

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NEWPORT NEWS DIVISION**

In re: MICHAEL D. VICK,

**Case No. 08-50775-FJS
Chapter 11**

Debtor.

**AMENDED ORDER SETTING HEARING ON DEBTOR'S MOTION TO
WITHDRAW MOTION TO APPOINT DAVID TALBOT AS FINANCIAL
ADVISOR TO THE DEBTOR AND REQUIRING THE PERSONAL
ATTENDANCE OF DEBTOR'S COUNSEL AND DAVID TALBOT AT THAT
HEARING**

On July 7, 2008, Michael D. Vick (the "Debtor") filed a voluntary petition for relief under Chapter 11 of the United States Bankruptcy Code. The Debtor is represented in this case by four attorneys, Paul K. Campsen, Peter R. Ginsberg, Dennis T. Lewandowski, and Mark S. Lichtenstein.¹

Also on July 7, 2008, counsel for the Debtor filed a Motion to Appoint David Talbot ("Talbot") as Designated Responsible Person for the Debtor (the "Responsible Person Motion"). The Responsible Person Motion stated, among other things, that the Debtor trusted Talbot and had given Talbot a Power of Attorney to handle all of his affairs.

On July 10, 2008, Debtor's counsel filed an Amended Motion to Appoint David Talbot as Financial Advisor to the Debtor (the "Amended Motion"), withdrawing the Responsible Person Motion, and more clearly defining the proposed role for Talbot. The

¹ All four attorneys are employed pursuant to proper application to and approval by this Court. Mark Lichtenstein and Peter Ginsberg were admitted to practice in this Court *Pro Hac Vice* upon presentation by their associated local counsel.

Office of the United States Trustee and two creditors, Joel Enterprises, Inc., and the Royal Bank of Canada, filed objections to the Amended Motion.

At a hearing convened on the Amended Motion on July, 17, 2008, Debtor's counsel advised the Court that the parties had reached a settlement that would allow for Talbot's appointment as the Debtor's financial advisor on an interim basis with conditions, which were recited on the record.² On August 1, 2008, the Court entered a Consent Order on the agreed upon terms.

On August 8, 2008, Debtor's counsel filed a Motion to Withdraw Motion to Appoint David Talbot as Financial Advisor to the Debtor (the "Withdrawal Motion"). The Withdrawal Motion states that based on new information learned by the Debtor about Talbot, he no longer wants to retain Talbot's professional services in his bankruptcy case.

The Court has determined that a hearing on the Withdrawal Motion is necessary and hereby schedules the hearing on August 22, 2008, at 11:30 A.M. in the United States Bankruptcy Court, Newport News, Virginia. **Please note time change from prior Order.**

The Court ORDERS the personal appearance of the following persons:

- a. Paul K. Campsen, Esquire
- b. Dennis T. Lewandowski, Esquire
- c. Mark Lichtenstein, Esquire
- d. Peter R. Ginsberg, Esquire; and
- e. David Talbot.

² David Talbot was present at this hearing.

The Court ORDERS the telephonic appearance of the Debtor. Said appearance shall be arranged by Mr. Ginsberg, in coordination with the United States Trustee.

The Court further ORDERS that Peter Ginsberg shall cause **personal** service of this Order on David Talbot and file a certificate of service demonstrating same with this Court.

IT IS SO ORDERED.

Norfolk, Virginia

FRANK J. SANTORO
United States Bankruptcy Judge

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