

1 for the United States Trustee has regularly brought the matter to
2 Mr. Van Dyke's attention in open court.

3 On January 31, 2008 the firm filed a copy of its application
4 to employ, its reply memorandum, and a declaration, but no order.
5 As the record stands as of this writing, no order authorizing
6 employment of the firm has been lodged, as was required for a
7 contested matter, much less an order that set out with
8 specificity the terms and conditions of employment set out in
9 open court on October 10, some of which are quite different from
10 those contained in the application.

11 For the foregoing reasons, neither Mr. Van Dyke nor the firm
12 is authorized to receive any interim compensation through the
13 approved interim compensation procedures or from any other
14 source, from the date of service of this Order until an order
15 authorizing employment of the firm has been submitted, signed by
16 the Court, and entered on the Court's docket. Failure to comply
17 with this Order may result in future orders requiring the firm to
18 disgorge funds it has already received on an interim basis.

19 IT IS SO ORDERED.

20 DATED: FEB 25 2008

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23 PETER W. BOWIE, Chief Judge
24 United States Bankruptcy Court
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