

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

In re:

CHAPTER 11

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

Case No. 09-36379-PGH  
Case No. 09-36396-PGH  
(Jointly Administered)

Debtors.

---

**LIQUIDATING TRUSTEE'S MOTION (1) TO APPROVE SETTLEMENT  
WITH COSTCO WHOLESALE CORPORATION;  
AND (2) TO APPROVE PAYMENT OF CONTINGENCY FEE**

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, files this Motion (1) to approve settlement with Costco Wholesale Corporation ("*Costco*"); and (2) to approve payment of counsel's contingency fee (the "*Motion*"). In support of this Motion, the Liquidating Trustee states the following:

**I. Factual Background**

1. On November 30, 2009, Palm Beach Finance Partners, L.P. and Palm Beach Finance II, L.P. (together, 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.
2. 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 [ECF No. 100].
3. On January 29, 2010, the United States Trustee appointed the Liquidating Trustee as Chapter 11 Trustee in both of the Debtors' estates [ECF No. 107].

4. On October 21, 2010, this Court entered its Order Confirming Second Amended Plan of Liquidation [ECF No. 444], creating the Palm Beach Liquidating Trusts, appointing the Liquidating Trustee as Liquidating Trustee and appointing Geoffrey Varga as Trust Monitor.

5. Costco is a Washington corporation with its headquarters located in Issaquah, Washington. Costco's business includes operating membership warehouse stores.

6. Pre-petition, the Palm Beach Funds were defrauded by (including but not limited to) Thomas Petters and certain affiliated persons and entities ("*Petters*"). The Palm Beach Funds allege that Costco had a business relationship with Petters, and that Petters communicated with the Palm Beach Funds concerning fictitious business deals that Petters purported were related to Costco. When the United States of America prosecuted Mr. Petters for specific crimes related to his fraud ("*Petters Criminal Trial*"),<sup>1</sup> certain current and former Costco employees testified under oath for the United States as to certain of their dealings with Petters.

## II. Settlement

7. The Liquidating Trustee has considered and investigated potential claims against Costco, arising from Costco's alleged relationship with Petters, Costco's alleged knowledge gained from that relationship and subsequent alleged action and inaction, as well as Petters' communications with and fraud upon, the Palm Beach Funds.

8. The Liquidating Trustee's investigation included (among other things) review and analysis of documents and the sworn testimony of the Costco employees who testified at the Petters Criminal Trial. Additionally, the Liquidating Trustee's counsel engaged in communications with Costco counsel. Further, the Liquidating Trustee, his counsel and the Trust Monitor, as well as a Costco representative and Costco counsel, attended and participated in a mediation in Miami, Florida.

---

<sup>1</sup> *U.S.A. v. Petters*, Case No. 11-08-364 (U.S.D.C. for the District of Minnesota).

9. The Liquidating Trustee has now completed his investigation relating to any potential claim he may have against Costco. Based on this investigation, the Liquidating Trustee believes there may be common law claims that he can potentially assert against Costco.

10. However, Costco has denied any liability or wrongdoing whatsoever, and has communicated that it would have a number of alleged defenses to any alleged claims. Following extensive discussions, the Liquidating Trustee, in his business judgment, believes that the claims should be settled.

11. The key aspects of the Settlement are the following:<sup>2</sup>

- a) **Cash consideration** - upon approval of the Settlement, Costco shall pay or cause to be paid to the Liquidating Trustee \$100,000 (the “**Settlement Payment**”).
- b) **Release** – the Settlement provides for an exchange of releases between the “PB Parties” and the “Costco Released Parties” (as defined in the Stipulation of Settlement dated May 11, 2016) effective upon certain conditions, such as approval of the Settlement and payment of the Settlement Payment.

12. Pursuant to the Second Amended Joint Plan of Liquidation (“**Plan**”), approved by this Court’s Order dated October 21, 2010 [ECF No. 444], all monetary consideration received in conjunction with the Settlement will be allocated and apportioned among the Debtors as follows: 18% to Palm Beach Finance Partners, L.P. and 82% to Palm Beach Finance II, L.P. (“**Pro Rata Allocation Formula**”).

### III. Relief Requested

13. The Liquidating Trustee seeks an Order from this Court approving the Settlement and directing payment of the Contingency Fee (as defined below).

---

<sup>2</sup> A copy of the settlement agreement is attached as Exhibit A to this Motion. To the extent the terms of this Motion differ from those set forth in the settlement agreement, the settlement agreement shall control.

14. Federal Rule of Bankruptcy Procedure 9019 provides in relevant part that “[o]n motion ... and after a hearing on notice to creditors; the debtor ... and to such other entities as the Court may designate, the Court may approve a compromise or settlement.”

15. Approval of a settlement in a bankruptcy proceeding is within the sole discretion of the Court and will not be disturbed or modified on appeal unless approval or disapproval is an abuse of discretion. *In re Arrow Air*, 85 BR 891 (Bankr. S.D. Fla. 1988).

16. The standards for approval are well settled and require the Court to inquire into the reasonableness of the proposed settlement. *See, e.g., Protective Comm. for Indep. Stockholders of TMT Trailer Ferry, Inc. v. Anderson*, 390 U.S. 414, 424 (1968); *In re W.T. Grant Co.*, 699 F.2d 599, 608 (2d Cir. 1983); *Florida Trailer and Equip. Co. v. Deal*, 284 F.2d 567, 571 (5th Cir. 1960). The inquiry need only determine whether the settlement falls below the lowest point of the range of reasonableness. *See W.T. Grant Co.*, 699 F.2d at 608; *see also In re Martin*, 91 F.3d 389 (3rd Cir. 1996); *In re Louise's Inc.*, 211 B.R. 798 (D. Del. 1997) (setting forth considerations by the Court for approval of a settlement, including: (i) the probability of success in litigation, (ii) the likely difficulties in collection; (iii) the complexity of the litigation involved, and the expense, inconvenience and delay necessarily attending it; and (iv) the paramount interest of the creditors.

