

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA**

Alexandria Division

In re:

TECHNOLOGY BUSINESS, LLC,

Debtor.

Case No. 00-12775-RGM  
(Chapter 7)

**MEMORANDUM OPINION**

THIS CASE is before the court on the application of Gordon P. Peyton, trustee, to employ Barry Strickland & Company, Certified Public Accountants as the accountant for the estate. The application provides in paragraph 4 that compensation is to be determined pursuant to §328(a) of the United States Bankruptcy Code. The application does not express any special grounds justifying such employment.

Compensation of professionals is generally determined under §330 of the Bankruptcy Code at the time the application for compensation is submitted. While there is no reason to believe at this time that the terms set forth in the application would not be the terms under which an application for compensation would be granted, the court is unwilling in the absence of special circumstances to set hourly rates in advance.

Inasmuch as the accountants may not wish to be employed under the traditional and well-accepted terms of employment, the application will be denied without prejudice to being re-submitted without reference to §328(a).

Alexandria, Virginia  
March 31, 2004

/s/ Robert G. Mayer  
Robert G. Mayer  
United States Bankruptcy Judge

copies electronically to:

John T. Donelan  
Gordon P. Peyton

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