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4	Honolulu, Hawaii 96813 Telephone: (808) 533-1877	
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7	MCDONALD LAW OFFICE	
8	Charles H. McDonald II (F0494)	
9	2 nd Floor ICC, Room 203	
10	Gualo Rai, Saipan, MP 96950 Telephone: (866) 967-7567	
11	E-Mail: charles@mcdonald.law	
12	Proposed Attorneys for Debtor	
	and Debtor-in-Possession	
13	IN THE UNITED STATES D	ISTRICT COURT
14	FOR THE NORTHERN MAR	
15	BANKRUPTCY DI	VISION
16	In re	Case No. 24-00002
17	IMPERIAL PACIFIC INTERNATIONAL	(Chapter 11)
18	(CNMI), LLC,	
19	Debtor and	HEARING DATE: [To Be Set]
	Debtor-in-Possession.	TIME: [To Be Set]
20		JUDGE: Hon. Ramona Manglona
21		
22	APPLICATION TO E	
23	CHOI & ITO, ATTORNEYS AT LAW AND N <u>CO-COUNSEL FOR THI</u>	
24	-	
	Imperial Pacific International (CNMI), LLC	C. debtor and debtor-in-possession (the

Imperial Pacific International (CNMI), LLC, debtor and debtor-in-possession (the "Debtor"), hereby applies for an order, pursuant to 11 U.S.C. §§ 327(a) and 1103, Rule 2014 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), and LBR



2014-1, authorizing it to retain Choi & Ito, Attorneys at Law ("C&I") and McDonald Law Office ("McDonald Law") as co-counsel to the Debtor effective as of April 19, 2024, respectively.

In support of this application (the "Application"), the Debtor submits the Declarations of Chuck C. Choi (the "Choi Declaration") and Charles McDonald (the "McDonald Declaration"), and respectfully represents as follows:

JURISDICTION AND VENUE

- 1. This Court has jurisdiction over this matter, pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding, pursuant to 28 U.S.C. § 157(b)(2).
 - 2. Venue is proper before the Court, pursuant to 28 U.S.C. §§ 1408 and 1409.
- 3. This Motion is made pursuant to 11 U.S.C. § 327, and Rule 2004 of the Federal Rules of Bankruptcy Procedure.

BACKGROUND

- 4. On April 19, 2024 (the "Petition Date"), the Debtor filed a voluntary petition for relief under Chapter 11 of the United States Bankruptcy Code in the United States District Court for the District of the Northern Mariana Islands, bankruptcy division (the "Court").
- 5. The Debtor continues to operate its businesses and manage their property as debtor in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.
- The Debtor owns the now-shuttered Imperial Resort located in Saipan,
 Northern Marianas Islands.

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- 7. The Debtor wishes to employ, subject to Court approval, C&I, which is based in Hawaii, and McDonald Law, which has offices in NMI, as its bankruptcy cocounsel, effective as of the Petition Date of April 19, 2024.
- 8. The Debtor has reviewed the qualifications and experience of its proposed co-counsel and believes that they have appropriate experience in advising chapter 11 debtors. In particular, the Debtor understands that C&I has considerable expertise in representing debtors and trustees in bankruptcy proceedings filed in the United States Bankruptcy Court for the District of Hawaii and in United States District Court for the District of Guam, including representation of chapter 11 debtors. The Debtor also understands that McDonald Law, which will serve as local co-counsel for the Debtor, has considerable experience in litigation in Saipan, including representation of the Debtor.
- 9. The Debtor understands that Chuck C. Choi, Allison A. Ito, and Charles McDonald will be the primary attorneys anticipated to work on this case and that their billing rates are \$450.00, \$300.00 and \$350.00 an hour, respectively. C&I's fees are also subject to Hawaii general excises tax which is currently 4.7122 percent. The Debtor understands that these hourly rates are subject to increase upon written notification to the Debtor and the Court.
- 10. The Omnibus Declaration of Howyo Chi in Support of First Day Motions filed contemporaneously herein is incorporated herein by reference.

