

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION  
[www.flmb.uscourts.gov](http://www.flmb.uscourts.gov)

In re:

Chapter 7

PROCOM AMERICA, LLC,

Case No. 8:20-bk-3522-MGW

Debtor.

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**CHAPTER 7 TRUSTEE'S APPLICATION TO EMPLOY  
WALTERS LEVINE LOZANO DeGRAVE AS SPECIAL COUNSEL**

COMES NOW, the Chapter 7 Trustee, Douglas N. Menchise (the "**Trustee**"), by and through his undersigned attorney, and files this Application to Employ Walters Levine Lozano DeGrave as Special Counsel (the "**Application**"), and requests that this Court authorize the employment of Walters Levine Lozano DeGrave ("**Walters Levine**") as special counsel in the above-captioned case. In support of this Application, the Trustee respectfully represents as follows:

1. On May 1, 2020 a voluntary petition was filed against the Debtor. The Debtor filed a consent and an order for relief was entered on May 8, 2020 (Doc. No. 8).
2. The Debtor previously operated a travel company that sold World War II tours. On the date the order for relief was entered, a substantial number of individuals had placed deposits with the Debtor for trips that were scheduled to take place in late 2020 or 2021.
3. There appears to be interest from parties in purchasing the business or parts of the business. In order to understand the viability of any transaction, the Trustee needs additional information in the possession of the Debtor or entities related to the Debtor, including the packages booked by customers, the amounts deposited by each customer, and the amounts paid by the Debtor or related companies in connection with each tour package (collectively, the

**“Customer Information”**). A significant amount of Customer Information can be reviewed by the Trustee and his professionals if the Trustee and his professionals had access to the Debtor’s computer system. Other Customer Information will need to be provided by the related companies.

4. The Trustee seeks to employ Walters Levine as special counsel for a limited purpose of obtaining the Customer information.

5. Walters Levine represents two creditors, the company which processed credit card payments for the Debtor and a former employee of the Debtor.

6. As set forth in the attached affidavit, no attorney employed by Walters Levine has any other connection with the Debtor, its creditors, the United States Trustee, or any other party.

7. Walters Levine has indicated a willingness to act on the Trustee’s behalf to obtain information. The Trustee has agreed to compensation at the attorneys and paraprofessionals’ standard hourly rates of \$400 for partners, \$300 for associates, and \$145 for paraprofessionals pursuant to the provisions of § 330 of the Bankruptcy Code. The Trustee requests authority to pay Walters Levine reasonable fees at such time and upon such circumstances that are deemed necessary and pursuant to an order of this Court.

8. To the best of the Trustee’s knowledge, Walters Levine does not represent an interest materially adverse to the Trustee or the estate with respect to obtaining the Customer Information, and Walters Levine’s employment as special counsel pursuant to § 327(e) of the Bankruptcy Code would be in the best interest of this estate.

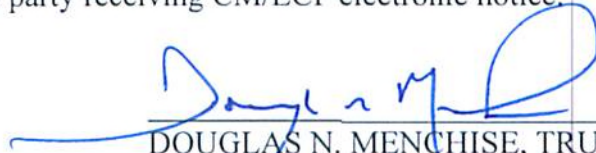
WHEREFORE, the Trustee prays that he be authorized to employ and appoint Walters Levine as special counsel to assist the Trustee in obtaining the Customer Information and to pay

Walters Levine reasonable fees, and that the Court grant any further and necessary relief as is just.

  
DOUGLAS N. MENCHISE, TRUSTEE  
2963 Gulf to Bay Boulevard, Suite 300  
Clearwater, FL 33759  
(727) 797-8384  
Florida Bar No. 214965

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing *Chapter 7 Trustee's Application to Employ Walters Levine Lozano DeGrave as Special Counsel* has been furnished on this \_\_\_\_ day of May, 2020, by the Court's CM/ECF electronic mail system to the Office of the United States Trustee and any party receiving CM/ECF electronic notice.

  
DOUGLAS N. MENCHISE, TRUSTEE  
2963 Gulf to Bay Boulevard, Suite 300  
Clearwater, FL 33759  
(727) 797-8384  
Florida Bar No. 214965

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**AFFIDAVIT IN SUPPORT OF CHAPTER 7 TRUSTEE'S APPLICATION TO  
EMPLOY WALTERS LEVINE LOZANO DeGRAVE AS SPECIAL COUNSEL**

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

BEFORE ME, the undersigned authority, personally appeared Stuart Levine of the law firm of Walters Levine Lozano DeGrave, who, being duly sworn, deposes and states:

1. I am an attorney employed by the law firm of Walters Levine Lozano DeGrave ("Walters Levine"), which is located at 601 Bayshore Boulevard, Suite 720, Tampa, Florida 33606.
2. I am duly authorized to practice law in the State of Florida and am admitted to the bar of the United States District Court for the Middle District of Florida, as are other attorneys employed by Walters Levine.
3. This Affidavit is submitted in support of the Chapter 7 Trustee's Application to Employ Walters Levine Lozano DeGrave as Special Counsel (the "Application").
4. Unless otherwise stated, this Affidavit is based upon facts of which I have personal knowledge.

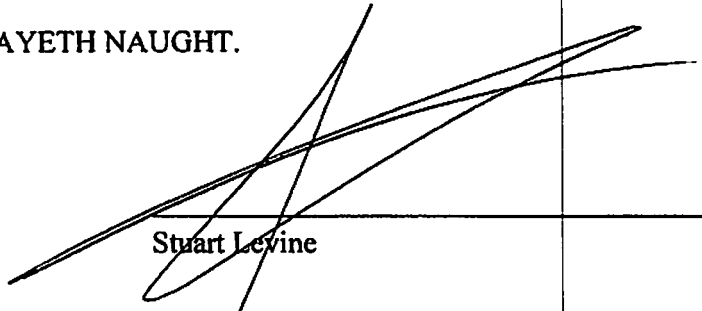
5. The Trustee seeks to employ Walters Levine as special counsel to obtain Customer Information (as defined in the Application).

6. Walters Levine represents two creditors, the company that processed the Debtor's credit card transactions and a former employee of the Debtor. Other than the representation of those two creditors, Walters Levine does not represent any other creditors or shareholders of the Debtor, any other parties in interest, or have any connections with the U.S. Trustee's Office.

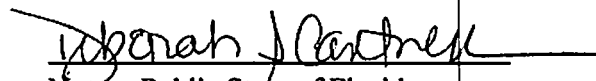
7. To the best of my knowledge, formed after reasonable inquiry, no attorney employed by Walters Levine holds any interest adverse to the above-captioned estate with respect to obtaining the Customer Information.

8. This concludes my Affidavit.

FURTHER AFFIANT SAYETH NAUGHT.

  
Stuart Levine

SWORN TO AND SUBSCRIBED BEFORE ME this 11<sup>th</sup> day of May, 2020, by Stuart Levine, who is personally known to me and who did not take an oath.

  
Notary Public State of Florida  
My Commission Expires:

