

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA

IN THE MATTER OF: )  
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 )  
 LOCAL RULES OF PRACTICE )  
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**ORDER AMENDING LOCAL BANKRUPTCY RULES**

The court finds that notice of proposed amendments to the local rules of this court was given to the bar and public on June 20, 2014. This notice set July 21, 2014, as the last date for submitting comments concerning the proposed amendments. The court, having considered all comments received, ORDERS that, effective immediately, Local Bankruptcy Rule B-2002-2, Notice of Opportunity to Object to Motions, is amended as follows.

1. Paragraph (a)(24) is amended to read:

(a) Applications to employ professionals retroactively.

2. A revised Commentary is added to this rule, adding a new second paragraph reading:

\* \* \* \* \*

Paragraph (a)(24) has been amended to clarify its scope, by changing the phrase "nunc pro tunc" to the word "retroactively." The term "nunc pro tunc" has a precise meaning (See *In re IFC Credit Corporation*, 663 F.3d 315, 317-18 (7th Cir. 2011)), which relates to correcting a record to properly document an actual previous event, rather than to relate something back when the event did not previously occur. The notice requirement refers to a circumstance in which a professional has in fact rendered services or established a professional

relationship prior to being approved as a professional by the court - the professional now seeks to authorize employment retroactively to the date upon which services were first performed or the professional relationship arose.

\* \* \* \* \*

SO ORDERED.

Dated: October 7, 2014

/s/ Robert E. Grant

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Robert E. Grant, Chief Judge  
United States Bankruptcy Court

/s/ Harry C. Dees, Jr.

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Harry C. Dees, Jr., Judge  
United States Bankruptcy Court

/s/ J. Philip Klingeberger

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J. Philip Klingeberger, Judge  
United States Bankruptcy Court

/s/ Kent Lindquist

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Kent Lindquist, Judge  
United States Bankruptcy Court