

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

IN RE:)
)
MATTHEW E. INSALACO and) BANKRUPTCY NO. 05-68403 JPK
TIFFANY L. INSALACO,) Chapter 13
)
Debtors.)

ORDER REGARDING APPLICATION TO EMPLOY SPECIAL COUNSEL

On February 23, 2006, the debtors filed an Application to Employ Special Counsel. Review of the record in the debtors' chapter 13 case indicates to the Court that the claim upon which the debtors propose to employ special counsel is property of the debtors' chapter 13 estate. The record fails to establish that the chapter 13 trustee has authorized the debtors to proceed on this claim independently of his administration of this case and/or that the chapter 13 trustee has jointly requested the employment of a special counsel in order to proceed with matters relating to a claim over which the trustee has authority.

IT IS ORDERED that the Court will take no action with respect to the foregoing application until the record establishes that the chapter 13 trustee has authorized the debtors to independently pursue the subject claim on behalf of the chapter 13 estate and approves the employment of the special counsel proposed by the application.

Dated at Hammond, Indiana on March 14, 2006.

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

Distribution:
Debtors, Attorney for Debtors
Trustee, U.S. Trustee