

CAPLIN & DRYSDALE, CHARTERED

Kevin C. Maclay (*pro hac vice* pending)
Todd E. Phillips (*pro hac vice* pending)
Jeffrey A. Liesemer (VSB No. 35918)
Kevin M. Davis (*pro hac vice* pending)
Nathaniel R. Miller (*pro hac vice* pending)
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*Proposed Counsel for the Official
Committee of Unsecured Creditors*

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re:

HOPEMAN BROTHERS, INC.,

Debtor.

Chapter 11

Case No. 24-32428 (KLP)

**MOTION FOR ADMISSION OF KEVIN C. MACLAY TO PRACTICE,
PRO HAC VICE, UNDER LOCAL BANKRUPTCY RULE 2090-1(E)(3)**

Jeffrey A. Liesemer (“**Movant**”) hereby moves (by this “**Motion**”) this Court, in accordance with Rule 2090-1(E)(3) of the Local Rules of the United States Bankruptcy Court for the Eastern District of Virginia, for entry of an order, substantially in the form of order attached hereto as Exhibit A (“**Order**”), authorizing Kevin C. Maclay, a member of the law firm of Caplin & Drysdale, Chartered (“**Caplin & Drysdale**”), 1200 New Hampshire Avenue NW, 8th Floor, Washington, DC 20036, to appear *pro hac vice* to represent the Official Committee of Unsecured Creditors (“**Committee**”) in the above-captioned case (“**Bankruptcy Case**”) and any related proceedings. In support of this Motion, Movant states as follows:



1. This Court has subject matter jurisdiction to consider this matter under 28 U.S.C. §§ 157 and 1334. This is a core proceeding under 28 U.S.C. § 157(b). Venue is proper before this Court under 28 U.S.C. §§ 1408 and 1409.

2. Movant is a member in good standing of the bar of the Commonwealth of Virginia and an attorney admitted to practice before the United States Bankruptcy Court for the Eastern District of Virginia.

3. Kevin C. Maclay is a member in good standing of the bars of the District of Columbia and State of Maryland and is admitted to practice before the Supreme Court of the United States, the United States Court of Appeals for the Second Circuit, United States Court of Appeals for the Third Circuit, the United States Court of Appeals for the Fourth Circuit, the United States District Court for the District of Columbia, and the United States District Court for the District of Maryland. There are no disciplinary proceedings pending against him in any jurisdiction.

4. Movant requests that this Court authorize Mr. Maclay to appear and be heard at hearings and otherwise to participate in the Bankruptcy Case and all related proceedings on behalf of the Committee.

5. The Committee has selected Movant and his law firm, along with Mr. Maclay and other attorneys of Caplin & Drysdale, to serve as the Committee's bankruptcy counsel.

6. Mr. Maclay's application is appended to this Motion as Exhibit B and incorporated by reference as if fully set forth herein.

7. Notice of this Motion will be provided via CM/ECF electronic notification to all parties registered to receive such notice in the Bankruptcy Case as of the time of service. Given the nature of the relief requested, Movant submits that no further notice is necessary.

For the reasons explained above, Movant requests that this Court enter an Order (a) authorizing the Admittee to appear *pro hac vice* in the Bankruptcy Case and all related proceedings on behalf of the Committee and (b) granting the Movant such other and further relief as the Court may deem proper.

Dated: August 15, 2024

Respectfully submitted,

/s/ Jeffrey A. Liesemer

Kevin C. Maclay (*pro hac vice* pending)

Todd E. Phillips (*pro hac vice* pending)

Jeffrey A. Liesemer (VSB No. 35918)

Kevin M. Davis (*pro hac vice* pending)

Nathaniel R. Miller (*pro hac vice* pending)

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*Proposed Counsel for the Official
Committee of Unsecured Creditors*

EXHIBIT A

Proposed Order

CAPLIN & DRYSDALE, CHARTERED

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**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re:

HOPEMAN BROTHERS, INC.,

Debtor.

