

**IN THE CIRCUIT COURT OF THE FOURTEENTH JUDICIAL CIRCUIT
IN AND FOR BAY COUNTY, FLORIDA**

In re:

BOOKIT OPERATING, L.L.C.,

Assignor,

to

Case No.: 2022 CA 000130

MARK C. HEALY,

Assignee.

**ASSIGNEE'S MOTION TO (I) EMPLOY ATTORNEY JODI DANIEL DUBOSE, ESQ.
AND THE LAW FIRM OF STICHTER, RIEDEL, BLAIN & POSTLER, P.A., AND
(II) DETERMINE RATE OF COMPENSATION OF ASSIGNEE**

Assignee Mark C. Healy ("Assignee"), by and through his undersigned attorneys, moves for the entry of an order authorizing the Assignee to employ Jodi Daniel Dubose, Esq., and the law firm of Stichter Riedel Blain & Postler, P.A., and to determine the rate of compensation of the Assignee, and as grounds therefore states:

1. On February 7, 2022, Assignee filed a petition initiating this Assignment for the Benefit of Creditors (the "Assignment Case") pursuant to Fla.Stat.727.104 (2) (b).
2. Assignee seeks authority to employ Jodi Daniel Dubose, Esq., and the law firm of Stichter Riedel Blain & Postler, P.A. ("SRBP"), whose attorneys are duly admitted to practice before this Court. Ms. Dubose and SRBP will represent Assignee in all aspects of the Assignment Case.
3. Assignee selected Ms. Dubose and SRBP as his counsel because the firm has had considerable experience in matters of this nature. The Assignee believes that Ms. Dubose and SRBP are well qualified to represent him as Assignee in these proceedings.

4. The professional services that Ms. Dubose and SRBP are to render are as follows:

- a. To give legal advice with respect to his duties and powers as Assignee;
- b. To prepare and file on behalf of the Assignee the necessary motions, notices, pleadings, petitions, answers, orders, and other legal papers; and
- c. To perform all other legal services for Assignee which may be deemed necessary and proper in this case.

5. Ms. Dubose's standard hourly rate is \$350.00. The standard hourly rates of the other attorneys of SRBP is between \$300.00-\$495.00. The Assignee believes such rates are customary and reasonable in matters of this nature.

6. Ms. Dubose and SRBP represent no interest adverse to the Assignee or to the estate in the matters upon which it is to be engaged by the Assignee. Further, their employment would be in the best interest of the Assignment Case.

7. The Assignee requests that the Court enter an order authorizing the employment and appointments of Ms. Dubose and SRBP to represent Assignee in this proceeding under 727.108(7).

8. The Assignee asserts that the usual and customary rate of compensation for an Assignee in an assignment of benefit of creditors case is 10% of total receipts during the case. Florida Statue §727.109(10) provides that the Court has the authority "to approve reasonable fees and the reimbursement of expenses for the assignee and all professional persons retained by the assignee, upon objection of a party in interest or upon the court's own motion." The statute does not otherwise provide a formula for determining the rate of compensation.

9. The Assignee requests the Court approve the rate compensation of the Assignee at 10% of receipts collected by Assignee.

9. All interim or final requests for compensation by the Assignee or his professionals

will be requested by separate motion with notice to creditors. The Assignee is seeking herein only approval of the rate of his compensation and permission to employ Ms. Dubose and SRBP.

WHEREFORE, the Assignee seeks authority to retain the services of Ms. Dubose and SRBP upon the terms and conditions as set forth herein and to establish the rate of compensation of the Assignee, with interim and/or final approval of any actual compensation to be paid by the estate to be determined after fee applications are filed and notice is given to creditors and interested parties, and any further relief that the Court deems just and proper.

/s/ Jodi D. Dubose

Jodi D. Dubose (FBN 52651)
Stichter, Riedel, Blain & Postler, P.A.
41 N. Jefferson Street - Suite 111
Pensacola, Florida 32502
Telephone: (850) 637-1836
Email: jdubose@srbp.com
Attorneys for Assignee Mark C. Healy