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Honorable Karen A. Overstreet
Chapter 11
Hearing Location: Seattle, Room 7206
Hearing Date: Friday, October 22, 2010
Hearing Time: 9:30 a.m.
Response Date: Friday, October 15, 2010

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8 UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 In re:

No. 10-21229

11 COAST CRANE COMPANY,

12 Debtor.

APPLICATION FOR ORDER
AUTHORIZING EMPLOYMENT OF
K&L GATES LLP AS ATTORNEYS
FOR DEBTOR

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14 Coast Crane Company ("Debtor") applies to the Court pursuant to 11 U.S.C. § 327 and Local
15 Rule of Bankruptcy Procedure 2014-1 for authority to employ K&L Gates, LLP ("K&L Gates") as
16 attorneys for Debtor.

17 In support of this application, Debtor respectfully represents:

18 **FACTUAL BACKGROUND**

19 Debtor is in the business of leasing, selling and servicing tower cranes, forklifts, hoists,
20 elevators, boom lifts, scissor lifts and other heavy equipment used in commercial construction
21 throughout the world. Debtor is a Delaware corporation with locations throughout the United States
22 and Canada including its headquarters in Seattle. Debtor's business was established in 1970 and has
23 approximately 167 employees, 158 of whom are employed within the United States. Debtor filed a
24 voluntary Chapter 11 petition on September 22, 2010 (the "Petition Date") and has since been
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1 operating its business and managing its affairs as a debtor-in-possession pursuant to 11 U.S.C. §§
2 1107 and 1108. Debtor anticipates making a sale of substantially all of its assets pursuant to 11
3 U.S.C. § 363.

4 PROFESSIONAL SERVICES

5 Debtor has selected K&L Gates as its legal counsel in this case. The professional services
6 K&L Gates expects to render include the following:

- 7 a. Assisting Debtor with preparation of its Chapter 11 petition and Bankruptcy
8 Schedules;
- 9 b. Preparing all necessary or advisable pleadings in these proceedings, including
10 pleadings necessary to effect sale of Debtor's assets under 11 U.S.C. § 363 and assumption and
11 assignment of its unexpired real property leases and other executory contracts pursuant to 11 U.S.C.
12 § 365;
- 13 c. Assisting Debtor with negotiation and documentation of its postpetition
14 financing arrangement;
- 15 d. Assisting Debtor with negotiation and documentation of any asset purchase
16 agreement arising from the anticipated § 363 sale and any plan of reorganization that may be
17 proposed in the case;
- 18 e. Appearing before the Court at all hearings held in connection with this case;
19 and
- 20 f. Performing all other legal services for Debtor which may be necessary.

21 K&L Gates will charge its customary hourly rates for services rendered and will request
22 reimbursement of costs and expenses incurred in its representation of Debtor. The following
23 professionals are likely to render the majority of legal services:
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<u>Professional</u>	<u>Hourly Rate</u>
Michael J. Gearin (attorney)	\$425
David Neu (attorney)	\$335
Brian Lewis (attorney)	\$315
John Wilson (attorney)	\$230
Kjrsten Swan (paralegal)	\$150
Eric Simonson (attorney)	\$680
Kevin Gruben (attorney)	\$515

REQUIRED DISCLOSURES

A. 11 U.S.C. § 327.

As set forth in the concurrently filed Declaration of Michael J. Gearin (“Gearin Declaration”), K&L Gates and its attorneys (a) do not hold or represent any interests materially adverse to the interest of Debtor, and (b) are disinterested persons within the meaning of 11 U.S.C. § 101. Specifics of certain relationships between K&L Gates and certain creditors and parties-in-interest are contained in the Gearin declaration.

B. 11. U.S.C. § 329(a) and Bankruptcy Rule 2016.

As set forth in the Gearin Declaration, within the 12 months preceding the Petition Date K&L Gates has provided Debtor with legal services rendered in contemplation of or in connection with the restructuring of its financial affairs and other matters including general corporate advice and employment matters. The hourly rates charged for such legal services were substantially similar to those described above, and were reasonable in relation to the complexity of the issues, the experience of the attorney or staff providing such services, and the prevailing market rate for such services. The source of the funds to pay such invoices were from Debtor’s normal operating budget. K&L Gates has no agreement or understanding concerning the sharing of compensation with any entity outside of the firm.

C. Local rule 2014-1.

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As set forth in the Gearin Declaration, K&L Gates is not a prepetition creditor of Debtor. K&L Gates does not claim a security interest in property of the estate to secure its fees. K&L Gates has been paid a retainer of approximately \$26,785.83 which remains on account in trust after payment of prepetition fees and expenses. K&L Gates anticipates being paid during the case from carveouts from a proposed debtor-in-possession loan facility for which Debtor seeks approval and from certain carved- out proceeds from the sale of Debtor's assets and from the retainer.

RELIEF REQUESTED

Debtor seeks approval to employ K&L Gates. Based on the above, Debtor respectfully requests that the Court enter its proposed Order submitted herewith granting this Application nunc pro tunc to the Petition Date.

DATED this 28th day of September, 2010.

K&L GATES LLP

By /s/ Michael J. Gearin
Michael J. Gearin, WSBA #20982
David C. Neu, WSBA #33143
Attorneys for Coast Crane Company