

Leo Fox, Esq.
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(212) 867-9595
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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE:

Case No.:
Chapter 11

HELLO LIVING DEVELOPER NOSTRAND LLC

Debtor.
-----X

APPLICATION TO RETAIN LEO FOX AS COUNSEL TO THE DEBTOR

The Application of the above Debtor (the “Applicant”) respectfully sets forth and alleges:

1. A petition under Chapter 11 of the Bankruptcy Code was filed by the above Debtor on December 21, 2021 (the “Petition Date”).
2. Applicant desires to employ Leo Fox, Esq. and his firm, located at 630 Third Avenue, New York, New York 10017, to represent it in these bankruptcy proceedings.
3. Applicant has selected such attorney for the reason that he has had considerable experience in matters of this character, and Applicant believes that said attorney is well qualified to represent the Debtor in this proceeding.
4. That the professional services that said attorney is to render are as follows:
 - (a) To give advice to Applicant with respect to the powers and duties as Debtor-in-Possession;
 - (b) To prepare, on behalf of Applicant, necessary applications, answers, orders, and other legal papers;
 - (c) To appear before the Bankruptcy Judge and to protect the interests of the

Debtor before the Bankruptcy Judge and to represent the Debtor in all matters pending before the Bankruptcy Judge;

(d) To meet with and negotiate with creditors, the Creditors Committee, if one is appointed and/or other parties for a plan of reorganization, preparing the Plan and Disclosure Statement and attendant documents; and

(e) To perform all other legal services for the Debtor which may be necessary herein, or are required by the Bankruptcy Code.

5. That it is necessary for Applicant to employ attorneys for such professional services.

6. To the best of Applicant's knowledge, said attorney has no connection with creditors or any other party in interest or their respective attorneys except as identified in the attorney's affidavit annexed hereto.

7. That Applicant desires to employ such attorney under a retainer described below and believes such employment is in the best interests of the estate.

8. That Leo Fox neither represents nor holds any interest adverse to the Applicant, the Debtor's Estate and has no connection to any creditor or other party in interest except as to those connections set forth in the Affidavit of Leo Fox, Esq. submitted with the Application herein.

9. The Applicant and such attorney have agreed for such attorney to be paid the sum of \$20,000 and was paid \$20,000 pre-petition, payable \$15,000 paid by Iintoo Nostrand Hello Living LP and \$5,000 paid by Supreme Builders, my company (Lar Dan Affidavits attached hereto), as a retainer to be applied against such attorney's fees based on services (with any

remaining amounts to be applied as a credit to post-petition fees and expenses only after pre-petition fees and expenses are paid pursuant to the Order of the Court awarding fees and expenses), based upon a present hourly rate of \$450.00 per hour for partner, \$275.00 for Susan Adler, Esq. (associate), and \$75.00 per hour for Carol Brennan (paralegal), inclusive of the filing fee (any increase in fees shall only become effective after a Supplemental Affidavit given on ten (10) days' notice to creditors and the United States Trustee having given and shall disclose whether the Debtor consents to such increase, subject in all respects to the Court's authority to review any rate increase). All fees are subject to an Interim or Final Fee Application to be filed by the attorney, on notice, to creditors including the United States Trustee's Office and subject to a Court Order allowing such fees.

10. Applicant respectfully requests authorization to retain Leo Fox as its attorney.

WHEREFORE, Applicant prays that it be authorized to employ Leo Fox and his firm to represent it as Debtor in this proceeding under Chapter 11 of the Bankruptcy Code and that it have such other and further relief as is just.

Dated: New York, New York
January 25, 2022

Respectfully submitted,

HELLO LIVING DEVELOPER NOSTRAND LLC

Debtor-in-Possession

By: /s/ Eli Karp
Eli Karp

Leo Fox, Esq.
630 Third Avenue – 18th Floor
New York, New York 10017
(212) 867-9595
leo@leofoxlaw.com

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AFFIRMATION OF LEO FOX, ESQ.

LEO FOX, being duly sworn, deposes and says:

1. I am an attorney who practices law on my own and not in a corporate capacity located at 630 Third Avenue, New York, New York 10017, and have been duly admitted to practice in this Court. My employees consist of Susan Adler, a per diem attorney, and Carol Brennan, a Paralegal, (together with myself, the “Firm”).

2. To the best of my knowledge, the Firm does not have any adverse interest to the above-named Debtor (the “Debtor”), or connections to its creditors or any other party in interest herein, or their respective attorneys. I have inquired as to the identity of the Debtor’s creditors and of any other parties in this case. I reviewed these names and was satisfied that there did not exist any conflict or connection between the Firm and such person. I do not believe that there is any conflict related to the filing of this case.

3. I have extensive experience and I believe I am qualified to represent the Debtor in connection with this case. I have practiced bankruptcy and insolvency law since 1976 in private

practice as well as being the first full-time law clerk for the Honorable John J. Galgay, a former Bankruptcy Judge, in the United States Bankruptcy Court. I have had experience in commencing and defending litigation in the Bankruptcy Court.

4. I will be the attorney who will bear primary responsibility for the representation of the Debtor-in-Possession herein.

5. I have read and am generally familiar with the Bankruptcy Code together with current amendments, the Bankruptcy Rules, and the local rules of this Court.

6. The Firm has agreed to be retained under a retainer based on my normal hourly rates of \$450 per hour for myself, \$275 for Susan Adler, Esq., and \$75.00 per hour for Carol Brennan, subject to an award of this Court based on a Fee Application on notice to the creditors, the parties, and the United States Trustee. The Firm may file Interim Fee Applications seeking an award on an interim basis on notice to creditors and the United States Trustee.