**A. *The Settlement Ought to be Approved***

17. Based upon the above legal principles, the Liquidating Trustee asserts that the Settlement falls well above the lowest point of the range of reasonableness and thus, should be approved.

*Probability of success in litigation*

18. This is a significant issue that militates in favor of settling this matter.

19. Any claims that the Liquidating Trustee would assert would relate to the extent of any actual knowledge by Costco of Petters’ fraud, and any alleged actions or inactions it took relating to Petters.

20. The Liquidating Trustee believes he could assert common law claims against Costco in connection with these items.

21. There is the meaningful risk, however, that these claims could fail. Putting aside potential legal defenses, Costco would assert several substantive defenses, including that it was deceived by Mr. Petters like almost everyone else who came in contact with him during the 13+ years of his fraud.

Collectability and Amount of Available Insurance Coverage

22. This is not a significant issue with respect to this settlement. Costco has adequate resources to pay any judgment in the event it is found liable.

Complexity of litigation and attendant expense, inconvenience and delay

23. This is a significant consideration that militates in favor of approval of the Settlement.

24. Although many of the claims that could be asserted against Costco are typical claims litigated before this Court, they still will require retention of experts and extensive motion practice and fact discovery before a trial could take place. Prosecution of this case will result in substantial attorney's fees and costs (including for experts, travel and deposition transcripts, among other typical and ordinary litigation-related expenses). The result of these costs which would be substantial would diminish the net result of any recovery.

25. The settlement addresses these concerns. The parties will avoid litigating fact specific claims with the attendant expense and delay of such litigation being nullified.

Paramount interest of creditors

26. The Settlement provides for a meaningful payment of the Liquidating Trustee's potential claims against Costco when measured against Costco's defenses, and the fees, costs and risks attendant therewith. As such, the Settlement is in the paramount interest of the Debtors' stakeholders.

**B. *The Contingency Fee Ought to be Approved***

27. Pursuant to the Plan and this Court's Order Approving the Trustee's Motion to Approve Hybrid Form of Compensation [ECF No. 223], Meland Russin & Budwick, P.A. ("**MRB**") is entitled to a fee of 10% of any affirmative recovery received by the Debtors' estates from a litigation matter pursued by the firm without further order of the Court ("**Contingency Fee**").

28. The Liquidating Trustee requests that the Contingency Fee - in the amount of \$10,000 - be approved and that he be authorized and directed to pay this amount when the Settlement Payment is made.

[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK]

**WHEREFORE**, the Liquidating Trustee respectfully requests that this Court enter an Order as set forth in attached Exhibit B (1) approving the settlement and directing payment of the Contingency Fee; and (2) granting such other relief this Court deems just and proper.

Dated: May 24, 2016.

s/ Solomon B. Genet  
Solomon B. Genet, Esquire  
Florida Bar No. 617911  
[sgenet@melandrussin.com](mailto:sgenet@melandrussin.com)  
MELAND RUSSIN & BUDWICK, P.A.  
3200 Southeast Financial Center  
200 South Biscayne Boulevard  
Miami, Florida 33131  
Telephone: (305) 358-6363  
Telecopy: (305) 358-1221  
*Attorneys for the Liquidating Trustee*

### **CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing was served on May 24, 2016, via (i) the Court's Notice of Electronic Filing upon the Registered Users listed on the attached Exhibit 1; (ii) Regular U.S. Mail upon the parties listed on the attached Manual Notice List attached as Composite Exhibit 2<sup>3</sup>, the Court's Matrices in Case No. 09-36379-BKC-PGH and Case No. 09-36396-BKC-PGH attached as Composite Exhibit 3, and those additional addresses set forth on Composite Exhibit 4<sup>4</sup>; and (iii) U.S. Mail and electronic mail upon *Counsel for Costco Wholesale Corporation*, Gregg Weiner, Esq. and Adam Harris, Esq., Ropes & Gray, 1211 Avenue of the Americas, New York, NY 10036.

s/ Solomon B. Genet  
Solomon B. Genet, Esquire

---

<sup>3</sup> "ADDL" means these additional parties served as a courtesy. See Composite Exhibit 4.

"BAD" means that it is a known bad address; hence, no service by mail.

"DUP" means that the address appears more than once on this exhibit and is only being served one time by mail.

"INC" means that the Matrix contains an incomplete addresses; hence, no service by mail.

"NEF" means that service was made by Notice of Electronic Filing as set forth on Exhibit 1 and is not being additionally served by mail.

"NNR" means no notice is required. Examples are professionals retained.

"PBFP" means that entity appears on both matrices and only being served once.

<sup>4</sup> See footnote 1.

STIPULATION OF SETTLEMENT

This Stipulation of Settlement ("*Settlement*" or "*Stipulation*") is entered by and among (a) Barry E. Mukamal, in his capacity as liquidating trustee ("*Liquidating Trustee*") of the Palm Beach Finance Partners Liquidating Trust and the Palm Beach Finance II Liquidating Trust (collectively, the "*Liquidating Trusts*"), on behalf of himself and the Liquidating Trusts; and (b) Costco Wholesale Corporation ("*Costco*") (Costco and the Liquidating Trustee are sometimes referred to individually as a "*Party*," or collectively, the "*Parties*"). The terms of this Stipulation are as follows:

RECITALS

A. On or about November 30, 2009 (the "*Petition Date*"), Palm Beach Finance Partners, L.P. ("*PBF I*") and Palm Beach Finance Partners II, L.P. ("*PBF II*," together with PBF I, the "*Debtors*") commenced Chapter 11 bankruptcy cases by filing voluntary petitions for relief under Chapter 11 of Title 11 of the Bankruptcy Code in the United States Bankruptcy Court for the Southern District of Florida ("*Bankruptcy Court*"), Case Nos. 09-36379-PGH and 09-36396-PGH respectively ("*Bankruptcy Cases*");

B. On October 21, 2010, the Bankruptcy Court entered its Order Confirming Second Amended Plan of Liquidation [ECF No. 444], creating the Liquidating Trusts and appointing the Liquidating Trustee as liquidating trustee.

