

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

In re:)	
)	
ATLANTIC FABRICATION & DESIGN)	Case No. 17-14891
LLC,)	Chapter 11
)	
Debtor.)	
)	

**APPLICATION OF DEBTOR TO EMPLOY ATTORNEYS
AND NOTICE OF OPPORTUNITY FOR HEARING**

Your rights may be affected. You should read this document carefully and consult your attorney about your rights and the effect of this document. If you do not want the Court to grant the requested relief, or you wish to have your views considered, you must file a written response or objection to the requested relief with the Clerk of the United States Bankruptcy Court for the Western District of Oklahoma, 215 Dean A. McGee Ave., Oklahoma City, OK 73102 no later than fourteen (14) days from the date of filing of this request for relief. You should also serve a file-stamped copy of your response or objection to the undersigned movant’s attorney and all others required to be served and file a certificate of service with the Court. If no response or objection is timely filed, the Court may grant the requested relief without a hearing or further notice.

The 14-day period for response includes the three (3) days allowed for mailing provided for in Bankruptcy Rule 9006(f).

Atlantic Fabrication & Design LLC, debtor in the above-captioned case (“Debtor”), pursuant to 11 U.S.C. § 327(a), FRBP 2014 and 2016, and Rule 2014-1 of the Local Bankruptcy Rules, hereby submits this application (“Application”) requesting an order from the Court authorizing the employment and retention of Jason A. Sansone and Sansone Howell PLLC (“Sansone Howell”), as general bankruptcy and litigation counsel for Debtor. In support of this Application, Debtor shows the Court as follows:

1. On December 4th, 2017, Debtor filed its Voluntary Petition herein under Chapter 11 of the United States Bankruptcy Code. Debtor has continued in possession of its property,

and as debtor-in-possession is now operating its businesses and managing its property.

2. Debtor, as debtor-in-possession, wishes to employ Jason A. Sansone and other attorneys of the firm Sansone Howell, a professional limited liability company. Mr. Sansone will be the attorney primarily responsible for this engagement. His normal hourly rate is \$225.00 per hour. Mr. Sansone is duly admitted to practice in this court and believes that he is well qualified to represent Debtor as debtor-in-possession in these proceedings.

3. The professional services Sansone Howell is to render shall be as follows:

a. To give Debtor legal advice with respect to its powers and duties as debtor-in-possession in the continuing operation of its business and management of their property;

b. To prepare on behalf of Debtor as debtor-in-possession all necessary applications, answers, orders, pleadings, reports and other legal papers; and

c. To perform all other legal services for Debtor as debtor-in-possession which may be necessary herein.

4. It is necessary for Debtor as debtor-in-possession to employ attorneys to render the professional services set forth above, and to the best of Debtor's knowledge, said attorneys have no connection with the creditors or any other party in interest, or their respective attorneys, which would create a conflict in representing Debtor in these proceedings, which is adverse to the interest of Debtor or its estate, and their employment would be in the best interest of the estate.

5. Debtor desires that Sansone Howell be employed and compensated for their services rendered herein on the basis of their normal hourly fee and such additional compensation as this court may approve.

6. Debtor first retained Sansone Howell in June, 2017. Since that time Sansone Howell has represented Debtor in state-court litigation, attempted to negotiate workouts with creditors, and generally advised Debtor in anticipation of bankruptcy. Debtor has provided Sansone Howell with multiple prepetition retainers in the sum of \$11,000.00 (“Prepetition Retainer”). The Prepetition Retainer was placed in Sansone Howell’s trust account and was applied to prepetition services provided to Debtors. As of the commencement of this case, Sansone Howell has been paid in full for all services provided and expenses incurred prepetition, and the remainder of the Prepetition Retainer, totaling \$1,500.00, remains in Sansone Howell’s trust account.

7. Additional retainer funds (“Postpetition Retainer”) may be paid monthly to Sansone Howell, but will be disclosed in Debtor’s Monthly Operating Reports. Postpetition Retainer will not be earned, nor shall it be paid from Debtor’s cash collateral, unless by order of the Court.

WHEREFORE, it is requested that Debtor be authorized to employ and appoint the firm of Sansone Howell to represent Debtor as debtor-in-possession in this proceeding under Chapter 11 of the United States Bankruptcy Code, and that it have such other and further relief as is just.

Respectfully Submitted,
SANSONE HOWELL PLLC

/s/ Jason A. Sansone
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PROPOSED COUNSEL FOR DEBTOR

Dated: December 4th, 2017