

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION
www.flsb.uscourts.gov

In re:

PALM BEACH FINANCE PARTNERS, L.P.,
PALM BEACH FINANCE II, L.P.,

Debtors.

CASE NO.: 09-36379-PGH
CASE NO.: 09-36396-PGH
(Jointly Administered)
Chapter 11

**LIQUIDATING TRUSTEE'S *EX PARTE* APPLICATION TO EMPLOY
ERIC RUBIN AND MOECKER AUCTIONS, INC. AS AUCTIONEER**

Barry E. Mukamal, in his capacity as liquidating trustee ("*Liquidating Trustee*") for the Palm Beach Finance Partners Liquidating Trust and the Palm Beach Finance Partners II Liquidating Trust (collectively, the "*Palm Beach Liquidating Trusts*"), by and through undersigned counsel and pursuant to Local Rule 9013-1(C)(3), respectfully requests an *Ex Parte* Order of the Court authorizing the employment of Mr. Eric Rubin ("*Mr. Rubin*") of Moecker Auctions, Inc. ("*Moecker*" and, collectively with Mr. Rubin, the "*Auctioneer*") to conduct a sale and/or auction, if necessary, of a 2006 Sea Ray 290 SLX (the "*Vessel*"). In support of this application (the "*Application*") the Liquidating Trustee states as follows:

I. Factual Background

1. Prepetition, Palm Beach Finance Partners, L.P. and Palm Beach Finance II, L.P. (collectively, the "*Debtors*") operated as hedge funds. Together, David Harrold and Bruce Prevost managed the Debtors' fund raising and investment activities.

2. On November 30, 2009, the Debtors filed voluntary petitions under Chapter 11 of the United States Bankruptcy Code. By subsequent Order of this Court, the cases are jointly administered.

3. On January 28, 2010, the Court entered the Agreed Order Directing Appointment of Chapter 11 Trustee and Denying United States Trustee's Motion to Convert Cases to Cases under Chapter 7 [D.E. No. 100].

4. On January 29, 2010, the United States Trustee appointed the Liquidating Trustee as Chapter 11 Trustee in both of the Debtors' estates [D.E. No. 107].

5. On October 21, 2010, this Court entered its Order Confirming Second Amended Plan of Liquidation [D.E. No. 444], thereby, *inter alia*, creating the Palm Beach Liquidating Trusts and appointing the Liquidating Trustee as Liquidating Trustee.

II. The Prevost Settlement and the Retention of the Auctioneer

6. By order dated April 13, 2011, this Court approved the Liquidating Trustee's settlement with Bruce and Colleen Prevost [D.E. 631] (the "***Settlement Order***"). Pursuant to the Settlement Order, the Liquidating Trustee was given the authority to, *inter alia*, take possession of and auction the Vessel for the benefit of the Debtors' bankruptcy estates.

7. In that regard, the Liquidating Trustee desires to employ the Auctioneer to assist the Liquidating Trustee in selling the Vessel and handling all tasks relating thereto. Specifically, as set forth in detail in the Auctioneer's proposal (the "***Proposal***"), a copy of which is attached hereto as Exhibit A, the Liquidating Trustee desires to retain the Auctioneer to take possession of and inspect the Vessel, market the Vessel for sale, and conduct an auction relating to the Vessel, if and to the extent necessary. The Liquidating Trustee believes that the Auctioneer is qualified to appear before this Court and is qualified to ensure that the Vessel is sold in a manner that maximizes that value for the Debtors' estates.

8. The Auctioneer was selected after consideration of its experience in supervising and conducting sales of various assets, including boats similar to the Vessel. The Auctioneer has

significant experience conducting sales and auctions in the State of Florida and, specifically, in a Chapter 11 bankruptcy context.

9. The Liquidating Trustee believes that the highest and best value for the Vessel will be generated by employing the Auctioneer, and, therefore, the retention of the Auctioneer on the terms and conditions set forth on Exhibit A is in the best interests of the Debtors' estates.

