

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

| | | |
|---------------------------------|---|----------------------------------|
| IN RE: |) | |
| |) | Bankruptcy Case No. 14-11277-JAD |
| TRUSTEES OF CONNEAUT LAKE PARK, |) | |
| INC., |) | Chapter 11 |
| Debtor. |) | |
| _____ |) | |
| |) | |
| TRUSTEES OF CONNEAUT LAKE PARK, |) | Document No. <u>157</u> |
| INC., |) | |
| |) | <u>Hearing Date & Time:</u> |
| Movant, |) | August 4, 2015 at 10:00 a.m. |
| v. |) | |
| |) | <u>Responses Due:</u> |
| NO RESPONDENT, |) | July 23, 2015 |
| |) | |
| Respondent. |) | |

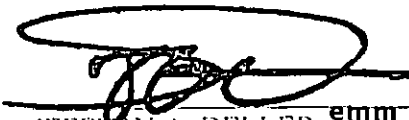
RECEIVED
 2015 AUG -6 AM 10:43
 CLERK'S BUREAU

ORDER OF COURT

AND NOW, in consideration of the foregoing *Application by the Debtor for an Order Employing Passport Realty, LLC ("Application")*, any responses thereto, and any arguments of counsel, and after notice and an opportunity for a hearing, the Court finds that: (i) notice and service of the Application has been duly given; (ii) the Broker¹ represents no interest adverse to the Debtor's Estate and is a disinterested person; and (iii) the employment of the Broker would be in the best interests of the Debtor's Estate.

It is hereby **ORDERED, ADJUDGED** and **DECREED** that the Trustees of Conneaut Lake Park, Inc., the Debtor in this case, is authorized to employ Passport Realty, LLC, *nunc pro tunc* to the filing date of the Application, as real estate broker in this case under the terms and conditions set forth in the Brokerage Agreement. **

Dated: July 31, 2015



 JEFFERY A. DELLER ^{emm}
 Chief U.S. Bankruptcy Judge

FILED
 7/31/15 3:57 pm
 CLERK
 U.S. BANKRUPTCY
 COURT - WDPA

**** It is further Ordered that Counsel for the Debtor shall serve this Order on all parties listed on the Clerk's Office mailing matrix and shall file a certificate of service with seven days.**

¹ All capitalized terms not otherwise defined herein shall have the meaning give to them in the Application.

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

| | | |
|---------------------------------|---|----------------------------------|
| IN RE: |) | |
| |) | |
| TRUSTEES OF CONNEAUT LAKE PARK, |) | Bankruptcy Case No. 14-11277 JAD |
| INC., |) | |
| |) | Chapter 11 |
| Debtor, |) | |
| _____ |) | |
| |) | |
| TRUSTEES OF CONNEAUT LAKE PARK, |) | |
| INC., |) | Document No. <u>163</u> |
| |) | |
| Movant, |) | <u>Hearing Date & Time:</u> |
| |) | August 4, 2015 at 10:00 a.m. |
| v. |) | |
| |) | <u>Responses Due:</u> |
| NO RESPONDENT, |) | July 28, 2015 |
| |) | |
| Respondent, |) | |

**ORDER AUTHORIZING EMPLOYMENT AND RETENTION
OF SHAFER LAW FIRM AS SPECIAL COUNSEL FOR SPECIFIED MATTERS
PURSUANT TO 11 U.S.C. SECTION 327(e) NUNC PRO TUNC**

Upon the application (the "*Application*")¹ of the above-captioned debtor and debtor-in-possession (the "*Debtor*") for entry of an order (this "*Order*") authorizing the employment and retention of Shafer Law Firm as special counsel pursuant to section 327(e) of the Bankruptcy code effective *nunc pro tunc* to the Application Date in accordance with the terms and conditions set forth in that certain engagement letter dated July 9, 2015 attached hereto as Exhibit 1 (the "*Engagement Letter*"), including with respect to the Specified Matters; and the Court having considered the declaration of John C. Swick (the "*Swick Declaration*") filed in support of the Application; and the Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and finding that the relief requested in the Application is in the best interests of the Debtor's estate, its creditors, and other parties in interest; and this Court having found that the

Debtor's notice of the Application and opportunity for a hearing on the Application were appropriate and no other notice need be provided; and upon consideration of the Application and any responses or arguments of counsel, it is hereby ORDERED that:

