

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION AT HAMMOND

IN RE:)
)
SHEILA SHARON KINSER,) CASE NO. 09-22723 JPK
) Chapter 7
Debtor.)

ORDER CONCERNING APPLICATION TO EMPLOY BROKER

On February 26, 2010, the Trustee filed his Application and Appointment of Sales Person/Broker for Trustee. Although the application generally states the terms of the arrangement between the proposed realtor and the Trustee, the application was not accompanied by the contract proposed to be entered into between the Trustee and the broker. Pursuant to I.C. 32-21-1-10, contracts with realtors for procuring a purchaser for real property must be in writing (similarly, I.C. 25-6.1-6-4 requires contracts with auctioneers to be in writing). The Court deems it absolutely necessary that contracts between a trustee and a professional who is to perform services for the estate, be in writing, so that there can be no dispute concerning services to be performed or compensation to be received by the professional.

IT IS ORDERED that no further action will be taken on the Trustee's Application until an amended application is filed which includes a copy of the written agreement to be entered into between the Trustee and the proposed broker.

Dated at Hammond, Indiana on March 22, 2010.

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

Distribution:
Debtor, Attorney for Debtor
Trustee, US Trustee