RELIEF REQUESTED

11. By this Application the Debtor seeks authority to retain and employ C&I and McDonald Law as co-counsel to render the following services, among others, to the Debtor:

- a. Advise the Debtor with respect to the requirements and provisions of the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, Local Bankruptcy Rules, United States Trustee Guidelines and any other bankruptcy-related laws, rules or regulations which may affect the Debtor;
- Assist the Debtor in an analysis of bankruptcy-related options and formulation of a
 Chapter 11 plan of reorganization;
- c. Advise the Debtor concerning the rights and remedies of the estate and of the
 Debtor in regard to adversary proceedings which may be removed to, or initiated
 in, the Bankruptcy Court;
- d. Represent the Debtor in any proceeding or hearing in the Bankruptcy Court in any action where the rights of the estate or the Debtor may be litigated, or affected; and
- e. providing such other services to the Debtor as may be necessary in the case.
- 12. To the best of the Debtor's knowledge and based on the attached declarations, the Debtor believes that C&I and McDonald Law each separately qualifies as a "disinterested person" as that term is used in 11 U.S.C. § 327(a) and as defined at 11 U.S.C. § 101(14), and that each represents no interest adverse to the Debtor's estate which would preclude them from acting as counsel to the Debtor.
- 13. Under Bankruptcy Rule 6003, the Court may not issue an order granting an application to employ a professional until 21 days after the Petition Date. However, because the first few weeks of any corporate Chapter 11 proceeding requires intensive involvement of counsel, the Debtor requests entry of an interim order pending a final hearing on the matter.

14. The Debtor understands that the firms will seek compensation during the Case as permitted by the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, the United States Trustee's Guidelines for Fees and Disbursements issued by the Office of the United States Trustee, and such other procedures as may be fixed by order of this Court.

WHEREFORE, the Debtor respectfully requests that the Court enter an order approving the Debtor's retention of C&I and McDonald Law as bankruptcy co-counsel, effective as of April 19, 2024, and granting such other and further relief as the Court may deem just and proper.

DATED: Saipan, MP, April 23, 2024.

Imperial Pacific International (CNMI), LLC

/s/ Howyo Chi Howyo Chi Its Manager

1	IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN MARIANA ISLANDS		
2	BANKRUPTCY DIVISION		
3	In re Case No. 24-00002		
5	(Chapter 11) IMPERIAL PACIFIC INTERNATIONAL (CNMI), LLC,		
6 7	Debtor and Debtor-in-Possession.		
8	DECLARATION OF CHUCK C. CHOI		
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10	I, CHUCK C CHOI, hereby declare of my own personal knowledge as follows:		
11	1. I am a partner at the law firm of Choi and Ito, Attorneys at Law (the		
12	"Firm"), proposed co-counsel for IMPERIAL PACIFIC INTERNATIONAL (CNMI),		
13	LLC debtor and debtor-in-possession (the "Debtor").		
14	2. I make this Declaration in support of the Application to Employ Choi &		
15	Ito, Attorneys at Law and McDonald Law Office as Co-counsel for the Debtor (the		
l6 l7	"Application"). Terms used herein and not otherwise defined shall have the meanings		
18	given them in the Application. The statements therein with respect to the Firm are true to		
19	the best of my knowledge and belief.		
20	3. During the one year prior to the petition date, the Firm received		
21 22	\$61,407.30 for work prior to the Debtor's Chapter 11, including work in anticipation of		
23	the bankruptcy filing. The Firm is currently holding a retainer balance of \$38,592.70 in		
24	its client trust account. The outstanding prepetition balance owed to the Firm is \$0.00.		
25	4. I have reviewed the list of 20 largest creditors and the names of the		
26	Debtor's creditors and checked these names against the Firm's client data base. The Firm		
27	does not represent any of these parties.		

