

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

IN RE:)
)
DWAYNE CHARLES NEISWINGER, JR., and) CASE NO. 12-21799 JPK
GINA NEISWINGER,) Chapter 13
Debtors.)

ORDER CONCERNING APPLICATION FOR COMPENSATION FOR
PROFESSIONAL PERSON AS AN ADMINISTRATIVE EXPENSE ["APPLICATION"]

The Application was filed as Record No. 62 on April 23, 2014. Based upon the Record No. 60 application to employ filed on April 23, 2014, the court gleans that the applicant in Record No. 62 is the professional sought to be employed in Record No. 60. The Application states the applicant to be Home Connection Realty, Inc., and the document is signed by a Carol Sims, apparently on behalf of the corporate entity. The Application is thus submitted by a corporation. With a few exceptions not applicable to the circumstances here, a corporation which requests relief from the court must be represented by an attorney and the documents submitted to the court requesting relief must be signed by that attorney. That is not the case here. Additionally, it is unclear to the court why a realtor would be requesting compensation before a sale is concluded – objections to the Record No. 58 sales motion were not due until May 16, 2014.

IT IS ORDERED that the Application is denied, without prejudice to compensation to the applicant in accord with applicable law and rules.¹

Dated at Hammond, Indiana on May 28, 2014.

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

¹ The customary manner for Chapter 13 debtor to request compensation for a realtor involved in a sale approved by the court in the debtor's bankruptcy case is to include a request for compensation in the motion to sell, and to provide for compensation according to the terms of the agreement between the broker and debtor in the order approving the sale.

Distribution:

Debtor, Attorney for Debtor
Trustee, US Trustee