C. The Liquidating Trustee, on behalf of the Liquidating Trusts, believes he may have potential claims or causes of action against Costco (collectively, the "*Potential Claims*");

D. Costco expressly denies any liability in connection with the Potential Claims;

E. The Liquidating Trustee (and his legal counsel) and Costco (and its legal counsel) have engaged in settlement negotiations and discussions to resolve all of the Potential Claims;



F. To avoid the continued burden, expense, and uncertainty arising from the Potential Claims, as well as the costs and expenses associated therewith, among other reasons, the Parties have agreed to resolve any and all of the Potential Claims subject to the terms and conditions of this Stipulation and Bankruptcy Court approval.

**NOW, WHEREFORE**, it is stipulated, consented to and agreed, by and among the Parties as follows:

1. The Parties acknowledge that this Stipulation is a compromise and settlement of a controversy. No Party admits, and each expressly denies, any liability or wrongdoing whatsoever on its part.

2. This Stipulation constitutes the entire agreement and understanding between the Parties with respect to the subject matter hereof and there are no other stipulations, agreements, representations, or warranties other than those specifically set forth herein. All prior agreements and understandings between the Parties concerning the subject matter hereof are superseded by the terms of this Stipulation.

3. In full and final settlement of the Potential Claims, Costco shall pay, or cause to be paid, \$100,000.00 (the "*Settlement Payment*") to the Liquidating Trustee within 45 days of the later of the following events: (a) an Order approving this Stipulation becoming final and non-appealable; (b) the date of final resolution of all appeals and the expiration of time for any further appeals from or related to the Bankruptcy Court's order approving this Stipulation, unless such appeals have been determined by a court of appropriate jurisdiction to have been rendered moot; and (c) receipt by Costco from the Liquidating Trustee of taxpayer identification information and wire transfer information for the Settlement Payment.

4. The "*PB Parties*" shall mean the Liquidating Trusts; the Liquidating Trustee, on behalf of himself and the Liquidating Trusts; the Debtors and their estates; any estate representative, administrator, creditor, or other party-in-interest claiming on behalf or through the Debtors and their estates; and any successors or assigns of any of the foregoing.

5. "*Costco Released Parties*" means Costco and its past or present directors, officers, employees, agents, attorneys, subsidiaries, divisions, affiliates, related or affiliated entities, any entity in which Costco has a controlling interest, predecessors, successors, and assigns, but does not mean and expressly excludes any person or entity against whom the Liquidating Trustee has brought any formal claim, lawsuit or adversary proceeding related to or in any way associated with the Bankruptcy Cases, as of the date this Stipulation is executed.

6. Upon approval of this Stipulation by the Bankruptcy Court and payment of the Settlement Payment, without any further action by anyone, the PB Parties shall be deemed to have fully and finally waived, released, relinquished, compromised, settled, resolved, held harmless, and discharged, now and forever, the Costco Released Parties from any and all rights, demands, liabilities, or causes of action of every nature and description whatsoever (including, but not limited to, any claims for damages, interest, attorneys' fees, expert or consulting fees, and any other costs, expenses, or liabilities whatsoever), including, but not limited to, the Potential Claims, that the PB Parties now have, have ever had, or may hereafter have, against the Costco Released Parties, whether based on federal, state, local, statutory, or common law or any other law, rule, or regulation, including Unknown Claims, whether fixed or contingent, accrued or unaccrued, liquidated or unliquidated, whether at law or in equity, whether matured or unmatured, including, but not limited to, any claims in any way based on, in connection with, arising under, or otherwise relating to Thomas Petters or the Debtors at any time up to an

including the date of execution of this Stipulation (collectively, the "*Released Claims*"); provided that nothing in this Agreement shall be deemed to release, waive or otherwise limit: (1) any claims that the Liquidating Trustee has against any parties other than the Costco Released Parties, including, but not limited to, any alleged consecutive or concurrent tortfeasors who are not Costco Released Parties; and (2) any rights or obligations arising out of this Stipulation.

7. "*Unknown Claims*" means, collectively, any Released Claims that the Liquidating Trustee, the Liquidating Trusts, and the Debtors do not know or suspect to exist in his, her or its favor at the time of the release of the Costco Released Parties which, if known by him, her or it, might have affected such person's settlement or decisions with respect to the Settlement, including, but not limited to, the release of the Costco Released Parties from the Released Claims. With respect to any and all Released Claims, the Parties stipulate and agree that, upon the effective date of the Released Claims, the Liquidating Trustee, the Liquidating Trusts, and the Debtors shall expressly waive, any and all provisions, rights, and benefits conferred by the law of any state or territory or other jurisdiction or principle of common law or foreign law that is similar, comparable, or equivalent to California Civil Code § 1542, which provides:

A general release does not extend to claims which the creditor does not know or suspect to exist in his or her favor at the time of executing the release, which if known by him or her must have materially affected his or her settlement with the debtor.

The Liquidating Trustee, the Liquidating Trusts, and the Debtors may hereafter discover facts in addition to or different from those which he, she or it now knows or believes to be true with respect to the subject matter of the Released Claims, but the Liquidating Trustee, the Liquidating Trusts, and the Debtors shall expressly fully, finally, and forever settle and release any and all Released Claims, known or unknown, suspected or unsuspected, contingent or non-contingent,

whether or not concealed or hidden, which now exist, or heretofore have existed, upon any theory of law or equity now existing or coming into existence in the future, including, but not limited to, conduct which is negligent, intentional, with or without malice, or a breach of any duty, law or rule, without regard to the subsequent discovery or existence of such different or additional facts. The Liquidating Trustee, the Liquidating Trusts, and the Debtors acknowledge, that the foregoing waiver was separately bargained for and a key element of the Settlement.

8. After the releases set forth in paragraph 6 hereof become effective, the Liquidating Trustee, on behalf of the PB Parties, covenants and agrees that he will forever refrain from instituting, pursuing, participating, or in any way aiding or proceeding upon any and all of the Released Claims, and shall not assist any other person or entity in bringing any of the Released Claims against any of the Costco Released Parties. The Liquidating Trustee agrees that he shall be liable for reasonable attorneys' fees and costs related thereto, including, but not limited to, those incurred at all trial and appellate levels, arising from any breach of this provision.