	5. In addition, except as disclosed herein and to the best of my knowledge:		
1	(a) Neither I, nor anyone at the Firm, have any connection with the		
2	UST or any person employed in the Office of the UST.		
3	OST of any person employed in the Office of the OST.		
4	(b) Neither I, nor anyone at the Firm, is a creditor, equity security		
5	holder, or an insider of the Debtor.		
6	(c) Neither I, nor anyone at the Firm, was within 2 years before the		
7	date of the filing of the petition, a director, officer, or employee of the Debtor.		
8	(d) Neither I, nor anyone at the Firm, has an interest materially		
10	adverse to the interest of the estates or any class of creditors or equity security holders by		
11	reason of any direct or indirect relationship in connection with or interest in the Debtor or		
12	for any other reason.		
13	6. Neither I, nor any member of the Firm has agreed to share compensation		
14	for any analysis of the Delta and the angular angular and the angular and the angular and the angular angular and the angular and the angular		
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17	7. Based on the foregoing, I believe the Firm is "disinterested" within the		
18	meaning of section 101(14) of the Bankruptcy Code.		
1920	DATED: Honolulu, Hawaii, April 22, 2024.		
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22	/s/ Chuck C. Choi		
23	Chuck C. Choi		
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1 2	IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN MARIANA ISLANDS BANKRUPTCY DIVISION		
3	In re Case No. 24-00002		
4	(Chapter 11)		
5	IMPERIAL PACIFIC INTERNATIONAL (CNMI), LLC,		
6	Debtor and		
7	Debtor-in-Possession.		
8	DECLARATION OF CHARLES MCDONALD		
9	I, CHARLES H. MCDONALD II, hereby declare of my own personal knowledge		
10	as fallarus.		
11	as follows:		
12	1. I am Partner at McDonald Law Office (the "Firm"), proposed co-counsel		
13	for IMPERIAL PACIFIC INTERNATIONAL (CNMI), LLC, debtor and debtor-in-		
14	possession (the "Debtor").		
15	2. I make this Declaration in support of the Application to Employ Choi &		
16 17	Ito, Attorneys at Law and McDonald Law Office as Co-counsel for the Debtor (the		
18	"Application"). Terms used herein and not otherwise defined shall have the meanings		
19	given them in the Application. The statements therein with respect to the Firm are true to		
20	the best of my knowledge and belief.		
21	3. During the one year prior to the petition date, the Firm received		
2223	\$55,000.00 from the Debtor. The outstanding prepetition balance owed to the Firm is \$0.		
24	4. I have reviewed the list of 20 largest creditors and the names of the		
25	Debtor's creditors and checked these names against the Firm's client data base. The Firm		
26	does not represent any of these parties.		
27	5. In addition, except as disclosed herein and to the best of my knowledge:		

	(a) Neither I, nor anyone at the Firm, have any connection with the	
1	UST or any person employed in the Office of the UST.	
2	(b) Neither I, nor anyone at the Firm, is a creditor, equity security	
4	holder, or an insider of the Debtor.	
5	(c) Neither I, nor anyone at the Firm, was within 2 years before the	
6		
7	date of the filing of the petition, a director, officer, or employee of the Debtor.	
8	(d) Neither I, nor anyone at the Firm, has an interest materially	
9	adverse to the interest of the estates or any class of creditors or equity security holders by	
10	reason of any direct or indirect relationship in connection with or interest in the Debtor or	
11	for any other reason.	
12	6. Neither I, nor any member of the Firm has agreed to share compensation	
13	for representation of the Debtor with any other person or entity, except among members	
14		
15	and attorneys at the Firm.	
16	7. Based on the foregoing, I believe the Firm is "disinterested" within the	
17	meaning of section 101(14) of the Bankruptcy Code.	
18	DATED: Hagatna, Guam, April 23, 2024.	
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20	/s/ Charles H. McDonald II	
21	Charles H. McDonald II	
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