

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
Miami Division

In re:

ANTOINE WALKER,

CASE NO.: 10-23558-LMI

Debtor.

CHAPTER 7

**TRUSTEE'S EX PARTE APPLICATION FOR AN ORDER
AUTHORIZING THE RETENTION AND EMPLOYMENT
OF KOZYAK TROPIN & THROCKMORTON, P.A. AS COUNSEL**

Drew M. Dillworth, as Chapter 7 Trustee ("Trustee") in the above captioned case, pursuant to 11 U.S.C. §327(a), Fed.R.Bankr.P. 2014, and Local Rules 2014-1 and 9013-1(C)(3), moves *ex parte* for an order authorizing the employment of Kozyak Tropin & Throckmorton, P.A. as counsel to the Trustee in this case, and states:

1. On May 18, 2010 (the "Petition Date"), the Debtor filed a voluntary petition for relief under Chapter 7 of Title 11 of the United States Code.
2. Drew M. Dillworth was appointed Chapter 7 Trustee in this bankruptcy case.
3. It is necessary that an attorney be employed to represent the Trustee in this Chapter 7 case to perform ordinary and necessary legal services required in the administration of the estate.
4. The Trustee desires to employ Kozyak Tropin & Throckmorton, P.A. ("KTT") as his attorneys in this case.
5. KTT is qualified to practice in the Bankruptcy Court and its attorneys are qualified to advise and represent the Trustee in this bankruptcy case under a general retainer with fees and costs incurred to be subject to application and allowance by the Court.
6. The professional services KTT will render are summarized as follows:
 - a. To analyze and prosecute any avoidance claims belonging to the estate.

- b. To handle claims objection, if necessary;
- c. To review claimed exemptions and pursue applicable objections, if necessary;
- d. To prepare motions, pleadings, orders, applications, adversary proceedings, and other legal documents necessary in the administration of the case;
- e. To protect the interests of the Trustee in all matters pending before the Court; and
- f. To represent the Trustee in the liquidation of the Debtor's assets, if applicable.

7. To the best of the Trustee's knowledge, KTT does not hold or represent any interest adverse to the Trustee, the Debtor, or the estate. There are a few creditors of the Debtor which have been creditors of, or adverse to, other entities represented by KTT in cases and matters wholly unrelated to the instant bankruptcy case. These creditors include Chase, Sun Trust Bank, Wachovia Bank, N.A. and U.S. Bank. The Trustee has confirmed that he does not regard KTT's representation of the Trustee as a conflict of interest. The Trustee believes that KTT's employment would be in the best interest of the estate.

8. Attached to this Application as Exhibit "A" is the Affidavit of Corali Lopez-Castro, Esq. (the "Affidavit") demonstrating that KTT does not hold an adverse interest to the estate and is disinterested as required by 11 U.S.C. §327(a) and a verified statement as required under Fed.R.Bankr.P. 2014.

9. KT&T has had substantial experience in bankruptcy cases before this Court and others, is qualified to practice in Bankruptcy Court, and is qualified to advise the Trustee on its relations with and responsibilities to the Debtor, creditors, and other parties.

10. Pursuant to Local Rule 9013-1 (C)(3), the relief requested herein may be granted without a hearing.

WHEREFORE, the Trustee respectfully requests an Order authorizing the employment of the law firm of Kozyak Tropin & Throckmorton, P.A. to represent the Trustee on a general retainer, pursuant to 11 U.S.C. §§ 327 and 330.

Drew M. Dillworth,
Chapter 7 Trustee
2200 Museum Tower
150 West Flagler Street
Miami, FL 33130
Tel: 305-789-3598

By: 
Drew M. Dillworth, Chapter 7 Trustee

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice was served via the Court's CM/ECF notification to those parties who are registered CM/ECF participants in this case on this 25th day of May, 2010.

By: /s/ Corali Lopez-Castro
Corali Lopez-Castro
Fla. Bar No. 863830

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
Miami Division

In re:

ANTOINE WALKER,

CASE NO.: 10-23558-LMI

Debtor.

CHAPTER 7

_____ /

**AFFIDAVIT OF CORALI LOPEZ-CASTRO
PROPOSED ATTORNEY FOR CHAPTER 7 TRUSTEE**

STATE OF FLORIDA)
) SS
COUNTY OF MIAMI-DADE)

Coralí Lopez-Castro, being duly sworn, states:

1. I am admitted to practice in, *inter alia*, the State of Florida, the United States District Court for the Southern District of Florida, and the United States Bankruptcy Court for the Southern District of Florida.

2. I am a shareholder in the law firm of Kozyak Tropin & Throckmorton, P.A. ("KTT"). KTT maintains offices at 2525 Ponce De Leon, 9th Floor, Coral Gables, Florida 33134.

3. In support of the Application, I disclose the following:

a. To the best of my knowledge, neither the firm nor I represent any interest adverse to the Trustee or the estate in connection with this case. To the best of my knowledge, I and Kozyak Tropin & Throckmorton, P.A. are disinterested persons as required by 11 U.S.C. §327(a).

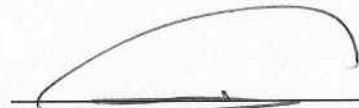
b. There are a few creditors of the Debtor which have been creditors of, or adverse to, other entities represented by KTT in cases and matters wholly unrelated to the instant bankruptcy case. These creditors include Chase, Sun Trust Bank, Wachovia Bank, N.A. and U.S.



Bank. The foregoing representation does not constitute a conflict of interest or in any way impairs KTT's disinterestedness in this case.

c. Except for the continuing representation of the Trustee, neither I nor the firm has or will represent any other entity in connection with this case and neither I nor the firm will accept any fee from any other party or parties in this case, except the Trustee, unless otherwise authorized by the Court.

FURTHER AFFIANT SAYETH NOT.



Corali Lopez-Castro

Sworn to and subscribed before me this 26th day of May, 2010.



Notary Public, State of Florida

My commission expires:



RAQUEL PENALVER
MY COMMISSION # DD 726301
EXPIRES: October 26, 2011
Bonded Thru Budget Notary Services