9. The Liquidating Trustee represents and warrants that: (i) he has the authority to release the Released Claims (subject to Bankruptcy Court approval); (ii) he has not assigned, transferred, or encumbered the Released Claims in any way; (iii) to the best of his knowledge, he has not brought any formal claim, lawsuit or adversary proceeding related to or in any way associated with the Bankruptcy Cases against Costco or its past or present directors, officers, employees, agents, attorneys, subsidiaries, divisions, affiliates, related or affiliated entities, predecessors, successors, assigns, or any entity in which Costco has a controlling interest; and (iv) he is the sole person or entity with the authority or standing to bring claims on behalf of the Debtors or their estates or the Liquidating Trusts.

10. Upon approval of this Stipulation by the Bankruptcy Court and payment of the Settlement Payment, Costco shall be deemed to fully waive, release, hold harmless, and discharge, now and forever, the PB Parties from any and all claims that Costco now has, have ever had, or may hereafter have, against the Liquidating Trustee or the Debtors, at any time up to and including the date of execution of this Stipulation, arising out of, relating to, or in connection with the investigation, assertion, or resolution of the Potential Claims, provided that nothing in this Agreement shall be deemed to release, waive or otherwise limit: (1) any claims that Costco has against any parties other than the Liquidating Trustee or the Debtors; and (2) any rights or obligations arising out of this Stipulation.

11. Each of the Parties acknowledges that he, she or it has read all of the terms of this Stipulation, has had an opportunity to consult with counsel of his, her or its own choosing and enters into those terms voluntarily and without duress.

12. The Liquidating Trustee shall file, serve and prosecute the necessary motion(s) in the Bankruptcy Cases seeking an order approving this Stipulation, and shall use his best efforts to effectuate and accomplish the terms and conditions of the Stipulation.

13. By executing this Stipulation, Geoffrey Varga, in his capacity as trust monitor for the Palm Beach Finance II Liquidating Trust, explicitly expresses his consent to the Liquidating Trustee for the Palm Beach Finance II Liquidating Trust's entry into this Stipulation.

14. Other than as set forth in paragraph 8 hereof, each Party shall bear its own attorneys' fees and costs in connection with the Potential Claims, the negotiation and drafting of this Stipulation and the submission of such motions and orders as may be necessary to obtain the approval of the Bankruptcy Court; provided that in the event of any litigation between the Parties under this Stipulation or arising as a result of a default under this Stipulation, the prevailing Party

shall be entitled to reasonable attorneys' fees and costs related thereto, including, but not limited to, those incurred at all trial and appellate levels.

15. This Stipulation and any of the specific items, covenants, and conditions contained herein, may not be waived, changed, altered or modified except by an instrument in writing signed by the Party against whom enforcement of such change is sought.

16. This Stipulation shall be effective upon execution by all of the Parties hereto, subject only to approval of this Stipulation by final orders of the Bankruptcy Court and payment of the Settlement Payment. Upon it becoming effective, this Stipulation shall be binding on all of the Parties' successors or assigns.

17. If the Bankruptcy Court does not approve this Stipulation, then the Stipulation shall be of no further force or effect, and the Parties shall be restored to their rights as they existed prior to the execution of this Stipulation – this will include the tolling of any applicable statute of limitations period through 10 calendar days following the entry of any order denying approval of this Stipulation. Notwithstanding the foregoing, if the Bankruptcy Court does not approve this Stipulation because any of the Parties have failed to provide the Bankruptcy Court with adequate information to rule on the merits of the Stipulation, the Parties will use their best efforts to seek reconsideration of any order declining to approve the Stipulation, or to file an amended motion to approve the Stipulation.

18. Neither the Stipulation nor any of its contents nor any act performed or document executed pursuant to or in furtherance of the Stipulation: (a) is or may be deemed to be or may be used as an admission of, or evidence of, the validity of any Released Claim or of any wrongdoing or liability of any of the Costco Released Parties; (b) is or may be deemed to be or may be used as an admission of, or evidence of, any fault or omission of any of the Costco

Released Parties in any civil, criminal or administrative proceeding in any court, administrative agency, proceeding or other forum or tribunal; (c) is or may be deemed to be or may be used as an admission in, or evidence of, any fact in any other adversary proceeding or other suit or proceeding, including, but not limited to, those in which the Liquidating Trustee is involved, except in an action to enforce the terms of this Stipulation. The Costco Released Parties may file the Stipulation and any order of the Bankruptcy Court approving of the Settlement in any action that may be brought against them in order to support a defense or counterclaim based on principles of res judicata, collateral estoppel, release, good faith settlement, judgment bar or reduction, or any other theory of, without limitation, claim preclusion or issue preclusion or similar defense or counterclaim.

19. This Stipulation shall in all respects be construed in accordance with the laws of the State of Florida applicable to contracts made and to be performed wholly within the State of Florida and by federal law to the extent the same has preempted the laws of the State of Florida.

20. This Stipulation may be executed in any number of counterparts and by different parties hereto in separate counterparts, each of which when so executed shall be deemed to be an original and all of which taken together shall constitute one and the same Stipulation. Delivery of an executed counterpart of a signature page to this Stipulation by facsimile shall be effective as delivery of a manually executed counterpart of this Stipulation.

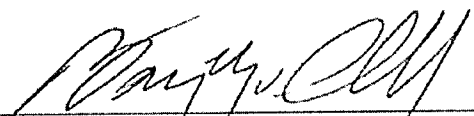
21. This Stipulation shall be deemed to have been jointly drafted by the Parties, and in construing and interpreting this Stipulation, no provision shall be construed and interpreted for or against any of the Parties because such provision or any other provision of the Stipulation as a whole is purportedly prepared or requested by such Party.

22. The Bankruptcy Court shall retain jurisdiction to enforce the terms of this Stipulation.


23. The individuals signing below represent and warrant that they have the authority to execute this Stipulation on behalf of the persons / entities identified and as set forth herein.




