

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF ALABAMA, SOUTHERN DIVISION**

In Re:)	Case No: 11-12254-WRS-11
)	
SMALL LOANS, INC., et al.)	Chapter 11
)	
Debtors.)	Jointly Administered

**NOTICE BY CHAPTER 11 TRUSTEE REGARDING RETENTION AND FILING OF
ORDINARY COURSE PROFESSIONAL AFFIDAVIT AND RETENTION
QUESTIONNAIRE OF CARVER, DARDEN, KORETZKY, TESSIER, FINN,
BLOSSMAN & AREAUX, LLC**

S. Gregory Hays, the chapter 11 trustee (the "Trustee") appointed in the above captioned cases, hereby gives notice of the retention of Mr. Robert S. Rushing, and the Carver, Darden, Koretzky, Tessier, Finn, Blossman & Arreaux, LLC law firm (collectively, the "Ordinary Course Professional" or "Carver & Darden") *nunc pro tunc* as of January 1, 2013 as Florida litigation counsel. Specifically, the Trustee has hired Carver & Darden to represent the interest of the Estates with regard to an action brought by Linda Ford against The Money Tree of Florida, Inc. ("Money Tree Florida") in the United States District Court for the Northern District of Florida, Tallahassee Division (Case No. 4:12-cv-573-RS-CAS) alleging certain causes of action against Money Tree Florida pursuant to the Telephone Consumer Protection Act and the Florida Consumer Collection Practices Act based upon alleged collection calls made by Money Tree Florida to Ms. Ford during the months of March, April, and May 2012 (the "Florida Action").

Carver & Darden has agreed to represent the Trustee in the Florida Action in exchange for payment of its fees at the rate of \$225.00 per hour for Mr. Rushing and \$75.00 per hour for paralegal time. The Florida Action is currently stayed based upon a suggestion of bankruptcy filed by Mr. Rushing on behalf of Money Tree Florida and settlement discussions are taking place with the Plaintiff.

Copies of the Ordinary Course Professional Affidavit and Retention Questionnaire completed by Carver & Darden are attached as **Exhibit "A"** and **Exhibit "B."**

Pursuant to the requirements set out in Paragraph 11 of the Trustee's Motion Pursuant to Sections 105(a), 327, 328 and 330 of the Bankruptcy Code for Authorization to Employ Professionals in the Ordinary Course of Business *Nunc Pro Tunc* [ECF Docket No. 359] (the "Motion"), the Trustee may employ Carver & Darden as an additional ordinary course professional in these cases by giving this supplemental notice ("Notice").

Pursuant to the requirements set out in Paragraphs 7 and 8 of the Motion, the Reviewing Parties (as defined in Paragraph 8 of the Motion) have ten (10) days following service of this Notice (the "Objection Deadline") to notify the Trustee, the other Reviewing Parties and the Ordinary Course Professional in writing of any objection to the retention stemming from the contents of the Ordinary Course Professional Affidavit or Retention Questionnaire.

If, after the Objection Deadline, no objection has been filed, the retention, employment, and compensation of the Ordinary Course Professional shall be deemed approved, without further order from the Court. If an objection is filed and such objection cannot be resolved within twenty (20) days, the matter shall be set for a hearing before the Court.

Respectfully submitted,

/s/ Bradley R. Hightower

Daniel D. Sparks

Bradley R. Hightower

Attorneys for S. Gregory Hays, Chapter 11 Trustee

OF COUNSEL:

CHRISTIAN & SMALL LLP
505 North 20th Street, Suite 1800
Birmingham, Alabama 35203
Phone: (205) 795-6588
Fax: (205) 328-7234

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing pleading upon the following via the ECF system or by placing a copy of same in the United States mail, postage prepaid, addressed as follows on this the 28th day of March, 2013:

Teresa R. Jacobs
U.S. Bankruptcy Administrator
Frank M. Johnson, Jr. Federal Building
One Church Street, Suite 103
Montgomery, Alabama 36104

John D. Elrod
R. Kyle Woods
Greenberg Traurig, LLP
The Forum – Suite 400
3290 Northside Parkway, NW
Atlanta, Georgia 30327