10. To the best of the Liquidating Trustee's knowledge, neither Mr. Rubin nor Moecker have any connection with the creditors or other parties in interest or their respective attorneys. Neither Mr. Rubin nor Moecker represent any interest adverse to the Debtors, the Liquidating Trustee or any party to this Estate. As such, the Auctioneer is disinterested as defined in the Bankruptcy Code, as reflected in the Affidavit of Eric Rubin (the "***Rubin Affidavit***") attached hereto as Exhibit B.

11. The Auctioneer is licensed and bonded as an auctioneer and is authorized to conduct sales and auctions in the State of Florida pursuant to Florida Statutes §468.381 et seq. and Local Rule 6005-1(B) and is covered by the Florida Auctioneer Recovery Fund as required by Florida Statute §468.392. The blanket or case specific fiduciary and faithful performance bond or surety bond was issued by a surety company approved by the Department of the Treasury. The bond is in favor of the United States of America and the original bond has been forwarded to the United States trustee. True copies of the appropriate licenses and bonds are attached to the Rubin Affidavit attached hereto as Exhibit B. Additionally, Auctioneer has procured bailee insurance coverage that will cover any damage to the Vessel while it is in the possession of the Auctioneer pending the closing of the anticipated sale.

12. As indicated on the budget attached as part of Exhibit A, the maximum estimated amount of costs and expenses to be expended by and reimbursed to the Auctioneer is \$3,793.60 (in the event that an auction is needed). Notably, should the Auctioneer succeed in selling the

Vessel without the need for an auction, the estimated costs and expenses will only be approximately \$1,578.60. Compensation of the Auctioneer will be based on 15% of the sale price and will be either (i) paid from the sales proceeds in the case of a direct sale, or (ii) paid as a buyer's premium in the case of an auction (and increased to 18% in the case of an on-line bidder).

13. The Liquidating Trustee requests, as permitted by Local Rule 6005-1(D), approval of this Application without notice and a hearing. No aspect of the proposed employment of the Auctioneer or the proposed sale and/or auction of the Vessel is irregular or unusual. In addition, the Auctioneer is a recognized member of the local bankruptcy community, has rendered services to the Liquidating Trustee and other trustee's and bankruptcy estates in this and other districts on numerous occasions, and the value anticipated to be generated from the auction is extremely modest in relation to the Debtors' cases as a whole.¹

14. Upon entry of an order granting this Application, the Liquidating Trustee will serve copies of such order together with the sale notice required by Bankruptcy Rules 6004, 2002(a)(2) and (c)(1) and Local Rule 6005-1(E).

15. Upon completion of the sale and/or auction, as needed, the Auctioneer will file with the Court a report summarizing the results of the sale and/or auction and stating the fees and expenses which will be paid to the Auctioneer in accordance with the order approving its retention. The report shall only be served on the U.S. Trustee, the Liquidating Trustee and any other interested party who specifically requests a copy. The Auctioneer's fees and expenses, as set forth on Exhibit A, will be paid as and when appropriate without the necessity of further

¹ Similarly, given the reasonable and relatively *de minimus* costs involved in the Auctioneer's proposal, and given the fact that the Auctioneer is well-known to both this Court and the Liquidating Trustee, the Liquidating Trustee has not sought additional competitive bids in an effort to conserve estate resources.

notice or hearing unless any party in interest files an objection within 10 days of the filing of the report with the Court and service of the report on the above parties.

WHEREFORE, the Trustee respectfully requests that this Court enter an *Ex Parte* Order (1) approving this Application, (2) authorizing the retention of the Auctioneer on the terms and conditions set forth herein and as detailed on Exhibit A hereto, and (3) granting such other and further relief as this Court deems just and proper.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on a true and correct copy of the foregoing Liquidating Trustee's *Ex Parte* Application to Employ Eric Rubin and Moecker Auctions, Inc. as Auctioneer was served on September 7, 2011, via the Court's Notice of Electronic Filing on those parties listed on the attached Exhibit "1," and served via U.S. mail on September 7, 2011, upon all parties listed on the attached Exhibit "2".

s/ Michael S. Budwick
Michael S. Budwick, Esquire
Florida Bar No. 938777
mbudwick@melandrussin.com
MELAND RUSSIN & BUDWICK, P.A.
3000 Southeast Financial Center
200 South Biscayne Boulevard
Miami, Florida 33131
Telephone: (305) 358-6363
Telecopy: (305) 358-1221

Attorneys for the Liquidating Trustee

EXHIBIT A

Auctioneer's Proposal

PHASE ONE
MARKETING PROPOSAL

Scope of Services:

Moecker Auctions, Inc. proposes to conduct a marketing plan in an attempt to sell the property within a period of 45 days.