**STIPULATED AND AGREED TO BY:**

  
\_\_\_\_\_  
Barry E. Mukamal, as Liquidating Trustee for the  
Liquidating Trusts, on behalf of himself and  
the Liquidating Trusts

Date: 5/9/, 2016

  
\_\_\_\_\_  
Costco Wholesale Corporation  
*Jim R. Hill, Counsel*

Date: 5/11, 2016

  
\_\_\_\_\_  
Geoffrey Varga, as monitor for the Palm Beach  
Finance II Liquidating Trust

Date: 5/9, 2016

PROPOSED

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF FLORIDA  
WEST PALM BEACH DIVISION  
[www.flsb.uscourts.gov](http://www.flsb.uscourts.gov)

In re:  
PALM BEACH FINANCE PARTNERS,  
L.P., a Delaware limited partnership, et al.,

Chapter 11

Debtors,

CASE NO. 09-36379-BKC-PGH  
(Jointly Administered)

**ORDER GRANTING THE LIQUIDATING TRUSTEE'S MOTION TO APPROVE  
SETTLEMENT WITH COSTCO WHOLESALE CORPORATION**

**THIS MATTER** came before the Court on \_\_\_\_\_, 2016, upon the *Liquidating Trustee's Motion to Approve Settlement with Costco Wholesale Corporation ("Costco")* (the "*Motion*") [ECF No. \_\_\_\_].<sup>1</sup> The Court reviewed the Motion, considered the arguments of counsel and is otherwise duly advised in the premises. Accordingly, the Court finds as follows:

The Court has reviewed and considered the Motion, any other submissions to this Court and provided an opportunity to be heard to all persons requesting to be heard. Accordingly, it is

**ORDERED** as follows:

---

<sup>1</sup> Capitalized terms not otherwise defined herein shall have the meanings ascribed to such terms in the Motion.

1. The Motion is **GRANTED**.
2. The Settlement is approved.
3. The Settlement Payment will be allocated and apportioned among the Debtors as follows: 18% to Palm Beach Finance Partners, L.P. and 82% to Palm Beach Finance II, L.P. (the "*Pro Rata Allocation Formula*").
4. The Contingency Fee is approved. The Liquidating Trustee is authorized and directed make payment of the Contingency Fee without the need of further Court Order, in accordance with the Pro Rata Allocation Formula, promptly upon receipt of the Settlement Payment.
5. The Court retains jurisdiction to enforce or interpret this Order.

###

Submitted By:

SOLOMON B. GENET  
Fla. Bar No. 617911  
[sgenet@melandrussin.com](mailto:sgenet@melandrussin.com)  
MELAND RUSSIN & BUDWICK, P.A.  
3200 Southeast Financial Center  
200 South Biscayne Boulevard  
Miami, Florida 33131  
Telephone: (305) 358-6363  
Telecopy: (305) 358-1221  
Attorneys for the Liquidating Trustee

Copies to:  
Solomon B. Genet, Esq.  
(Attorney Genet is directed to mail a conformed copy of this Order upon all interested parties and to file a certificate of service.)

