

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

IN RE: )  
 )  
RED TOP RENTALS, INC. ) CAUSE NO.: 09-05229-JKC-11  
 )  
 )  
DEBTOR. )  
\_\_\_\_\_ )

**ORDER AUTHORIZING EMPLOYMENT  
OF COUNSEL FOR THE DEBTOR**

Upon review of the Debtor’s Application for Authority to Employ Counsel (the “Application”) filed by Red Top Rentals, Inc. (the “Debtor”) requesting authority to employ the law firm of Tucker | Hester, LLC (the “Counsel”) under a general retainer to represent the Debtor herein, the Court hereby finds:

A. Proper and sufficient notice on the Application has been served on all creditors and parties in interest. No response or objection to the Application has been timely filed with the Clerk of the Court or made known to the Court at the time of entry of this Order.

B. Capitalized terms used in this Order, but not otherwise defined herein, shall have the same meanings given to them in the Application.

C. Prior to the Filing Date, the Debtor paid an initial retainer to Counsel in the sum of \$160,000.00 (the "Retainer"). The Retainer was drawn upon by Counsel prior to the filing of the Petition in the sum of \$32,389.20 for services and expenses as provided and incurred by Counsel on behalf of the Debtor up to the point of the Petition Date. There remains \$127,610.80 in the Retainer. Counsel was also paid from Debtor's operations for most pre-filing billing, in the amount of \$218,588.02.

D. The Counsel and their Firm have no connection with the Debtor, its creditors, or any other party in interest herein, or their respective attorneys.

E. The Counsel and their Firm do not hold or represent interests adverse to the estate and Counsel and their Firm are disinterested persons, as that term is defined in 11 U.S.C. §101(14).

F. It is in the best interest of the estate that Counsel and their Firm be employed by the Debtor and be permitted to draw on the Retainer pursuant to the terms of this Order.

IT IS THEREFORE HEREBY ORDERED THAT:

1. The Debtor is hereby authorized to employ Counsel and their Firm to represent it and provide legal services to it in this case, effective from the date of first services performed after the filing of the Debtor's petition herein.

2. Payment of the Retainer to Counsel and their Firm by the Debtor is hereby approved. The pre-petition draw on the Retainer is reasonable.

3. The provisions of this Order shall become effective immediately. There is no just reason for delay in the entry of a final order as to all of the issues before the Court on the Application and the Court hereby directs that this order be entered as a Final Order in this case in

accordance with the terms stated herein.

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Prepared by:

William J. Tucker

Jeffrey M. Hester

Niccole R. Sadowski

TUCKER | HESTER, LLC

429 N. Pennsylvania Street, Suite 100

Indianapolis, Indiana 46204-1816

317.833.3030

jeff@tucker-hester.com