Purchase Price

\$58,500.00 will be the minimum baseline for offers considered.

Inspection:

We will coordinate inspections to adequately show the property to potential purchasers.

Records will be maintained regarding each potential purchaser inspecting the Assets.

Marketing Strategy:

We will market the property in Boat Trader on-line and in print as well as targeted email blasts to bidders in our database. We will list it on multiple auction websites for international exposure.

Seller's Expense:

You are obligated for the marketing costs to adequately expose the assets for sale purposes.

We have prepared a detailed line by line marketing campaign budget for your review and will provide a complete expense portfolio approximately Ten (10) days following the sale.

The promotional funds and related expenses will be advanced and recovered from the sale proceed.

Commissions

There will be a 15% commission charged to the seller and deducted from the approved selling price.

Final Settlement:

We will make final payment and settlement to you within Ten (10) banking days after the sale.


Initial

PHASE TWO
AUCTION MARKETING PROPOSAL

Scope of Services:

Moecker Auctions, Inc. proposes to conduct an on-site, on-line public auction on a date to be determined by all parties involved.

Auction Inspection:

We will hold one (1) designated inspection period on the day of the auction from 9:00-10:00AM for potential purchasers to make their inspections. The auction will begin at 10:00AM.

Records will be maintained regarding each purchaser inspecting the Assets. These records will enable us to determine interest and identify any concerns.

Marketing Strategy:

We will conduct a marketing campaign with high impact advertising. The marketing strategy will be to promote the Auction to dealers, marine brokers, and the general public.

Marketing Highlights:

The Auction will be exposed on a local, regional, national and international scale. We will feature a direct mail campaign with a color flyer and target purchasers through our mailing lists. Additionally, we will utilize media advertisements, strategic signage (if allowed), telemarketing, exposure on the Internet and personal solicitations.

Auction Methodology:

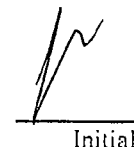
The property will be sold at Public Auction to the highest and successful bidders subject to seller confirmation.

Auction Deposit(s):

All Bidders must register at the Auction providing full name, address, telephone number, and tender a \$100.00 refundable cash deposit in order to receive a bidder's number. Balances and payment (in cash / cashier's check or wire transfer) due in full 24 hours after the Auction, or prior to removal. During the Auction, if necessary, Purchasers may be required to place an additional good faith deposit for large purchases. All deposits are non-refundable and will be forfeited as liquidated damages if Purchaser does not complete their transaction.

Removal:

The property will be removed the following day of the sale


Initial

Auction Guarantees:

The property will be sold in their "As Is", "Where Is" condition and with all faults, with no warranties expressed or implied.

The only guarantee is that the Seller provides free and clear title of all liens.

**Personal Property
Auction Performance:**

We are fully computerized with the "State of the Art" equipment providing you at anytime during and after the Auction Sales Reports stating item descriptions, purchaser's name, and prices achieved of each asset. You will receive these reports immediately after the Auction.

We will provide all the necessary equipment and personnel to set up, catalog, and conduct the Auction with Auctioneers, Bid Assistants, Clerks, Cashiers, and a Food Vendor. We will handle everything from start to finish.

Seller's Expense:

You are obligated for set-up and marketing costs to adequately expose the assets for Auction purposes.

We have prepared a detailed line by line marketing campaign budget for your review and will provide a complete expense portfolio approximately Ten (10) days following the Auction, with copies of paid invoices, advertisements, etc. verifying each expense.

The promotional funds will be advanced and recovered from the sale proceed.

Commissions

There will be a 15% buyer's premium charged at this sale to the winning bidder on-site or an 18% charge to the winning on-line bidder.

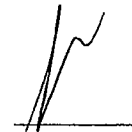
Final Settlement:

We will make final payment and settlement to you within Ten (10) banking days after the Auction.