1. The Application is granted as set forth herein.
2. The Debtor is authorized to employ and retain the Shafer Law Firm pursuant to section 327(e) of the Bankruptcy Code on the terms set forth in the Application and in the Engagement Letter attached hereto as Exhibit 1 effective *nunc pro tunc* to the Application Date, in connection with the following Specified Matters:
 - a. Analysis, appeal, and litigation regarding the assessment of real property taxes against any or all of the Real Property;
 - b. Title work, consultation, negotiation, and closing on the sale and development of the Noncore Parcels, many of which will require subdivision and survey work;
 - c. All services necessary or appropriate to transfer any existing liquor licenses applicable to the Hotel Conneaut or former Beach Club or to obtain new liquor licenses for any of the Real Property; and
 - d. Any and all services ancillary to the foregoing Specified Matters.
3. Shafer Law Firm shall apply for compensation for professional services rendered and reimbursement of expenses incurred in connection with the Debtor's chapter 11 case in compliance with sections 330 and 331 of the Bankruptcy Code and any other applicable procedures and orders of this Court.
4. Shafer Law Firm shall only be reimbursed for reasonable and necessary expenses incurred.
5. To the extent this Order is inconsistent with the Application or the Swick Declaration with respect to the terms and conditions of the Shafer Law Firm retention and employment, the terms of this Order shall govern.

¹ Capitalized terms not otherwise defined in this Order shall have meaning given to them in the Application.

6. The Debtor is authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Application.

Dated: July 31, 2015


JEFFERY A. DELLER emm
Chief U.S. Bankruptcy Judge

Attachment

** It is further Ordered that Counsel for the Debtor shall serve this Order on all parties listed on the current Clerk's Office mailing matrix and shall file a certificate of service with seven days.

FILED
7/31/15 3:50 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA



SHAFFER LAW FIRM

A LAW FIRM BUILT ONE REFERRAL AFTER ANOTHER

JAMES R. IRWIN
JEFFREY K. MILLIN
JOHN C. SWICK
GARY M. ALJZZEO
KEITH A. BUTTON
KYLE M. JAMES

John C. Swick, Esquire
890 Market Street
Meadville, PA 16335
(814) 724-4540
jswick@shafer.law.com

CHARLES J. SWICK, (Retired)
ROBERT S. BAILEY (Retired)
The Honorable RAYMOND P. SHAFFER (1917-2006)
PAUL D. SHAFFER, JR. (1931-2008)

July 9, 2015

Trustees of Conneaut Lake Park, Inc.
c/o Mark Turner, Executive Director
Economic Progress Alliance of Crawford County
789 Bessemer Street
Meadville, PA 16335

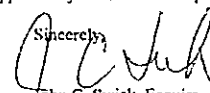
Dear Mr. Turner:

The Shafer Law Firm (the "Firm") purposes to provide the hereinafter described legal services to the Trustees of Conneaut Lake Park, Inc. (the "Trustees") pursuant to the terms and conditions set forth in this correspondence.

The hourly rate for all services rendered by Partners of the Firm is \$125.00 per hour and any services provided by any paralegals will be billed at the rate of \$65.00 per hour. All costs and expenses will be billed at cost. A statement for services rendered and all costs and expenses incurred will be submitted to you on a monthly basis. Payment, however, shall be conditioned on prior approval of the fees and expenses by the Bankruptcy Court. The scope of services to be provided by the Firm shall include all real estate related matters, including, but not limited to: (a) title work, consultation, negotiation, and closing of the development of the "Flynn Property", specifically, and other parcels owned by the Trustees as and when directed by the Trustees; (b) analysis, appeal and litigation regarding the assessment of real estate property taxes against any or all of the Trustee real estate; and (c) all services necessary and appropriate to transfer any existing liquor licenses applicable to the Hotel Conneaut or former Beach Club or to obtain a new liquor license for any of the Trustee real estate.

The Trustees shall at all times have the right to terminate the Firm's services upon written notice to that effect. The Firm shall have at all times the right to terminate their services upon written notice to that effect in the event that the Trustees either fail to cooperate with the Firm at any reasonable request, to timely pay the monthly statement in full as submitted, or if the Firm determines in its reasonable discretion that to continue the Firm's services would be unethical and practical.

It is acknowledged that the engagement of the Firm for these services and payment of its fees and expenses as set forth herein is contingent upon approval by the U.S. Bankruptcy Court.

Sincerely,

John C. Swick, Esquire

JCS/bef

MEADVILLE OFFICE

890 Market Street • Meadville, Pennsylvania 16335 • Phone: (814) 724-4540 • Fax: 724-4545
www.shaferlaw.com

Exhibit "1"

CONNEAUT LAKE OFFICE

10744 State Highway 18 • Conneaut Lake, Pennsylvania 16316 • Phone: (814) 582-5888 • Fax: (814) 213-0868

STONECIPHER
LAW FIRM 

125 First Avenue • Pittsburgh, PA 15222-1590

Pennsylvania Public Utility
Commission
P.O. Box 3265
Harrisburg, PA 17105

neopost¹⁷
08/03/2015
US POSTAGE

FIRST-CLASS MAIL

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