

EXHIBIT 4

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

DOCKETED

In re

D.A. ELIA CONSTRUCTION CORP.

Case No. 94-10866 K

Debtor

The Chapter 11 Debtor-in-Possession seeks authority to retain Damon and Morey as its "general" bankruptcy counsel, having been permitted to retain Giardino & Schober and The Miller Law Firm as its "special" counsel.

The U.S. Trustee objects for good and valid reasons. However, given the size and composition of the construction industry in Buffalo, and of the Bar representing that industry, the Court is persuaded by the explanations, arguments and proposed safeguards placed on the record by Damon and Morey, that the employment of Damon and Morey should be approved in this case, as a matter of discretion.

The Debtor's Motion, as illuminated and refined on the record in open Court, is approved. This decision shall not constitute precedential authority as to any other case.

SO ORDERED.

Dated: Buffalo, New York
June 15, 1994



D.S.B.J.

Label Matrix
for 94-10866
Thu Jun 16 10:14:39 EDT 1994

(7)

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