Conclusion:

We are the "Standard of Excellence" in the Auction Method of Marketing.

Our experienced program, simplistic yet effective, provides incomparable results.

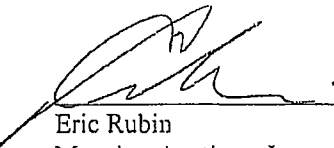


Initial

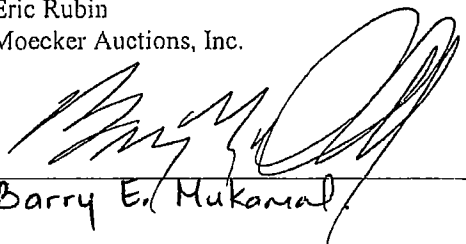
We welcome the opportunity to serve you again and are immediately available for further discussion and planning the steps to success for this Auction. We pledge to always protect everyone's interests and make this a matter of paramount importance.

We herewith submit this proposal for Auction and are prepared to proceed forward. Time is of the essence.

Please affix signature and date of acceptance of this Auction Proposal / Contract below:


Eric Rubin
Moecker Auctions, Inc.

9/6/2011
Date


Barry E. Mukamal

9/6/11
Date

ESTIMATED MARKETING AND PROMOTIONAL SCHEDULE (PHASE ONE)

<u>MEDIA</u>	NO. OF INSERTIONS	TOTAL COST
Internet Advertising Moecker Auctions, Inc. Website, Auctionzip.com, FAA, NAA		\$100.00
Boat Trader On-Line and In Print: Featured on Home Page, Email Link		\$125.00
MEDIA EXPENSE TOTAL		\$225.00
 <u>MARKETING</u>		
Layout & Design: Layout/Design, Photos, Proofing, Typesetting		\$250.00
Mailing Lists/E-Mail Service: Wholesalers, Retailers, General Public, Moecker Auction Proven Buyers		No Charge
Long Distance/Watts Line/Telemarketing		No Charge
MARKETING EXPENSE TOTAL		\$250.00
TOTAL ADVERTISING BUDGET		<u>\$475.00</u>
 <u>ADDITIONAL COSTS</u>		
	NO. OF HOURS	
Moving: From Current Location to Storage Site		\$200.00
Detailing service		\$150.00
Storage: Secure monitored facility (per month)		\$175.00
Insurance: For 90 day period (starting when possession of the property is granted).		\$578.60
TOTAL COSTS		<u>\$1,103.60</u>
TOTAL COST		\$1,103.60
TOTAL ADVERTISING BUDGET		\$475.00
TOTAL ESTIMATED COST		<u>\$1,578.60</u>

The Marketing and Promotional Schedule is merely an estimate and is not intended as a term or condition of the Auction Contract, unless expressly identified as such. The above cost projections are based on current advertising rates and subject to increase.

ESTIMATED MARKETING AND PROMOTIONAL SCHEDULE (PHASE TWO)

<u>MEDIA</u>	NO. OF INSERTIONS	TOTAL COST
Sun Sentinel Auction Section Classified Display Line Ads (-70%)	2	\$330.00
Miami Herald Auction Section Classified Display Line Ads (-70%)	2	\$360.00
Online Bidding & International Advertising Exposure		\$450.00
Internet Advertising Moecker Auctions, Inc. Website, Auctionzip.com, FAA, NAA		No Charge
MEDIA EXPENSE TOTAL		\$1,140.00
 <u>MARKETING</u>		
Oversized Postcards 1,500 @ .40¢ Each. (-50%)		\$300.00
Layout & Design: Layout/Design, Proofing, Typesetting		\$100.00
Target Marketed Mailing List (-50%)		\$400.00
Mailing Lists/E-Mail Service: Wholesalers, Retailers, General Public, Moecker Auction Proven Buyers		No Charge
Inventory Catalogs: Inventory Listing for Auction Day		No Charge
Signs and Banners: To Promote Auction Day Event		No Charge
Long Distance/Watts Line/Telemarketing		No Charge
MARKETING EXPENSE TOTAL		\$800.00
TOTAL ADVERTISING BUDGET		<u>\$1,940.00</u>
 <u>AUCTION COSTS</u>		
Moving: From Current Location to Auction Site		\$200.00
Auction Set-up & Cataloging:		No Charge
Auction Day Event: 1 Auctioneer (-75%)		\$100.00
Auction Day Event: 1 Clerk/Bookkeeper (-75%)		\$75.00
Auction Day Event: 3 Staff Member/Runner/Security		No Charge
Check-out Labor: 4 Staff Members		No Charge
TOTAL AUCTION COSTS		<u>\$275.00</u>
TOTAL AUCTION COST		\$275.00
TOTAL ADVERTISING BUDGET		\$1,940.00
TOTAL ESTIMATED COST		<u>\$2,215.00</u>

