

U.S. COURTS  
96 DEC 19 PM 2:52  
REC'D  
CAMPBELL COUNTY CLERK  
IDAHO

JOSEPH M. MEIER  
COSHO, HUMPHREY, GREENER & WELSH, P.A.  
Attorneys at Law  
815 West Washington  
Boise, Idaho 83702  
(208) 344-7811  
Attorneys for Debtor-in-Possession

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF IDAHO

In re: ) Chapter 11  
Sawtooth Enterprises, Inc. ) Case No. 96-3050  
Debtor ) **APPLICATION TO EMPLOY**  
 ) **ATTORNEYS FOR DEBTOR**

The Application of the Debtor respectfully represents:

1. On the 27th day of November, 1996, the Debtor herein filed its Petition under the provisions of Chapter 11 of the Bankruptcy Code with this court.
2. The Debtor is serving as debtor-in-possession and is not sufficiently familiar with the law as to be able to plan and conduct the proceedings herein without the aid of competent legal counsel nor continue to operate the business. Debtor's existing counsel Moffatt, Thomas, Rock & Fields desires to withdraw from representation.
3. The Debtor has made careful inquiry into the qualifications and experience of Joseph M. Meier of the firm Cosho, Humphrey, Greener & Welsh, P.A. and is advised that he is admitted to practice in this court and qualified to represent the Debtor and debtor-in-possession in these proceedings by reason of his ability, integrity and professional

10

experience.

4. Applicant has engaged the services of said attorney as attorney for the Debtor and will further need his services as attorney for the debtor-in-possession subject to the approval of this court for the following reasons:

(a) to give Debtor legal advice with respect to its powers and duties as Debtor and debtor-in-possession in the preparation and presentation of continuing Chapter 11 matters;

(b) to advise applicant in matters concerning creditors, claims, property rights and the operation of its business during the Chapter 11 proceeding;

(c) to prepare on behalf of applicant necessary applications, answers, orders, reports and other legal papers as may be required; and

(d) to perform all other legal services for Debtor and/or debtor-in-possession, the exact nature of which are not known at this time.

5. To the best of Debtor's knowledge, Joseph M. Meier and Cosho, Humphrey, Greener and Welsh have no connection with the creditors, or any other party in interest, or their respective attorneys, except as disclosed in the affidavit of Joseph M. Meier. The Debtor is aware that Mr. Alan Pesky has agreed to guaranty the fees and costs incurred by Cosho, Humphrey, Greener & Welsh in this proceeding and that Mr. Alan Pesky shall also provide a \$10,000.00 retainer to that law firm. Joseph M. Meier has advised Debtor and Mr. Alan Pesky that he is representing the Debtor as Debtor-in-Possession and not the separate interests of Mr. Alan Pesky.

6. Your applicant desires to employ Joseph M. Meier and Cosho, Humphrey, Greener, and Welsh under a general retainer because of the extensive legal services required.

7. Joseph M. Meier represents no interest adverse to Debtor as debtor-in-possession or the estate in the matters upon which he is to be engaged for Debtor as debtor-in-possession, and his employment would be to the best interest of this estate.

WHEREFORE, your applicant prays that it be authorized to employ and appoint the said Joseph M. Meier of Cosho, Humphrey, Greener & Welsh, P.A. under a general retainer pursuant to 11 USC 327(a) to represent it as debtor-in-possession and this proceeding under Chapter 11 said Code, and that it have such other and further relief as is just.

DATED this 19 day of December, 1996.

Sawtooth Enterprises, inc..  
dba The Buckin' Bagel

BY



\_\_\_\_\_  
Rick Haener, its Secretary