Carver, Darden, Koretzky, Tessier, Finn, Blossman & Areaux, LLC
Attn: Robert S. Rushing
801 West Romana Street, Suite A
Pensacola, Florida 32503

Limited Service List

/s/ Bradley R. Hightower
OF COUNSEL

EXHIBIT A

(Ordinary Course Professional Affidavit)

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF ALABAMA, SOUTHERN DIVISION**

In Re:)	Case No: 11-12254-WRS-11
)	
SMALL LOANS, INC., et al.)	Chapter 11
)	
Debtors.)	Jointly Administered

**AFFIDAVIT AND DISCLOSURE STATEMENT OF MR. ROBERT S. RUSHING
ON BEHALF OF CARVER, DARDEN, KORETZKY, TESSIER, FINN, BLOSSMAN &
AREAUX, LLC**

STATE OF FLORIDA)
)
COUNTY OF ESCAMBIA)

Mr. Robert S. Rushing, being duly sworn, upon his oath, deposes and says:

1. I am a Partner of the Carver, Darden, Koretzky, Tessier, Finn, Blossman & Arreaux, LLC law firm located at 1100 Poydras Street, Suite 3100, New Orleans, Louisiana 70163 and 801 West Romana Street, Suite A, Pensacola, Florida 32503 (the "Firm").

2. On December 16, 2011, Small Loans, Inc., The Money Tree, Inc., The Money Tree of Louisiana, Inc., The Money Tree of Florida Inc., and The Money Tree of Georgia Inc. (collectively, the "Debtors") filed voluntary chapter 11 bankruptcy cases in this Court.

3. On April 30, 2012, S. Gregory Hays was appointed as chapter 11 trustee (the "Trustee") in the above-referenced chapter 11 cases and the Trustee has requested that the Firm represent the interest of the Estates *nunc pro tunc* as of January 1, 2013 as Florida litigation counsel with regard to an action brought by Linda Ford against The Money Tree of Florida, Inc. ("Money Tree Florida") in the United States District Court for the Northern District of Florida, Tallahassee Division (Case No. 4:12-cv-573-RS-CAS) alleging certain causes of action against Money Tree Florida pursuant to the Telephone Consumer Protection Act and the Florida Consumer Collection Practices Act based upon alleged collection calls made by Money Tree

Florida to Ms. Ford during the months of March, April, and May 2012 (the "Florida Action").

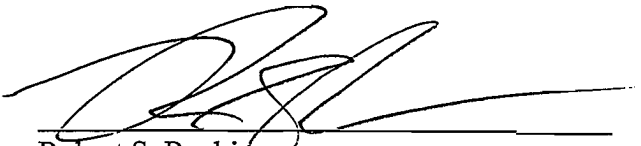
The Firm has consented to provide such services.

4. The Firm may have performed services in the past and may perform services in the future, in matters unrelated to these chapter 11 cases, for persons that are parties in interest in the Debtors' chapter 11 cases. As part of its customary practice, the Firm is retained in cases, proceedings, and transactions involving many different parties, some of whom may represent or be claimants or employees of the Debtors, or other parties in interest in these chapter 11 cases. The Firm does not perform services for any such person in connection with these chapter 11 cases. In addition, the Firm does not have any relationship with any such person, their attorneys, or accountants that would be adverse to the Debtors or their estates.

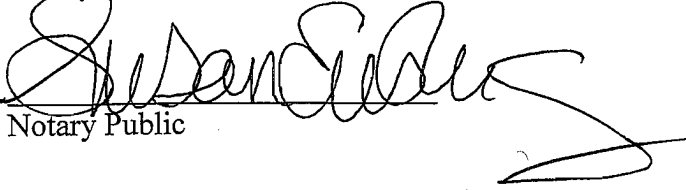
5. Neither I, nor any principal of, or professional employed by the Firm has agreed to share or will share any portion of the compensation to be received from the Trustee with any other person other than the principals and regular employees of the Firm.

6. Neither I, nor any principal of, or professional employed by the Firm, insofar as I have been able to ascertain, holds or represents any interest adverse to the Debtors or their estates.