The Marketing and Promotional Schedule is merely an estimate and is not intended as a term or condition of the Auction Contract, unless expressly identified as such. The above cost projections are based on current advertising rates and subject to increase.

EXHIBIT B

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION
www.flsb.uscourts.gov

In re:

PALM BEACH FINANCE PARTNERS, L.P.,
PALM BEACH FINANCE II, L.P.,

Debtors.

CASE NO.: 09-36379-PGH
CASE NO.: 09-36396-PGH
(Jointly Administered)
Chapter 11

_____/

STATE OF FLORIDA)
) SS:
COUNTY OF BROWARD)

Pursuant to Rule 2014(a) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), Eric Rubin, being duly sworn, deposes and says:

1. I am the vice president of Moecker Auctions, Inc. (the “Firm”) located at 6313 North 29th Avenue, Hollywood, Florida 33020.

2. I make this Affidavit (this “Affidavit”) pursuant to Sections 327 and 328 of Title 11 of the United States Code, 11 U.S.C. §§ 101-1330, as amended (the “Bankruptcy Code”) and Rule 2014 of the Federal Rules of Bankruptcy Procedures (the “Bankruptcy Rules”) in support of the Liquidating Trustee’s *Ex Parte* Application to Employ Eric Rubin and Moecker Auctions, Inc. as Auctioneer (the “Application”). The facts set forth in this Affidavit are personally known to me and, if called upon as a witness, I could and would testify thereto.

Qualifications of Professionals

3. The Firm is an appraisal and auctioneering company with substantial experience in the valuation and liquidation of assets, and has served clients similar to the Liquidating Trustee throughout Southern Florida.

4. The Firm is duly licensed and bonded as an auctioneer and is covered by the

Florida Auctioneer Recovery Fund and is authorized to conduct sales and auctions in the State of Florida pursuant to Florida Statutes §468.381 et seq. or §468.387 for out-of-state auctioneers and Local Rule 6005-1(B). A true and correct copy of the Auctioneer's license is attached hereto as Exhibit A.

5. In addition to the foregoing, I have attached hereto as Exhibit B a copy of a Fiduciary and Faithful Performance (or Surety) Bond in the amount of \$500,000.00. The bond is issued by a surety company approved by the Department of the Treasury and in favor of the United States of America.

6. The Firm Auctioneer has also procured bailee insurance coverage that will cover any damage to the Vessel while it is in the possession of the Firm.

Services to be Rendered

7. As set forth in the Application, and further supplemented herein, the Liquidating Trustee seeks to authorize the retention of the Appraiser to conduct a sale and/or auction, if necessary, of a 2006 Sea Ray 290 SLX (the "*Vessel*").

8. Subject to this Court's approval of the Application, the Firm is willing to serve as the Liquidating Trustee's auctioneer and to perform the services described above. Based upon the experience and expertise of the Firm and my analysis of the Vessel, I believe that Firm is well qualified to represent the Liquidating Trustee in this matter.

Disinterestedness of Professionals

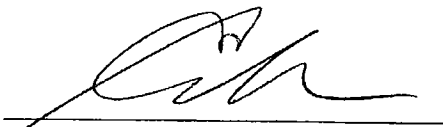
9. To the best of my knowledge, neither I nor the Firm, nor any of its officers or directors have any connection to the Debtors, the Debtors' estates, the Liquidating Trustee or the U.S. Trustee.

