

ORIGINAL

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION
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IN RE:

EPICUS COMMUNICATIONS
GROUP, INC., and EPICUS, INC.,

CASE NO. 04-34915-BKC-PC
CHAPTER 11
Jointly Administered

Debtor.

APPLICATION TO EMPLOY SPECIAL COUNSEL TO DEBTOR-IN-POSSESSION
(Law Firm of Brooks, Pierce, McLendon, Humphrey & Leonard, LLP)

The Debtors-in-Possession, EPICUS COMMUNICATIONS GROUP, INC. and EPICUS, INC. ("Debtors"), by and through undersigned counsel, hereby move this Court for an Order approving special counsel to the Debtor to assist the Debtors in the transfer of their North Carolina telecommunications licenses in furtherance of the pending plan of reorganization and would state as follows:

1. On October 25, 2004, the Debtors filed voluntary petitions under Chapter 11 of the United States Bankruptcy Code.
2. It is necessary that the Debtors employ special counsel to assist the Debtors in the transfer

CMP _____ of their North Carolina telecommunications licenses in furtherance of the pending plan of
COM _____
CTR _____ reorganization.

ECR _____ 4. Debtors wish to employ MARCUS W. TRATHEN and the law firm of BROOKS,
GCL _____
OPC _____ PIERCE, McLENDON, HUMPHREY & LEONARD, LLP, whose address is Suite 1600, Wachovia
RCA _____ Capitol Center, 150 Fayetteville Street Mall, Raleigh, NC 27601. MARCUS W. TRATHEN has
SCR _____ considerable experience in rendering legal services in matters of this kind and is well qualified to
SGA _____

SEC 1
OTH Grant

perform the services required by the Debtors.

5. That to the best of your Applicants' knowledge and belief, the said MARCUS W. TRATHEN and the law firm of BROOKS, PIERCE, McLENDON, HUMPHREY & LEONARD, LLP are disinterested persons within the meaning of 11 U.S.C. §327(a), and represent no interest adverse to this estate. An Affidavit of Special Counsel is attached hereto as required under Bankruptcy Rule 2014.

6. MARCUS W. TRATHEN and the law firm of BROOKS, PIERCE, McLENDON, HUMPHREY & LEONARD, LLP have considerable experience in rendering legal services in the matters in which they are to be employed and are well qualified to perform the services required by the Debtors.

7. Said MARCUS W. TRATHEN and the law firm of BROOKS, PIERCE, McLENDON, HUMPHREY & LEONARD, LLP have agreed to be compensated in accordance with 11 U.S.C. §330.

8. MARCUS W. TRATHEN shall charge \$330.00 per hour for representation in connection with these matters, plus reimbursement of actual and necessary costs.

WHEREFORE, the Debtor moves that this Court consider the Application and enter an Order authorizing the employment of MARCUS W. TRATHEN and the law firm of BROOKS, PIERCE, McLENDON, HUMPHREY & LEONARD, LLP as special counsel to assist the Debtors in the transfer of their North Carolina telecommunications licenses in furtherance of the pending plan of reorganization on a general retainer basis at the hourly rate of \$330.00 per hour plus reimbursement for actual and necessary costs, after proper application and hearing.


I HEREBY CERTIFY that a true and correct copy of the foregoing was sent via U.S. Mail

this 6th day of September, 2005, to all parties listed on the attached matrix.

I HEREBY CERTIFY that I am admitted to the Bar of the United States District Court for the Southern District of Florida and I am in compliance with the additional qualifications to practice in this Court set forth in Local Rule 2090-1(A).

FURR AND COHEN, P.A.
Attorney for Debtor
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By


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IN RE:

EPICUS COMMUNICATIONS
GROUP, INC., and EPICUS, INC.,

CASE NO. 04-34915-BKC-PGH
CHAPTER 11
Jointly Administered

Debtor.

AFFIDAVIT OF SPECIAL COUNSEL
(MARCUS W. TRATHEN)

STATE OF NORTH CAROLINA

COUNTY OF WAKE

MARCUS W. TRATHEN, being duly sworn, upon his oath deposes and says:

1. Affiant is a member of the North Carolina Bar, is a member of the law firm of BROOKS, PIERCE, McLENDON, HUMPHREY & LEONARD, LLP, Suite 1600, Wachovia Capitol Center, 150 Fayetteville Street Mall, Raleigh, NC 27601, and is authorized to make and execute this Affidavit on behalf of BROOKS, PIERCE, McLENDON, HUMPHREY & LEONARD, LLP.

2. Affiant makes this Affidavit in support of the Application by the Debtor-In-Possession to employ special local counsel to assist the Debtors in the transfer of their North Carolina telecommunications licenses in furtherance of the pending plan of reorganization.

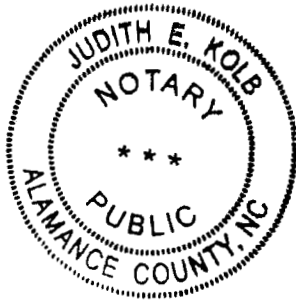
3. Neither MARCUS W. TRATHEN nor the law firm of BROOKS, PIERCE, McLENDON, HUMPHREY & LEONARD, LLP, nor any partner or associate thereof, has any connection with the Debtor or any other party in interest and their respective attorneys and accountants and represents no interest adverse to the Debtor.

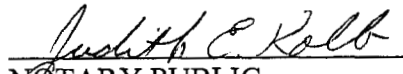
AFFIANT FURTHER SAYETH NAUGHT.



MARCUS W. TRATHEN
BROOKS, PIERCE, McLENDON,
HUMPHREY & LEONARD, LLP
Suite 1600, Wachovia Capital Center
150 Fayette Street Mall
Raleigh, NC 27601
Telephone: (919) 839-0300
Facsimile: (919) 839-0304

The foregoing instrument was acknowledged before me this 2nd day of September, 2005,
by Marcus W. Trathen, who is personally known to me or who has produced N/A
as identification and who did/did not take an oath.




NOTARY PUBLIC
My Commission Expires: 5-25-2010