



Entered on Docket
July 25, 2011

Hon. Linda B. Riegle
United States Bankruptcy Judge

GORDON SILVER
GERALD M. GORDON, ESQ.
Nevada Bar No. 229
E-mail: ggordon@gordonsilver.com
THOMAS H. FELL, ESQ.
Nevada Bar No. 3717
E-mail: tfell@gordonsilver.com
CANDACE C. CLARK, ESQ.
Nevada Bar No. 11539
E-mail: cclark@gordonsilver.com
3960 Howard Hughes Pkwy., 9th Floor
Las Vegas, Nevada 89169
Telephone (702) 796-5555
Facsimile (702) 369-2666

HELLER, DRAPER, HAYDEN,
PATRICK & HORN, L.L.C.
DOUGLAS S. DRAPER, ESQ. (Admitted *Pro Hac Vice*)
Louisiana Bar No. 5073
E-mail: ddraper@hellerdraper.com
WILLIAM H. PATRICK, III, ESQ. (Admitted *Pro Hac Vice*)
E-mail: wpatrick@hellerdraper.com
Louisiana Bar No. 10359
LESLIE A. COLLINS, ESQ. (Admitted *Pro Hac Vice*)
E-mail: lcollins@hellerdraper.com
Louisiana Bar No. 14891
650 Poydras St., Suite 2500
New Orleans, LA 70130
Telephone (504) 581-9595
Facsimile (504) 299-3300
Proposed Attorneys for Desert Capital REIT, Inc.

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEVADA**

In re:
DESERT CAPITAL REIT, INC.

Debtor.

Case No.: 11-16624-LBR
Chapter 11

Date: July 20, 2011
Time: 2:00 p.m.

**ORDER GRANTING APPLICATION BY DEBTOR FOR ENTRY OF AN ORDER
AUTHORIZING THE EMPLOYMENT AND RETENTION OF DOUGLAS S. DRAPER
AND THE LAW FIRM OF HELLER, DRAPER, HAYDEN, PATRICK & HORN, LLC
AS COUNSEL FOR DEBTOR, NUNC PRO TUNC AS OF APRIL 29, 2011 PURSUANT
TO SECTION 327(a) OF THE BANKRUPTCY CODE**

1 Desert Capital REIT, Inc.’s (the “Debtor”) filed its Application by Debtor for Entry of an
2 Order Authorizing the Employment and Retention of Douglas S. Draper and the Law Firm of
3 Heller, Draper, Hayden, Patrick & Horn, LLC as Counsel for Debtor, Nunc Pro Tunc as of April
4 29, 2011 Pursuant to Section 327(a) of The Bankruptcy Code (the “Application”)¹ [ECF No. 50],
5 which came on for hearing before the above-captioned Court on July 20, 2011, at 2:00 p.m. All
6 appearances were duly noted on the record at the hearing on the Application.

7 The Court having reviewed the Application and all matters submitted therewith; no
8 oppositions having been filed; notice of the Application having been proper; the Court having
9 stated its findings of fact and conclusions of law on the record at the hearing, which are
10 incorporated herein by reference in accordance with Rule 52 of the Federal Rules of Civil
11 Procedure, made applicable pursuant to Rule 9014 of the Federal Rules of Bankruptcy
12 Procedure; and good cause appearing therefore, **IT IS HEREBY ORDERED** that:

- 13 1. The Application is GRANTED.
- 14 2. Debtor is hereby authorized to retain Heller, Draper, Hayden, Patrick & Horn,
15 LLC pursuant to Section 327, and subject to the terms of the Engagement Letter, as its
16 bankruptcy counsel to perform the services set forth in the Application, which is hereby
17 approved *nunc pro tunc* to April 29, 2011.

18 ///
19 ///
20 ///
21 ///
22 ///
23 ///
24 ///
25 ///
26 ///
27 ///

28

¹ All undefined, capitalized terms shall have the meaning ascribed to them in the Application.

1 3. Heller, Draper, Hayden, Patrick & Horn, LLC shall be compensated for the
2 services described in the Application in accordance with the procedures set forth in Sections 330
3 and 331, and any other applicable procedures and orders of the Court.

4 **IT IS SO ORDERED.**

5 PREPARED AND SUBMITTED:

6 GORDON SILVER

7
8 By: 

9 GERALD M. GORDON, ESQ.
10 THOMAS H. FELL, ESQ.
11 CANDACE C. CLARK, ESQ.
12 3960 Howard Hughes Parkway, 9th Floor
13 Las Vegas, Nevada 89169

14 and

15 HELLER, DRAPER, HAYDEN,
16 PATRICK & HORN, L.L.C.

17 DOUGLAS S. DRAPER, ESQ. (Admitted *Pro Hac Vice*)
18 WILLIAM H. PATRICK, III, ESQ. (Admitted *Pro Hac Vice*)
19 LESLIE A. COLLINS, ESQ. (Admitted *Pro Hac Vice*)
20 650 Poydras St., Suite 2500
21 New Orleans, Louisiana 70130
22 *Attorneys for Desert Capital REIT, Inc.*

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

LR 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court’s ruling and that (check one):

- The court waived the requirement of approval under LR 9021(b)(1).
- No party appeared at the hearing or filed an objection to the motion.
- I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:
- I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objection to the form or content of the order.

###