10. The Firm does not hold a claim against the Debtors' estates. Accordingly, the

Firm is not a creditor of the Debtors' estates.

11. As such, the Firm is a "disinterested person" as that term is defined in Section 101(14) of the Bankruptcy Code, as modified by Section 1107(b) of the Bankruptcy Code.

FURTHER AFFIANT SAYETH NAUGHT.

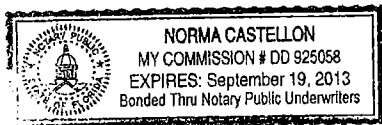


ERIC RUBIN, Vice President of Moecker Auctions, Inc.

SWORN TO AND SUBSCRIBED before me this 9th day of September, 2011, by
Eric Rubin, who is known to me, or who produced _____ as identification.



NOTARY PUBLIC
STATE OF FLORIDA AT LARGE



Print Name: Norma Castellon
Commission No. DD 925058
My Commission Expires: 9/19/13

AC# 4549561

STATE OF FLORIDA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
FLORIDA BOARD OF AUCTIONEERS

SEQ# L0908280364R

DATE	BATCH NUMBER	LICENSE NBR
08/28/2009	090108588	AB1098

The AUCTION BUSINESS
Named below IS LICENSED
Under the provisions of Chapter 468 FS.
Expiration date: NOV 30, 2011

MOECKER AUCTIONS, INC
6861 SW 196 AVENUE
BUILDING 200 SUITE 201
PEMBROKE PINES FL 33332

CHARLIE CRIST
GOVERNOR

DISPLAY AS REQUIRED BY LAW

CHARLES W. DRAGO
SECRETARY

AC# 4549528

STATE OF FLORIDA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
FLORIDA BOARD OF AUCTIONEERS

SEQ# L0908280361R

DATE	BATCH NUMBER	LICENSE NBR
08/28/2009	090109558	AU3219

The AUCTIONEER
Named below IS LICENSED
Under the provisions of Chapter 468 FS.
Expiration date: NOV 30, 2011

RUBIN, ERIC
8892 HEARTSONG TERRECE
BOYNTON BEACH FL 33473

CHARLIE CRIST
GOVERNOR

DISPLAY AS REQUIRED BY LAW

CHARLES W. DRAGO
SECRETARY

IN THE USBC
SOUTHERN DISTRICT OF FLORIDA

Bond No. 00104156269

KNOW ALL MEN BY THESE PRESENTS: That we, MOECKER AUCTIONS, INC. of the state of FL as Principal, and the TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, as surety, are held and firmly bound unto the United States of America as obligee in the penal sum of Five Hundred Thousand and No/100 (\$500,000.00) Dollars lawful money of the United States to be made, we bind ourselves, our heirs, executors, administrators, successors or assigns, jointly and severally, by these presents.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that whereas, the Principal will from time to time conduct auctions on behalf of the United States Bankruptcy Court, SOUTHERN DISTRICT OF FLORIDA and as a condition to perform such auctions the United States Bankruptcy Court, SOUTHERN DISTRICT OF FLORIDA requires that a surety bond be posted to secure the faithful performance of such auctions.

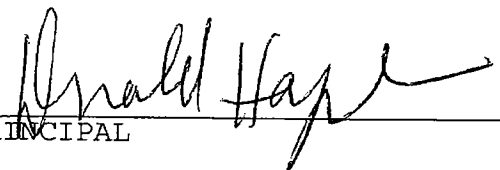
NOW THEREFORE, if the said Principal shall faithfully perform the duties of an auctioneer and account for all monies received and in all things comply with the requirements of the United States Bankruptcy Court, SOUTHERN DISTRICT OF FLORIDA, appertaining thereto, then this obligation to be void, otherwise to remain in full force and effect.

PROVIDED, that this bond shall be deemed continuous in form and, that regardless of the number of years this bond shall continue or be continued in force and of the number of premiums that shall be payable or paid, the surety shall not be liable hereunder for a larger amount, in the aggregate, than the amount of this bond.

This bond may be terminated at any time by the surety upon sending notice in writing, by certified mail, to the obligee with whom this bond is titled and at the expiration of thirty (30) days from the mailing of be relieved from any liability for any acts or omissions of the principal subsequent to said date.

