

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

IN RE:)
)
WEST COAST INTERVENTIONAL PAIN) CASE NO. 09-24379 JPK
MEDICINE, INC.,) Chapter 11

IN RE:)
)
Surgical Leasing Company, Inc., San) Cases: 09-24389, 09-24381, 09-24391,
Diego Pain Management Consultants, Inc.,) 09-24392, 09-24676
CV Surgical Management, Inc., The Pain) (Jointly Administered)
Management Group, Inc., Medical)
Facilities Management G.P.,)
)
Debtor/Debtor-in-Possession)

ORDER DENYING AMENDED MOTION FOR
EMPLOYMENT OF ATTORNEYS ["AMENDED MOTION"]

The Amended Motion was filed separately in Cases Nos. 09-24379, 09-24389, 09-24381, 09-24391, 09-24392 and 09-24676 on November 24, 2009.

First, the foregoing cases were consolidated for joint administration by the court's order entered on November 20, 2009, and therefore are Motion should have been filed in the consolidated case with the consolidated caption, rather than separately in each of the above-designated cases.

The motion was accompanied by a form "Disclosure of Compensation of Attorney for Debtors(s)," which states that the compensation agreed to be accepted is "to be determined". This document does not comply with 11 U.S.C. § 329(a)/Fed.R.Bankr.P. 2014(a), due to its failure to state "any proposed arrangement for compensation". The court expects the counsel seeking application as counsel for the debtor-in-possession to disclose the entire fee arrangement agreed to between the debtor and counsel, including the hourly rate proposed to be charged by every attorney contemplated to represent the debtor-in-possession in the case. The court acknowledges that any compensation to be awarded to counsel for the debtor-in-possession is subject to the court's review and approval; however, the purpose of 11 U.S.C. § 329(a) is to provide disclosure to the court and to creditors and parties-in-interest of the arrangement entered into between proposed

counsel for the debtor-in-possession and the debtor-in-possession as to the matter in which fees are to be computed in relation to those parties.

IT IS ORDERED that each Amended Motion is denied, without prejudice to the filing of an amended motion which complies with all requirements of applicable law and rules.

Dated at Hammond, Indiana on December 18, 2009.

/s/ J. Philip Klingeberger
J. Philip Klingeberger, Judge
United States Bankruptcy Court

Distribution:
Debtor, Attorney for Debtor
Trustee, US Trustee