaration filed on April 15, 2009 in support of  
21 the *Debtor's Application to Employ Adler Law Firm as Collections Counsel and To Pay*  
22 *Contingency Fees* (the "Application").<sup>2</sup> Except as otherwise indicated herein, I have personal  
23 knowledge of the matters set forth herein and, if called as a witness, would testify competently  
24 thereto.  
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28 <sup>1</sup> The Debtor's address is 333 Bush Street, San Francisco, CA 94104, Federal Tax I.D. No. 94-1217308.

<sup>2</sup> On April 24, 2009, the Court held a hearing on the Application and approved of my retention as the Debtor's collections counsel. However, to the best of my knowledge, no order has been entered on the Application.

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2. I recently reviewed the creditor's matrix in the chapter 11 bankruptcy case of Heller Ehrman LLP (the "Debtor") and noted two listed creditors with whom I have a disclosable relationship.

3. First, I currently represent Manatt, Phelps & Phillips ("Manatt") in connection with the enforcement of an arbitration award and judgment for attorneys' fees I obtained for it. I also have been giving the firm creditor's rights advice that is unrelated to the Debtor's bankruptcy case. I do not represent Manatt in any matters that are related to the Debtor's bankruptcy case.

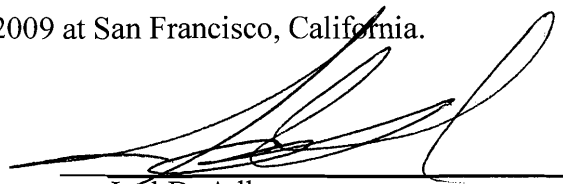
4. Second, while I do not have any pending matters on its behalf, I have represented the law firm of Howard Rice Nemerovski Canady Falk & Rabkin ("Howard Rice"), for over twenty years and have an ongoing relationship with the firm.

5. I also understand that both Howard Rice and Manatt have been retained by the Debtor as special counsel.

6. I will not represent either Manatt or Howard Rice in any matters that are adverse to the Debtor or its estate.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 27th day of April, 2009 at San Francisco, California.



Joel D. Adler

1 John D. Fiero (CA Bar No. 136557)  
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Chapter 11

**CERTIFICATE OF SERVICE**

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**PROOF OF SERVICE**

STATE OF CALIFORNIA        )  
  )  
CITY OF SAN FRANCISCO     )

I, Katherine Suk, am employed in the city and county of San Francisco, State of California. I am over the age of 18 and not a party to the within action; my business address is 150 California Street, 15th Floor, San Francisco, California 94111-4500.

On April 27, 2009, I caused to be served the

**SUPPLEMENTAL DECLARATION OF JOEL D. ADLER IN SUPPORT OF DEBTOR'S APPLICATION TO EMPLOY ADLER LAW FIRM**

in this action by placing a true and correct copy of said document(s) in sealed envelopes addressed as follows:

*Please see attached Service List*

- (BY EMAIL) I caused to be served the above-described document by email to the parties indicated on the attached service list at the indicated email address.
- (BY MAIL) I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at San Francisco, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury, under the laws of the State of California and the United States of America that the foregoing is true and correct.

Executed on April 27, 2009, at San Francisco, California.

\_\_\_\_\_  
*/s/ Katherine Suk*  
Katherine Suk

**SERVICE LIST**

<p><b>United States Trustee</b>          Donna S. Tamanaha, Assistant U.S. Trustee          235 Pine Street, Suite 700          San Francisco, CA 94104          T  <b>Donna.S.Tamanaha@usdoj.gov</b></p>	<p><b>Counsel to BofA</b>          David Minnick, Esq.          Leo Crowley, Esq.          Pillsbury Winthrop Shaw Pittman LLP          50 Fremont Street          San Francisco, CA 94105-2228  <b>Tdminnick@pillsburylaw.com</b>  <b>Leo.crowley@pillsburylaw.com</b></p>	<p><b>Counsel to Citibank, N.A.</b>          Larry Peitzman, Esq.          Louis E. Kempinsky, Esq.          Peitzman, Weg &amp; Kempinsky LLP          10100 Santa Monica Blvd., Suite 1450          Los Angeles, CA 90067  <b>lpeitzman@pwkllp.com</b>  <b>lkempinsky@pwkllp.com</b>  <b>RSN</b></p>
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