Chapter 11

Case No. 24-32428 (KLP)

**ORDER GRANTING MOTION FOR ADMISSION OF KEVIN C. MACLAY TO
PRACTICE, *PRO HAC VICE*, UNDER LOCAL BANKRUPTCY RULE 2090-1(E)(3)**

Upon the *Motion for Admission of Kevin C. Maclay to Practice, Pro Hac Vice, Under Local Bankruptcy Rule 2090-1(E)(3)* (“**Motion**”), filed by Jeffrey A. Liesemer of the law firm of Caplin & Drysdale, Chartered, and the Court having determined that (i) it has jurisdiction over this matter under 28 U.S.C. §§ 157 and 1334, (ii) this is a core proceeding under 28 U.S.C. § 157(b), (iii) adequate notice of the Motion was given and no other or further notice is necessary, and (iv) the legal and factual bases set forth in the Motion establish good cause for the relief to be granted herein, IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED.
2. The application attached to the Motion as Exhibit B is APPROVED.

3. Kevin C. Maclay is permitted to appear and practice before this Court *pro hac vice* as counsel to the Official Committee of Unsecured Creditors in the above-captioned chapter 11 case and any related proceedings in accordance with Rule 2090-1(E)(3) of the Local Rules of the United States Bankruptcy Court for the Eastern District of Virginia.

4. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

5. This Court shall retain jurisdiction to hear and determine all matters arising from or related to this Order.

Dated: _____, 2024
Richmond, Virginia

THE HONORABLE KEITH L. PHILLIPS
UNITED STATES BANKRUPTCY JUDGE

WE ASK FOR THIS:

/s/ Jeffrey A. Liesemer

Kevin C. Maclay (*pro hac vice* pending)
Todd E. Phillips (*pro hac vice* pending)
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*Proposed Counsel for the Official
Committee of Unsecured Creditors*

**CERTIFICATION OF ENDORSEMENT
UNDER LOCAL BANKRUPTCY RULE 9022-1(C)**

I HEREBY CERTIFY that the foregoing proposed order has been endorsed by or served upon all necessary parties.

/s/ Jeffrey A. Liesemer

EXHIBIT B

Application

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

APPLICATION TO QUALIFY AS A FOREIGN ATTORNEY UNDER
LOCAL BANKRUPTCY RULE 2090-1(E)(3)

In Case No.: 24-32428 (KLP), * Case Name In re Hopeman Brothers, Inc.

PERSONAL STATEMENT

FULL NAME (no initials, please) Kevin Clark Maclay
Bar Identification Number 449059 State Washington, DC
Firm Name Caplin & Drysdale, Chartered
Firm Phone # (202) 862-5000 Direct Dial # (202) 862-7841 FAX # (202) 429-3301
E-Mail Address kmaclay@capdale.com
Office **Mailing** Address 1200 New Hampshire Avenue NW, 8th Floor, Washington, DC 20036
Name(s) of federal court(s) in which I have been admitted US Supreme Court, USCA for 2d Cir., USCA for 3d Cir.,
USCA for 4th Cir., USDC for DC, USDC for MD

I am a member in good standing of the Bar of the following United States District Court(s): DC and MD

I certify that the rules of the federal court in the district in which I maintain my office extend a similar *pro hac vice* admission privilege to members of the bar of the Eastern District of Virginia.

I have not been reprimanded in any court nor has there been any action in any court pertaining to my conduct or fitness as a member of the bar.

I hereby certify that, within 90 days before the submission of this application, I have read the Local Rules of this Court and that my knowledge of the Federal Rules of Civil Procedure, the Federal Rules of Bankruptcy Procedure, and the Federal Rules of Evidence is current.

/s/ Kevin C. Maclay
(Applicant's Signature)

I, the undersigned, do certify that I am a member of the bar of this Court, not related to the applicant; that I know the applicant personally, that the said applicant possesses all of the qualifications required for admission to the bar of this Court; that I have examined the applicant's personal statement. I affirm that his/her personal and professional character and standing are good, and petition the court to admit the applicant *pro hac vice*.

/s/ Jeffrey A. Liesemer
(Signature)

8/15/2024
(Date)

Jeffrey A. Liesemer
(Typed or Printed Name)

*Pro hac vice admission in a case shall include an adversary proceeding(s) in the case.