**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 email notice/service for this case.

- Melissa Alagna mma@gordichalagna.com
- Vincent F Alexander vfa@kttlaw.com, lf@kttlaw.com
- Paul A Avron pavron@bergersingerman.com, efile@bergersingerman.com;efile@ecf.inforuptcy.com;mday@bergersingerman.com
- Scott L. Baena sbaena@bilzin.com, eservice@bilzin.com;lflores@bilzin.com
- Marc P Barbat mdixon@furrcohen.com, mbarbat@furrcohen.com;atty\_furrcohen@bluestylus.com
- Rachel K Beige rachel.beige@csklegal.com, joseph.valdivia@csklegal.com
- Sean M. Berkowitz sean.berkowitz@lw.com, cheffiling@lw.com;roger.schwartz@lw.com;russell.mangas@lw.com;robert.malionek@lw.com;megan.fitzpatrick@lw.com;barbara.pipchok@lw.com;alicia.davis@lw.com
- Steven M Berman sberman@slk-law.com, bgoodall@slk-law.com
- Mark D. Bloom bloommm@gtlaw.com, MiaLitDock@gtlaw.com;miaecfbky@gtlaw.com
- Ira Bodenstern ibodenstern@shawgussis.com
- Noel R Boeke noel.boeke@hkllaw.com, wendysue.henry@hkllaw.com
- Michael S Budwick mbudwick@melandrussin.com, ltannenbaum@melandrussin.com;mrbnefs@yahoo.com
- Michael S Budwick mbudwick@melandrussin.com, ltannenbaum@melandrussin.com;mrbnefs@yahoo.com
- Dennis M. Campbell dcampbell@campbelllawfirm.net, gschmied@campbelllawfirm.net
- Rilyn A Carnahan rilyn.carnahan@gmlaw.com, efileu1092@gmlaw.com;efileu1089@gmlaw.com;melissa.bird@gmlaw.com;efileu1435@gmlaw.com;efileu1094@gmlaw.com;efileu1093@gmlaw.com;gregory.stolzb
- Francis L. Carter flc@fcarterpa.com
- Francis L. Carter flc@katzbarron.com
- Francis L. Carter flc@katzbarron.com
- Lisa M. Castellano lcastellano@bplegal.com, kmurphy@bplegal.com;aglatkowski@bplegal.com
- Helen Davis Chaitman hchaitman@beckerny.com;jgorchkova@beckerny.com;lblanco@beckerny.com;cdavis@beckerny.com
- Helen Davis Chaitman hchaitman@beckerny.com, jgorchkova@beckerny.com;lblanco@beckerny.com;cdavis@beckerny.com
- Franck D Chantayan franck@chantayan.com
- Daniel DeSouza ddesouza@desouzalaw.com
- John R. Dodd doddj@gtlaw.com, miaecfbky@gtlaw.com;mialitdock@gtlaw.com
- John D Eaton jeaton@shawde-eaton.com, sramirez@shawde-eaton.com
- Darren D. Farfante darren.farfante@bipc.com, Denise.Strand@bipc.com
- Heidi A Feinman Heidi.A.Feinman@usdoj.gov
- Jonathan S. Feldman jfeldman@pbyalaw.com, magon@pbyalaw.com
- G Steven Fender efileu1113@gmlaw.com, efileu1094@gmlaw.com;efileu1092@gmlaw.com;leslie.marder@gmlaw.com;efileu1435@gmlaw.com;efileu1093@gmlaw.com;melissa.bird@gmlaw.com;gregory.stol
- David S Foster cheffiling@lw.com
- Robert G Fracasso Jr rfracasso@shutts.com, fsantelices@shutts.com
- Robert C Furr bnasralla@furrcohen.com, atty\_furrcohen@bluestylus.com
- Solomon B Genet sgenet@melandrussin.com, ltannenbaum@melandrussin.com;mrbnefs@yahoo.com
- Solomon B Genet sgenet@melandrussin.com, ltannenbaum@melandrussin.com;mrbnefs@yahoo.com
- John H Genovese jgenovese@gjb-law.com, hburke@gjb-law.com;gjbefc@gjb-law.com
- Daniel L. Gold dan.gold@wilsonelser.com, miurel.martinez@wilsonelser.com;Jackie.Benitez@wilsonelser.com;Thomas.Manisero@wilsonelser.com
- Michael I Goldberg michael.goldberg@akerman.com, charlene.cerda@akerman.com
- Lawrence Gordich LAG@gordichalagna.com, mma@gordichalagna.com
- Scott M. Grossman grossmansm@gtlaw.com, scottla@gtlaw.com;MiaLitDock@gtlaw.com;FTLLitDock@GTLaw.com;miaecfbky@gtlaw.com
- Matthew W Hamilton e-notice@fulcruminv.com
- Zachary N James zjames@melandrussin.com, ltannenbaum@melandrussin.com;mrbnefs@yahoo.com
- Kenneth M Jones kjones@moodyjones.com
- Michael A Kaufman michael@mkaufmanpa.com, diamondmk@aol.com;kaufmanesq@gmail.com;kwatson@mkaufmanpa.com
- Stephen J Kolski Jr stevekolski@skolskilaw.com, jessica@skolskilaw.com
- Harris J. Koroglu hkoroglu@shutts.com, fsantelices@shutts.com
- James A Lodoen jlodoen@lindquist.com, ghildahl@lindquist.com
- Corali Lopez-Castro clc@kttlaw.com, rcp@kttlaw.com
- David S Mandel dmandel@mandel-law.com, susan@mandel-law.com
- Joshua A Marcus jmarcus@melandrussin.com, ltannenbaum@melandrussin.com;mrbnefs@yahoo.com
- Joshua A Marcus jmarcus@melandrussin.com, ltannenbaum@melandrussin.com;mrbnefs@yahoo.com
- Aleida Martinez Molina amartinez@wsh-law.com, jfuentes@wsh-law.com
- Paul J McMahon pjmc@pjmawmiami.com
- Brian M Mckell brian.mckell@wilsonelser.com, lourdes.riestra@wilsonelser.com
- Yvonne F Mizusawa yvonne.f.mizusawa@frb.gov
- James C. Moon jmoon@melandrussin.com, ltannenbaum@melandrussin.com;mrbnefs@yahoo.com
- Barry E Mukamal bemtrustee@kapilamukamal.com, FL64@ecfcbis.com
- Barry E Mukamal bankruptcy@marcumllp.com, FL64@ecfcbis.com
- Barry E. Mukamal bemtrustee@kapilamukamal.com
- David J Myers myers@fsblegal.com
- Office of the US Trustee USTPRegion21.MM.ECF@usdoj.gov
- Leslie S. Osborne office@rorlawfirm.com
- John E Page jpage@sfl-pa.com, scusack@sfl-pa.com;lrosettoparr@sfl-pa.com;dwoodall@sfl-pa.com;bshraibergecfmail@gmail.com;scusacksfl@gmail.com
- Kristopher E Pearson kpearson@stearnsweaver.com, mmasvidal@stearnsweaver.com;bank@stearnsweaver.com;rross@stearnsweaver.com;dillworthcdp@ecf.epiqsystems.com;larrazola@stearnsweaver.com;cgraver@stear
- Jennifer H Pinder Jennifer.pinder@myfloridalegal.com, crowell@foley.com
- Chad P Pugatch cpugatch.ecf@rprslaw.com
- Christopher S Rapp csrapp@jones-foster.com, eservice@tobinreyes.com;dboentgen@tobinreyes.com;hvaldes@tobinreyes.com;rar@tobinreyes.com;mhorton@tobinreyes.com
- Christopher S Rapp csrapp@tobinreyes.com, eservice@tobinreyes.com;dboentgen@tobinreyes.com;hvaldes@tobinreyes.com;rar@tobinreyes.com;mhorton@tobinreyes.com
- Patricia A Redmond predmond@stearnsweaver.com, jmartinez@stearnsweaver.com;bank@stearnsweaver.com;rross@stearnsweaver.com;cgraver@stearnsweaver.com;sdaddese@akingump.com

