

UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA

IN THE MATTER OF

TRUSTEE IN PROCEEDINGS
UNDER CHAPTER 13 OF THE
BANKRUPTCY CODE

IN BANKRUPTCY

It appearing to the Court that under Chapter 13 of the Bankruptcy Code it is necessary for the Court, if the plan of a Debtor is confirmed in a proceeding under said Chapter 13, to appoint a Trustee to receive and distribute all monies to be paid under the plan and it further appearing to the Court from the number of cases under this Chapter which are commenced in this District, that it is to the best interest of the Court and to the Debtors concerned, that a single trustee be appointed as Standing Trustee in each of the several cases of said debtors, to perform the duties of the Standing Trustee in each of such cases; and it further appearing to the Court that such Standing Trustee is required to give bond and surety to be approved by the court in such a manner as the Court shall fix and it further appearing to the Court that it is to the best interest of all concerned that Daniel B. O'Brien be appointed as Standing Trustee; now for good cause shown, it is

ORDERED by the Court, that subject to further orders of the Court, Daniel B. O'Brien, be and he hereby is appointed, effective January 1, 2015, as Standing Trustee of all debtors' proceedings now pending in this District or which may hereinafter be filed and confirmed in said District. Mr. O'Brien is assuming all of the responsibilities of John C. McAleer, III, who is retiring effective December 31, 2014.

IT IS FURTHER ORDERED by the Court that the said Daniel B. O'Brien, Standing Trustee, Mobile, Alabama, be and he hereby is required and authorized to give a bond, with surety, approved by the Court, payable to the United States of America in the penal sum of \$17,000,000 with a limitation of \$1,000,000 for each case administered by said Standing Trustee, upon condition that he shall obey the orders of this Court and faithfully account for all monies, assets and estates of all of the debtors which shall come into his hands,

custody and possession as such Standing Trustee and each and every proceeding under Chapter 13 of the Bankruptcy Code in which he has heretofore or may hereinafter be appointed as said Standing Trustee and that he shall in all respects faithfully perform all of his official duties as such. The limitation of the liability of the surety on said bond which is limited to \$1,000,000 for each case in which the said Daniel B. O'Brien is appointed Standing Trustee shall not apply to the Standing Trustee's expense account.

IT IS HEREBY FURTHER ORDERED by the Court that it shall be the duty of the said Daniel B. O'Brien, to collect the amount agreed to be paid by each debtor in his extension proposal and distribute said amounts in the manner provided for in the order confirming the extension proposal, or such orders as this Court may issue from time to time; to deposit, in banks in accordance with Section 345 of the Bankruptcy Code the monies so collected, and to make distribution, as necessary, in any or all of the said debtors' cases as may be ordered by the Court; that such disbursements must be made on the account as Standing Trustee, each check signed by Daniel B. O'Brien as Standing Trustee; and to keep approved and prescribed records of all collections and disbursements in each Debtor's case.

IT IS FURTHER ORDERED by the Court that Daniel B. O'Brien shall make suitable monthly financial statements showing all receipts and disbursements and that he make such other reports pertaining to the pending cases as may be required by the Court or the rules and regulations of the Court.

IT IS FURTHER ORDERED by the Court that each debtor filing his petition under Chapter 13 of the Bankruptcy Code and making a proposal of extension which has been confirmed by order of this court, will pay to Daniel B. O'Brien, as Standing Trustee, up to the sum of ten (10%) per cent of all amounts paid under terms of the extension proposal, which said sum shall be deducted from the payments so made and shall constitute a fund from which shall be paid all expenses incurred by the Standing Trustee and allowed or approved by this Court. From this fund shall be paid a salary to the Standing Trustee, Daniel B. O'Brien, said salary to be fixed in the sum of \$130,000 per annum. A benefit allowance of \$29,900 is also authorized, The total of salary and benefits equal to \$159,900 shall begin effective January 1, 2015 and shall be paid in 24 bi-monthly installments from the funds established for the payment of all expenses incurred by the Standing

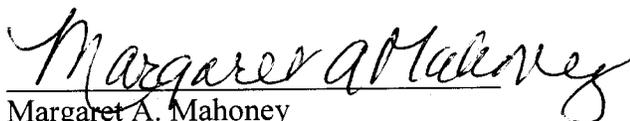
Trustee and allows by the Court and which is derived from the amount to be paid to the Court by each debtor under the terms of his extension proposal and petitions filed under Chapter 13. The balance of said payments under the extension proposal so confirmed, after payment of costs and administrative expenses, shall be distributed to the creditors whose claims have been filed and allowed as provided in said Order of Confirmation in each such proceeding for an extension.

The said Daniel B. O'Brien, Standing Trustee, is authorized to incur such expenses as shall be necessary in the performance of his duties when the same have been approved by William S. Shulman and Margaret A. Mahoney, United States Bankruptcy Judges.

DONE at Mobile, Alabama, this the 18th day of December, 2014.



William S. Shulman
Chief U. S. Bankruptcy Judge



Margaret A. Mahoney
U. S. Bankruptcy Judge