7. I have received a total of \$20,000 as a retainer, \$15,000 which payment was paid by Iintoo Nostrand Hello Living LP., an equity holder of Hello Nostrand Investors LLC which is an equity holder of Hello Nostrand LLC, the subsidiary of the Debtor and the owner of the real property which is involved in the bankruptcy and \$5,000 which was paid by Eli Karp of Supreme Builders and Managing Member of the Debtor and equity holder of Hello Nostrand Investors, LLC, the parent company of the Debtor, both of whom are equity holders of the Debtor.

8. Pursuant to the Application for Retention and Proposed Order filed herewith, I am requesting authority for my retention.

/s/ Leo Fox _____
Leo Fox

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
IN RE:

Case No.: 21-22696 (SHL)
Chapter 11

HELLO LIVING DEVELOPER NOSTRAND LLC,

Debtor.

-----X

AFFIRMATION OF ELI KARP

ELI KARP, duly affirms under penalty of perjury.

1. I am a principal of Supreme Builders (“Supreme”). I am the Managing Member Hello Living Developer Nostrand LLC the above-captioned Debtor and Managing Member and equity holder of Hello Nostrand Investors LLC, the parent company of the Debtor. I and Supreme provided for a retainer in the amount of \$5,000 for the attorney’s fees of Leo Fox, Esq., the prospective attorney for the Debtor-in-Possession prior to the filing of the Chapter 11 case. Supreme paid this retainer in its separate and individual capacity. The Debtor, I and Supreme consent to this arrangement, and all factors regarding the nature of the representation have been fully disclosed to the Debtor, I and Supreme and Supreme understands Mr. Fox and his firm will act solely on behalf of the Debtor-in-Possession and owes no duty or obligation to Supreme or me.

2. Supreme has no pre-existing claims against the Debtor and Supreme will not assert any claim against the Debtor’s estate in connection with the above referenced retainer payment but considers this to be a capital call on Hello Nostrand Investors LLC, the parent of Hello Living Developer Nostrand LLC.

3. All services will be rendered for and on behalf of the Debtor-in-Possession and the Debtor, and not for Supreme.

Dated: January 24, 2022

SUPREME BUILDERS

By:

Eli Karp

A handwritten signature in cursive script, appearing to read "Eli Karp", is written over a horizontal line. The signature is positioned to the right of the printed name "Eli Karp".

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AFFIRMATION OF ERAN ROTH

ERAN ROTH, duly affirms under penalty of perjury.

1. I am an authorized signatory of Iintoo Nostrand Hello Living LP (“INHL”) an equity holder of Hello Nostrand Investors LLC which is an indirect equity holder of a subsidiary of the Debtor, which is the owner of the real property which is involved in the bankruptcy. INHL holds only a passive investment interest of approximately 16.9% in Hello Nostrand Investors LLC and has no management control or equity control over the decision to file the Chapter 11 case. INHL provided for a retainer in the amount of \$15,000 for the attorney’s fees of Leo Fox, Esq., the prospective attorney for the Debtor-in-Possession prior to the filing of the Chapter 11 case. INHL paid this retainer in its separate and individual capacity. The Debtor, INHL and the Hello Nostrand Investors LLC expressly consent to this fee arrangement, and all factors regarding the nature of the representation have been fully disclosed to the Debtor, INHL and Hello Nostrand Investors LLC and these entities understand Mr. Fox and his firm will act solely on behalf of the Debtor-in-Possession and owes no duty or obligation to such entities.

2. INHL and Hello Nostrand Investors LLC will not assert any claim against the Debtor’s estate in connection with the above referenced retainer payment but considers this to be a

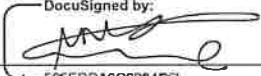
capital call on behalf of Hello Nostrand Investors LLC, the parent of the Debtor Hello Living Developer Nostrand LLC.

3. INHL understands that all services will be rendered for and on behalf of the Debtor-in-Possession and the Debtor and no other party.

Duly affirmed under penalty of perjury

Dated: January 25, 2022

IINTOO NOSTRAND HELLO LIVING LP

By: 
 Eran Roth, as Authorized Signatory

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SOUTHERN DISTRICT OF NEW YORK

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IN RE:

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Debtor.

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**ORDER FOR THE RETENTION OF LEO FOX AS
ATTORNEY FOR CHAPTER 11 DEBTOR**

Upon the Application of the above Debtor praying for authority to employ and appoint Leo Fox, Esq., located at 630 Third Avenue, New York, New York (the "Applicant"), to represent the Debtor herein, and upon the affidavit of the Applicant, duly sworn to, and it appearing that Leo Fox neither represents nor holds any interest adverse to the Debtor or to the Debtor's estate, and the employment is necessary and in the best interests of the estate of Hello Living Developer Nostrand LLC and upon the Lar Dan Affidavits of Leo Fox, Esq, Eli Karp . and Iintoo Nostrand Hello Living LP and after due deliberation it is hereby:

ORDERED that the Application is granted; and it is further

ORDERED that the Debtor is hereby authorized to employ the Applicant, located at 630 Third Avenue, 18th Floor, New York, New York 10017 as its attorney to represent it in the within proceeding pursuant to §§ 327 and 330 of Chapter 11, Title 11 of the United States Code (the "Bankruptcy Code").

ORDERED that Applicant will file Interim and/or Final fee applications for allowance of its compensation and expenses, and shall be subject to and compensated in accordance with §§ 330 and 331 of the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, the Local Rules of the United States Bankruptcy Court for the Southern District of New York (the "Court"), the

NO OBJECTION

UNITED STATES TRUSTEE

By: _____
Trial Attorney