EXHIBIT 1

- Patricia A Redmond predmond@stearnsweaver.com, jmartinez@stearnsweaver.com;bank@stearnsweaver.com;ross@stearnsweaver.com;cgraver@stearnsweaver.com;sdaddese@akingump.com
- Jason S Rigoli jrigoli@furrcohen.com, ndixon@furrcohen.com;atty\_furrcohen@bluestylus.com
- Kenneth B Robinson krobison.ecf@rprslaw.com
- Joseph Rodowicz bankruptcy@rodowiczlaw.com, rodowiczlaw@gmail.com
- Robin J. Rubens rjr@kklsg.com, esf@kklsg.com
- Peter D. Russin prussin@melandrussin.com, ltannenbaum@melandrussin.com;mrbnfs@yahoo.com;ltannenbaum@ecf.inforuptcy.com
- Luis Salazar salazar@salazarjackson.com, jackson@salazarjackson.com;cloyd@salazarjackson.com;aguilar@salazarjackson.com;davila@salazarjackson.com;leesin@salazarjackson.com
- Franklin H Sato fsato@wickersmith.com, alazaro@wickersmith.com
- Bradley M Saxton bsaxton@whww.com, scolgan@whww.com;rweinman@whww.com;arox@whww.com
- Michael L Schuster mschuster@gjb-law.com, gjbecf@gjb-law.com;mchang@gjb-law.com;scomer@gjb-law.com;ekelly@gjb-law.com
- Patrick S. Scott patrick.scott@gray-robinson.com
- Michael D. Seese mseese@seeselaw.com, sseward@seeselaw.com
- Steven E Seward steven.seward@gmail.com
- Bradley S Shraiberg bshraiberg@sfl-pa.com, dwoodall@sfl-pa.com;lrosettoparr@sfl-pa.com;scusack@sfl-pa.com;blee@sfl-pa.com;bshraibergecfmail@gmail.com;ematteo@sfl-pa.com
- Paul Steven Singerman singerman@bergersingerman.com, mdiaz@bergersingerman.com;efile@bergersingerman.com;efile@ecf.inforuptcy.com
- Jeffrey I. Snyder jsnyder@bilzin.com, eservice@bilzin.com;lflores@bilzin.com
- James S Telepman jst@fcohenlaw.com
- Charles W Throckmorton cwt@kttlaw.com, lf@kttlaw.com;ycc@kttlaw.com
- Charles W Throckmorton cwt@kttlaw.com, lf@kttlaw.com;ycc@kttlaw.com
- Trustee Services Inc 2 court@trusteeservices.biz, sandirose.magder@gmail.com
- Skipper J Vine jonathan.vine@csklegal.com, Stefanie.copelow@csklegal.com;iraida.avila@csklegal.com;denise.allwine@csklegal.com
- Skipper J Vine jonathan.vine@csklegal.com, Stefanie.copelow@csklegal.com;iraida.avila@csklegal.com;denise.allwine@csklegal.com
- Jessica L Wasserstrom jwasserstrom@melandrussin.com, ltannenbaum@melandrussin.com;mrbnfs@yahoo.com
- Jessica L Wasserstrom jwasserstrom@melandrussin.com, ltannenbaum@melandrussin.com;mrbnfs@yahoo.com
- Morris D. Weiss morrisw@hts-law.com, sherris@hts-law.com;annmariej@hts-law.com
- George L. Zinkler gzinkler.ecf@rprslaw.com

The following is the list of **parties** who are **not** on the list to receive email notice/service for this case (who therefore require manual noticing/service). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

Michael B Apfeld 780 North Water Street Milwaukee, WI 53202	James F Bendernagel 1501 K St, NW Washington, DC 20005	John B Berringer 599 Lexington Ave 22nd Fl New York, NY 10022
Debra Bogo-Ernst 71 S Wacker Drive Chicago, IL 60606	Sean O'D. Bosack 780 N Water St. Milwaukee, WI 53202	Carl D. Ciochon 111 Broadway 24th Floor Oakland, CA 94607
Alicia C. Davis 330 N Wabash Ave #2800 Chicago, IL 60611	Andrew Davis 150 S Fifth St. #2300 Minneapolis, MN 55402	Gregory W Deckert 12912 63 Ave N Maple Grove, MN 55369
Mary Sue Donohue 5355 Town Center Rd #801 Boca Raton, FL 33486	Gonzalo R Dorta 334 Minorca Ave Coral Gables, FL 33134	Edward J Estrada 599 Lexington Ave 22 Flr New York, NY 10022
William Evanoff 1 S Dearborn St Chicago, IL 60603	Evan K Farber 599 Lexington Ave 22nd Fl New York, NY 10022	Michael B Fisco 90 S 7th St #2200 Minneapolis, MN 55402
Megan C. Fitzpatrick 330 N Wabash Ave #2800 Chicago, IL 60611	John Harper 100 S 5 St #1400 Minneapolis, MN 55402	Jonathan R. Ingrisano 780 N Water St. Milwaukee, WI 53202
Matthew B Kaplan 1100 New York Ave, NW #500 Washington, DC 20005	John B Kent POB 447 Jacksonville, FL 32201	Paula S Kim 161 N Clark St #4200 Chicago, IL 60601
John L. Kirtley 780 N Water St. Milwaukee, WI 53202	Bryan Krakauer 1 S Dearborn St Chicago, IL 60603	Maria L. Kreiter 780 N Water St. Milwaukee, WI 53202
Robert T. Kugler 150 S Fifth St. #2300 Minneapolis, MN 55402	Robert J. Malioneck <b>ADDL</b> 885 Third Avenue New York, NY 10022	Lucia Nale 71 S Wacker Drive Chicago, IL 60606
Miles N. Ruthberg <b>ADDL</b> 885 Third Avenue New York, NY 10022	Roger G. Schwartz Latham & Watkins LLP 885 Third Ave New York, NY 10022-4834	Jerry L Switzer 161 N Clark St #4200 Chicago, IL 60601
Steven Thomas 14 27th Ave Venice, CA 90291	Julie P Vianale <b>BAD</b> 2499 Glades Rd #112 Boca Raton, FL 33431	Richard G. Wilson <b>DUP</b> 90 South Seventh St. Minneapolis, MN 55402
Joshua D. Yount 71 S Wacker Drive Chicago, IL 60606	Thomas Manisero <b>ADDL</b> 1133 Westchester Avenue White Plains, NY 10604	

