

CAPLIN & DRYSDALE, CHARTERED

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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)

ORDER AUTHORIZING THE RETENTION AND EMPLOYMENT OF CAPLIN & DRYSDALE, CHARTERED AS COUNSEL TO THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS, EFFECTIVE NUNC PRO TUNC AS OF JULY 22, 2024

Upon consideration of the *Application of the Official Committee of Unsecured Creditors to Retain and Employ Caplin & Drysdale, Chartered as the Committee’s Counsel, Effective Nunc Pro Tunc as of July 22, 2024* (the “**Application**”),¹ pursuant to sections 105(a), 328, and 1103(a) of title 11 of the United States Code (the “**Bankruptcy Code**”), Rule 2014 of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”), Rule 2014-1 of the Local Bankruptcy Rules for the United States Bankruptcy Court for the Eastern District of Virginia (the “**Local Rules**”), and section VI.F.4 of the Procedures for Complex Chapter 11 Cases in the Eastern District of Virginia (the “**Complex Case Procedures**”), authorizing and approving the employment of Caplin &

¹ Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Application.



Drysdale, Chartered (“**Caplin & Drysdale**”) as Counsel to the Official Committee of Unsecured Creditors (the “**Committee**”) appointed in the above-captioned bankruptcy case (the “**Chapter 11 Case**”) of Hopeman Brothers, Inc. (the “**Debtor**”), effective as of July 22, 2024; and upon the declarations of Kevin C. Maclay and Lisa Nathanson Busch filed in support of the Application; and the Court having jurisdiction to consider the Application and the relief in the Application being a core proceeding pursuant to 28 U.S.C. § 157(b); and a hearing on the Application having been held before the Court on September 10, 2024 (the “**Hearing**”); and the Court having reviewed the Application and having heard the statements in support of the Application at the Hearing; and the Court having found that Caplin & Drysdale represents or holds no interest adverse to the Debtor or its estate and is disinterested under section 101(14) of the Bankruptcy Code and as used in section 328 of the Bankruptcy Code; and the Court having determined that the relief requested in the Application is in the best interests of the Debtor’s estate, its creditors and other parties in interest; and the Committee having provided adequate and appropriate notice of the Application under the circumstances and no other or further notice of the Application need be provided; and the Court having determined that the legal and factual bases set forth in the Application and at the Hearing establish just cause for the relief granted herein; and after due deliberation and good and sufficient cause appearing therefor,

IT IS HEREBY ORDERED THAT:

1. The Application is GRANTED as set forth herein.
2. Objections, if any, to the relief requested in the Application that have not been withdrawn or resolved by this Order are overruled in all respects.

3. The Committee is authorized pursuant to sections 105(a), 328(a), and 1103(a) of the Bankruptcy Code to retain and employ Caplin & Drysdale as Counsel to the Committee under the terms and conditions set forth in the Application effective as of July 22, 2024.

4. The terms and conditions of the retention of Caplin & Drysdale set forth in the Application and in the Maclay Declaration are reasonable, and Caplin & Drysdale shall be compensated in accordance with sections 330 and 331 of the Bankruptcy Code, any applicable Bankruptcy Rule, any applicable Local Bankruptcy Rule, and any orders of the Court.

5. Caplin & Drysdale intends to make a reasonable effort to comply with the U.S. Trustee's requests for information and additional disclosures as set forth in the *Guidelines for Reviewing Applications for Compensation and Reimbursement of Expenses Filing under 11 U.S.C. § 330 by Attorneys in Larger Chapter 11 Cases*, both in connection with the Application and the interim and final fee applications filed by Caplin & Drysdale in the course of its engagement.

6. The Committee and Caplin & Drysdale are authorized and empowered to take all actions necessary to implement the relief granted in this Order.

7. The Court shall retain jurisdiction, to the extent such jurisdiction exists, to hear and determine all matters arising from the implementation of this Order.

8. Notwithstanding any provision in the Bankruptcy Rules to the contrary, this Order shall be immediately effective and enforceable upon its entry.

Sep 12 2024

Dated: _____, 2024
Richmond, Virginia

/s/ Keith L Phillips

HONORABLE KEITH L. PHILLIPS
UNITED STATES BANKRUPTCY JUDGE

Entered on Docket: Sep 12 2024

WE ASK FOR THIS:

/s/ Jeffrey A. Liesemer
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*Proposed Counsel for the
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SEEN AND NO OBJECTION:

/s/ Kathryn Montgomery
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701 East Broad Street
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United States Trustee

**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

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