

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION
www.flsb.uscourts.gov

In re:

Case No. 22-15714-PDR

POMPANO SENIOR SQUADRON
FLYING CLUB, INC.,

Chapter 11
(Subchapter V)

Debtor.

**DEBTOR'S MOTION TO DEPOSIT POST PETITION PROFESSIONAL FEE
RESERVE AND RETAINER FUNDS**

Debtor-in-Possession, Pompano Senior Squadron Flying Club, Inc. ("Debtor" or "PBFC"), by and through its undersigned counsel, moves this Court to enter an Order permitting the Debtor to deposit funds in trust as a reserve and retainer against post-petition professional fees and costs and states:

1. On July 15, 2022, prior to the petition judgment creditor Sunwood, Inc. served a writ of garnishment upon Chase Bank. At the time of the writ, the Debtor maintained funds at Chase Bank in the approximate amounts of \$20,020.37 in a savings account and \$40,494.56 in a checking account. These funds were frozen by the bank after being served with the writ of garnishment.

2. Accordingly, the Debtor was unable to post a customary and reasonable retainer for services of counsel.

3. Notwithstanding, Lorium Law agreed to represent the Debtor upon receipt of \$5,000 of non-debtor funds with the agreement that the Debtor would seek authority to repay such funds to the non-debtor and to deposit funds into Lorium's trust account post-petition to serve as a retainer.

4. In addition, the Debtor in Possession seeks to post funds in trust as a reserve and retainer for other professional fees in the case, including the fees of the Sub Chapter V Trustee.

5. The funds that were on deposit at Chase Bank and subject to the writ have since been released from the writ and turned over to the estate pursuant to this Court's order, and are not subject to post-petition liens or a cash collateral order.

6. The Debtor seeks authority to pay \$7,500 in retainer funds for the fees of Lorium Law.

7. In addition, the Debtor seeks authority to pay an additional \$7,500 in funds to the Lorium Law trust account as a reserve for all professional fees which may be approved by the Court.

8. As a condition of its representation, Lorium Law received \$5,000 of individual non-debtor funds from the Debtor's president. Lorium agreed to return such funds upon the Court's approval of procedures for the Debtor to replace the deposit and pay a post-petition fee reserve and retainer. Accordingly, the Debtor and Lorium Law seek authority to return such funds upon the entry of an order approving a post-petition retainer to Lorium Law.

WHEREFORE, the Debtor in Possession respectfully requests that this Court enter an Order permitting payment of post-petition retainer and fee reserve as set forth in this motion, and authorizing the return of the non-debtor funds held by counsel to the Debtor in Possession, and grant such further relief as this Court may deem just and proper.

LORIUM LAW

Attorneys for Debtor in Possession, Pompano Senior Squadron Flying Club, Inc.

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By: /s/ Craig A. Pugatch

CRAIG A. PUGATCH

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via the Court's CM/ECF system and via U.S. Mail to all parties listed on the attached Service List on this 15th day of September, 2022.

/s/ Craig A. Pugatch

Craig A. Pugatch

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See attached Mailing Matrix

Label Matrix for local noticing
113C-0
Case 22-15714-PDR
Southern District of Florida
Fort Lauderdale
Thu Sep 15 16:35:53 EDT 2022

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The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Internal Revenue Service
Compliance Services Insolvency
STOP 5730
7850 Southwest 6th Court
Plantation, FL 33324

Craig A. Pugatch Esq
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Addresses marked (c) above for the following entity/entities were corrected
as required by the USPS Locatable Address Conversion System (LACS).

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The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Sunwood, Inc.

(u)Airworthy Services, LLC

(u)Paul K. Sanchez

(u)Bruce Ayala
Aviation Legal Counsel
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End of Label Matrix	
Mailable recipients	112
Bypassed recipients	4
Total	116