

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

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In re

Chapter 11

ETOYS, INC. *et al.*,

Case Nos. 01-0706 (MFW)
through 01-0709 (MFW)

Debtors.

Jointly Administered
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**ORDER AUTHORIZING THE EXPANSION OF THE SCOPE
OF THE RETENTION OF TRAUB, BONACQUIST & FOX LLP, GENERAL
COUNSEL TO THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS**

THIS MATTER, having come before the Court by way of the application ("Application") of the Official Committee of Unsecured Creditors (the "Committee") of eToys, Inc., *et al.*, debtors and debtors-in-possession (the "Debtors"), seeking entry of an order, *inter alia*, expanding the scope of the employment and retention of Traub, Bonacquist & Fox LLP ("TB&F"), its general counsel in these chapter 11 cases, pursuant to sections 327, 328, 329 and 331 of title 11, United States Code, 11 U.S.C. § 101, *et. seq.* (the "Bankruptcy Code"), and the Court having considered the Application and the Supplemental Affidavit of Michael S. Fox, Esq., a member of TB&F, in support of the Application (the "Fox Affidavit");

AND this Court being satisfied that TB&F continues to represent and hold no interest adverse to the Committee or the Debtors, and that TB&F will not represent any other entity in connection with the within cases and that the expansion of the scope of TB&F's employment is necessary and would be in the best interests of the Committee and the estates, and after good and sufficient notice and no adverse interest being represented, and sufficient cause appearing therefor; it is hereby

ORDERED, that, pursuant to sections 327, 328 and 1103(a) of Bankruptcy Code, the scope of the employment and retention by the Committee of TB&F be, and it hereby is, expanded to include the representation of the Committee, on behalf of these estates and the Debtors in connection with the investigation and prosecution, if appropriate of IPO related litigation, as more fully set forth in the Application and the Fox Affidavit; and it is further

ORDERED, that, pursuant to section 328(a) of the Bankruptcy Code and further order of this Court, payment to TB&F for services rendered and reimbursement of expenses incurred solely in connection with the investigation and prosecution, if appropriate of IPO related litigation, as more fully set forth in the Application and the Fox Application be, and it hereby is, on a fully contingent basis, with such fees to be recovered at the rate of six percent (6%) of any settlement fund or judgment award collected and with such expenses to be reimbursed out of any settlement fund or judgment awarded, after the deduction of the attorneys fees; and it is further

ORDERED, that, except as otherwise set forth herein, the terms of the order authorizing the retention of TB&F, dated April 25, 2001 shall remain in full force and effect.

Dated: Wilmington, DE
 Filed 26, 2002


UNITED STATES BANKRUPTCY JUDGE