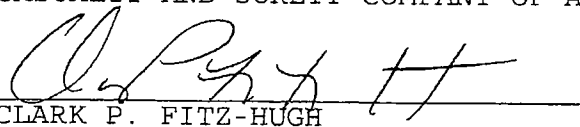
Signed, sealed, and effective this 20TH day of SEPTEMBER, 2004.

MOECKER AUCTIONS, INC.

BY: 

PRINCIPAL

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA

BY: 

CLARK P. FITZ-HUGH

SIGNED 8/4/04

EXHIBIT B

IN WITNESS WHEREOF, TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, TRAVELERS CASUALTY AND SURETY COMPANY and FARMINGTON CASUALTY COMPANY have caused this instrument to be signed by their Senior Vice President and their corporate seals to be hereto affixed this 12th day of January 2001.

STATE OF CONNECTICUT

}SS. Hartford

COUNTY OF HARTFORD

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA
TRAVELERS CASUALTY AND SURETY COMPANY
FARMINGTON CASUALTY COMPANY



By

George W. Thompson
Senior Vice President

On this 12th day of January, 2001 before me personally came GEORGE W. THOMPSON to me known, who, being by me duly sworn, did depose and say: that he/she is Senior Vice President of TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, TRAVELERS CASUALTY AND SURETY COMPANY and FARMINGTON CASUALTY COMPANY, the corporations described in and which executed the above instrument; that he/she knows the seals of said corporations; that the seals affixed to the said instrument are such corporate seals; and that he/she executed the said instrument on behalf of the corporations by authority of his/her office under the Standing Resolutions thereof.



My commission expires June 30, 2001 Notary Public
Marie C. Tetreault

CERTIFICATE

I, the undersigned, Assistant Secretary of TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, TRAVELERS CASUALTY AND SURETY COMPANY and FARMINGTON CASUALTY COMPANY, stock corporations of the State of Connecticut, DO HEREBY CERTIFY that the foregoing and attached Power of Attorney and Certificate of Authority remains in full force and has not been revoked; and furthermore, that the Standing Resolutions of the Boards of Directors, as set forth in the Certificate of Authority, are now in force.

Signed and Sealed at the Home Office of the Company, in the City of Hartford, State of Connecticut. Dated this 12th day of

AUGUST

, 20 04



By

Kori M. Johanson
Assistant Secretary, Bond

Mailing Information for Case 09-36379-PGH

Electronic Mail Notice List

The following is the list of **parties** who are currently on the list to receive e-mail notice/service for this case.

- **Geoffrey S. Aaronson** gaaronson@aspalaw.com, tdmckeown@mckeownpa.com;sbeiley@aspalaw.com
- **Paul A Avron** pavron@bergersingerman.com, efile@bergersingerman.com
- **Michael S Budwick** mbudwick@melandrussin.com, ltannenbaum@melandrussin.com;mrbnefs@yahoo.com
- **Heidi A Feinman** Heidi.A.Feinman@usdoj.gov
- **Jonathan S. Feldman** jfeldman@melandrussin.com, ltannenbaum@melandrussin.com;mrbnefs@yahoo.com
- **Robert C Furr** bnasralla@furrcohen.com
- **Solomon B Genet** sgenet@melandrussin.com, ltannenbaum@melandrussin.com;mrbnefs@yahoo.com
- **Ross R Hartog** rhartog@mrthlaw.com, ecfnofices@mrthlaw.com;joyecf@mrthlaw.com;mrthbkc@gmail.com;ycandia@mrthlaw.com
- **Barry E Mukamal** bankruptcy@marcumllp.com, FL64@ecfcbis.com
- **Office of the US Trustee** USTPRegion21.MM.ECF@usdoj.gov
- **Leslie S. Osborne** rappaport@kennethrappaportlawoffice.com
- **John E Page** jpage@sfl-pa.com, scusack@sfl-pa.com;lrosetto@sfl-pa.com
- **Chad P Pugatch** cpugatch.ecf@rprslaw.com
- **Lane E Roesch** lroesch@whitecase.com, tnelson@whitecase.com
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