7. The Firm is conducting further inquiries regarding its retention by any creditors of the Debtors, and upon conclusion of that inquiry, or at any time during the period of its employment, if the Firm should discover any facts bearing on the matters described herein, the Firm will supplement the information contained in this Affidavit.

By: 
Robert S. Rushing

Subscribed and sworn to before me
this 27th day of March, 2013.


Notary Public



SUSAN G. ENSLEY
Notary Public, State of Florida
My Comm. Expires August 5, 2014
Commission No. EE 14932

EXHIBIT B

(Retention Questionnaire)

[019576-00001/523782/1]

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF ALABAMA, SOUTHERN DIVISION

In Re:) Case No: 11-12254-WRS-11
)
SMALL LOANS, INC., et al.) Chapter 11
)
Debtors.) Jointly Administered

RETENTION QUESTIONNAIRE

TO BE COMPLETED BY PROFESSIONALS EMPLOYED BY S. GREG HAYS,
CHAPTER 11 TRUSTEE,

DO NOT FILE THIS QUESTIONNAIRE WITH THE COURT.
RETURN IT FOR FILING BY THE TRUSTEE, TO:

Bradley R. Hightower
Christian & Small LLP
505 Twentieth Street North
Suite 1800
Birmingham, Alabama 35203
Phone (205) 795-6588
Fax (205) 328-7234
brh@csattorneys.com

All questions **must** be answered. Please use "none," "not applicable," or "N/A," as appropriate. If more space is needed, please complete on a separate page and attach.

1. Name and address of firm:

Mr. Robert S. Rushing
Carver, Darden, Koretzky, Tessier, Finn, Blossman & Areaux, LLC
801 West Romana Street, Suite A
Pensacola, Florida 32503

2. Date of retention: January 1, 2013
3. Type of services provided (accounting, legal, etc.):

Florida litigation counsel (legal)

4. Brief description of services to be provided:

Represent the interest of the Estates with regard to an action brought by Linda Ford against The Money Tree of Florida, Inc. ("Money Tree") in the United States District Court for the Northern District of Florida, Tallahassee Division (Case No. 4:12-cv-573-RS-CAS) alleging certain causes of action against Money Tree Florida pursuant to the Telephone Consumer Protection Act and the Florida Consumer Collection Practices Act based upon alleged collection calls made by Money Tree Florida to Ms. Ford during the months of March, April, and May 2012.

5. Arrangements for compensation (hourly, contingent, etc.)

Fees are to be paid on an hourly basis in the amounts indicated below.

- (a) Average hourly rate (if applicable):

\$225.00 per hour for Robert S. Rushing.
\$75.00 per hour for Paralegal time.

- (b) Estimated average monthly compensation based on prepetition retention (if firm was employed prepetition):

Not Applicable.

6. Prepetition claims against the Debtors held by the firm (prepetition means before December 16, 2011):

Amount of claim: \$0.00

Date claim arose: _____

Source of Claim: _____

7. Prepetition claims against the Debtors held individually by any member, associate, or professional employee of the firm:

Name: None.

Status: _____

Amount of Claim: \$ _____

Date claim arose: _____

Source of claim: _____

8. Post-petition claims against the Debtors held by the firm (post-petition means on or after December 16, 2011 through the date that this form is signed):

Amount of claim: \$0.00

Date claim arose: _____

Source of Claim: _____

9. Post-petition claims against the Debtors held individually by any member, associate, or professional employee of the firm:

Name: None.

Status: _____

Amount of Claim: \$ _____

Date claim arose: _____

Source of claim: _____

10. Stock of the Debtors currently held by the firm:

Kind of shares: None.

No. of shares: _____

11. Stock of the Debtors currently held individually by any member, associate, or professional employee of the firm:

Name: None.

Status: _____

Kind of shares: _____

No. of shares: _____

12. Disclose the nature and provide a brief description of any interest adverse to the Debtors or to their estates with respect to the matters on which the above-named firm is to be employed.

None.

13. Name of individual completing this form:

Mr. Robert S. Rushing.