

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF SOUTH CAROLINA

FILED
O'clock & min. M
AUG 22 2003
BRENDA K. ARGOE, CLERK
United States Bankruptcy Court
Columbia, South Carolina (11)

IN RE:

Eastern Pacific International, LLC

ENTERED
AUG 25 2003
K. E. P.
Debtor.

C/A No. 02-09446-

**ORDER APPOINTING ATTORNEY
ON CONTINGENCY FEE BASIS**

Chapter 7

THIS MATTER is before the Court upon the application of the Trustee, W. Ryan Hovis, for authorization to employ Stanley H. McGuffin, Esquire as his attorney in the above-captioned case to pursue preference claims.¹

In a sealed report to the Court, the Trustee estimated potential preferences in this case to exceed one million dollars, therefore any contingency fee would be considerable. In addition, in this Court's experience, many preference actions, particularly those in an amount less than \$10,000.00, settle without the need for substantial legal efforts. For these reasons, in instances such as this case, the Court should preserve the ability to undertake a review of compensation at the conclusion of services and may schedule a hearing on any application for compensation.

Therefore, after consideration of the Trustee's application, and it appearing that Stanley H. McGuffin, Esquire is an attorney duly admitted to practice in this Court, that he holds or represents no interest adverse to this estate, that his employment is necessary and is in the best interest of the estate, it is

ORDERED, that the Trustee is authorized to employ Stanley H. McGuffin, Esquire, under the terms as set forth herein, as attorney for the Trustee to pursue possible preference claims on a

¹ The Trustee clarified his application at the hearing to exclude collection of accounts receivables and claims and other property subject to turnover.

contingency fee basis. However, the final compensation of the attorney shall be set by the Court pursuant to 11 U.S.C. § 330(a) rather than § 328(a) and therefore, may be different from the terms of compensation stated in the application.

AND IT IS SO ORDERED.

Columbia, South Carolina,
August 22, 2003.


UNITED STATES BANKRUPTCY JUDGE