

U.S. COURTS  
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IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF IDAHO

In the Matter of: ) Case No. 04-41126  
RICHARD CARPENTER and DEBBIE )  
CARPENTER, ) **TRUSTEE'S APPLICATION FOR**  
Debtors. ) **LEAVE TO RETAIN ATTORNEYS**

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**COMES NOW** R. Sam Hopkins, Trustee herein, and hereby applies and respectfully represents to the Court as follows:

1. That Applicant is the duly appointed, qualified and acting Trustee in Bankruptcy in the above Chapter 7 proceeding.
2. That Applicant has found it necessary to retain and employ an attorney in the performance of the duties as Trustee for the reason that Applicant is not an attorney, and it will be necessary to have an attorney advise Applicant on general legal questions which may arise in the administration of the estate of the above named Debtor(s), and further to take any required action in connection with the collection and liquidation of estate assets, settlement of disputed claims, and settling of the estate.
3. That Applicant desires to retain the services of Jim Spinner of the firm of Service, Spinner & Gray, Attorneys at Law, P.O. Box 6009, Pocatello, Idaho 83205, to represent him to investigate property transfers and pursue recovery of property and such matters of like nature which may arise in the course of these proceedings requiring competent legal services and advice. Applicants' proposed hourly rate is \$125.00 for attorneys and \$70.00 per hour for paralegal. This rate, however, is subject to being increased or decreased from time to time as a result of changed economic conditions and/or modifications in applicants' billing rates and procedures applicable to all applicants' clients, as well as unique circumstances to this particular case. Fees and expenses to be subject to Court approval.

*[Handwritten number 18]*

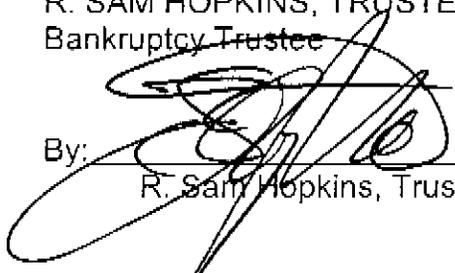
4. Applicant is aware and Jim Spinner of the firm of Service, Spinner & Gray have disclosed to Applicant that said attorneys have represented and are currently representing both creditors and debtors in other bankruptcy cases, but upon the best information, knowledge and belief of said Applicant, Service, Spinner & Gray do not hold or represent an interest adverse to the bankruptcy estate in the above named case.

5. Applicant represents that retention of said attorneys is in the best interest of the bankruptcy estate and may result in substantial dividends for the benefit of the estate.

**WHEREFORE**, Applicant prays for leave to retain and employ Jim Spinner of the firm of Service, Spinner & Gray as attorneys for Trustee in the general administration of Applicant's duties as Trustee and for all other appropriate relief.

DATED this 29 day of September, 2004.

R. SAM HOPKINS, TRUSTEE  
Bankruptcy Trustee

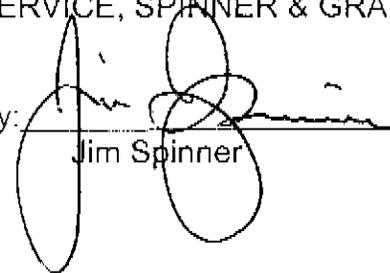
By:   
R. Sam Hopkins, Trustee

#### CERTIFICATE OF PROSPECTIVE ATTORNEYS

Jim Spinner, an attorney in the firm of Service, Spinner & Gray, hereby certifies that he has read the Trustee's Application for Leave to Retain Attorneys and, upon the undersigned's best information, knowledge and belief, certifies that Service, Spinner & Gray does not hold or represent an interest adverse to the above named bankruptcy estate and does not have existing connections with the Debtor(s), the creditors, or any other party in interest, or their attorneys and/or accountants except as follows:

*None known.*

SERVICE, SPINNER & GRAY

By:   
Jim Spinner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY on the 30 day of September, 2004, I served a true

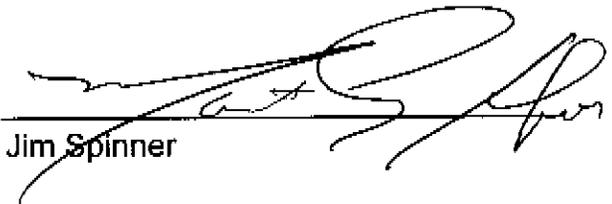
and correct copy of the foregoing document as follows:

Office of the United States Trustee  
MK Central Plaza  
720 Park Boulevard, Suite 220  
Boise, ID 83712

U.S. Mail, postage prepaid  
 Hand Delivery  
 Overnight Mail  
 Facsimile

Emil F. Pike, Jr., Esq.  
P.O. Box 302  
Twin Falls, ID 83301

U.S. Mail, postage prepaid  
 Hand Delivery  
 Overnight Mail  
 Facsimile

By:   
Jim Spinner