Label Matrix for local noticing 113C-9 Case 09-36379-PGH Southern District of Florida West Palm Beach [REDACTED]	NNR	Ashton Revocable Living Trust c/o Helen Chaitman 45 Broadway New York, NY 10006-3007	NEF	BMO Harris Bank, N.A. c/o Charles W. Throckmorton 2525 Ponce de Leon 9th Floor Coral Gables, FL 33134-6039	NEF
Blackpool Absolute Return Fund, LLC c/o John E. Page, Esquire Shraiberg, Ferrara & Landau, P.A. 2385 N.W. Executive Center Drive Suite 300 Boca Raton, FL 33431-8530	NEF	Blackpool Partners, LLC c/o John E. Page, Esquire Shraiberg, Ferrara & Landau, P.A. 2385 N.W. Executive Center Drive Suite 300 Boca Raton, FL 33431-8530	NEF	Calhoun Multi-Series Fund, L.P. John E. Page, Esquire Shraiberg, Ferrara & Landau, P.A. 2385 NW Executive Center Dr. Suite 300 Boca Raton, FL 33431-8530	NEF
Crown Financial Ministries, Inc. c/o Timothy M. Obitts, Esq. Gammon & Grange, P.C. 8280 Greensboro Dr., 7th Floor McLean, VA 22102-3885		Douglas A. Kelly, Chapter 11 Trustee c/o Bradley M. Saxton PO Box 1391 Orlando, FL 32802-1391	NEF	Father's Heart-A Ranch for Children Inc Shumaker, Loop, & Kendrick, LLP 101 E. Kennedy Blvd Suite 2800 Tampa, FL 33602-5153	
First Baptist Church of Tequesta, Inc. c/o Roberto M. Vargas, Esq. Jones Foster Johnston & Stubbs, P.A. 505 S. Flagler Drive Suite 1100 West Palm Beach, FL 33401-5950		Fulcrum Credit Partners LLC c/o Matthew W Hamilton 111 Congress Ave #2550 Austin, TX 78701-4044	NEF	General Electric Credit Corporation c/o Patricia A. Redmond Stearns Weaver Miller 150 W. Flagler St., #2200 Miami, FL 33130-1545	NEF
Geoff Varga, as Liquidating Trust Monitor fo Levine Kellogg, et al. c/o RobinJRubens 201 S. Biscayne Blvd., 34th Floor Miami, FL 33131-4332	NEF	Geoff Varga, as Liquidator c/o Robin Rubens 201 S Biscayne Blvd 34 Fl Miami, FL 33131-4332	NEF	Golden Gate VP Absolute Return Fund, LP H. Thomas Halen III, President 1750 Montgomery St, First Floor San Francisco, CA 94111-1000	BAD
Golden Sun Capital Management, LLC c/o Michael L. Schuster, Esq. 100 SE 2nd Street Suite 4400 Miami, f 33131-2118	NEF	HSBC USA, INC c/o Franck D. Chantayan Carlton Fields, P.A. 525 Okeechobee Blvd., Suite 1200 West Palm Beach, FL 33401-6350	NEF	KBC Financial Products (Cayman Islands) Ltd.	INC
Kaufman Rossin, P.A. c/o Daniel L. Gold 100 Southeast Second St #3800 Miami, FL 33131-2126	NEF	Kaufman, Rossin & Co. c/o Rice Pugatch Robinson & Schiller 101 NE 3rd Avenue Suite1800 Fort Lauderdale, FL 33301-1162	NEF	Kinetic Partners (Cayman) Ltd c/o Robin Rubens, Esq. at LKLSG 201 S. Biscayne Blvd., 22 FL Miami, FL 33131-4338	NEF
Levine Kellogg Lehman Schneider & Grossman L LKLSG c/o Robin Rubens 201 S. Biscayne Blvd., 34th Fl Miami, FL 33131-4332	NEF	M&I Marshall & Ilsley Bank c/o Charles W. Throckmorton 2525 Ponce de Leon 9th Floor Coral Gables, FL 33134-6039	NEF	MIO Partners Inc c/o Robin E Keller Esq 590 Madison Ave New York, NY 10022-2524	BAD
Minnesota Teen Challenge, Inc. c/o Paul Joseph McMahon, P.A. Miami, FL 33129 US	NEF	Mosaic Fund, L.P. c/o Kristopher E. Pearson Stearns Weaver Miller 150 W. Flagler St. Ste. 2200 Miami, FL 33130-1545	NEF	Palm Beach Finance II, L.P. 3601 PGA Blvd Suite 301 Palm Beach Gardens, FL 33410-2712	NNR
Palm Beach Finance Partners, L.P. 3601 PGA Blvd Suite 301 Palm Beach Gardens, FL 33410-2712	NNR	Prison Fellowship Ministries, Inc. c/o Timothy M. Obitts, Esq. Gammon & Grange, P.C. 8280 Greensboro Dr., 7th Floor McLean, VA 22102-3885		Raymond G. Feldman Family Ventures, L.P. c/o John E. Page, Esquire Shraiberg, Ferrara & Landau, P.A. 2385 N.W. Executive Center Drive Suite 300 Boca Raton, FL 33431-8530	NEF

Reed Smith LLP  
599 Lexington Ave 22 Flr  
New York, NY 10022-7650

SCALL, LLC  
c/o Edward Toptani, Esq.  
127 East 59th Street  
New York, NY 10022-1225

Sims Moss Kline & Davis, LLP  
Davis Gillett Mottern & Sims LLC  
c/o Jerry L Sims  
Promenade #2445  
1230 Peachtree St NE  
Atlanta, GA 30309-3574

Sumnicht Money Masters Fund I Liquidating Tr  
c/o John E Page, Esquire  
Shraiberg, Ferrara & Landau, PA  
2385 NW Executive Center Drive  
Suite 300  
Boca Raton, FL 33431-8530

NEF

The Christensen Group, Inc.  
Wicker Smith O'Hara McCoy & Ford, P  
515 North Flagler Drive  
Suite 1600  
West Palm Beach, FL 33401-4346

Thomas J. Ginley Life Ins. Trust Dated 1-22-  
6650 N. Tower Circle Drive  
Lincolnwood, IL 60712-3218

Toledo Fund, LLC  
c/o Edward Toptani, Esq.  
127 East 59th Street  
New York, NY 10022-1225

Trustee Services Inc 2  
Ken Welt  
3790 N 28 Tr  
Hollywood, FL 33020-1112

NEF

West Capital Management  
c/o Simon B. Paris  
1 Liberty Pl 52 FL  
1650 Market St  
Philadelphia, PA 19103-7301

ZCALL, LLC  
c/o Edward Toptani, Esq.  
127 East 59th Street  
New York, NY 10022-1225

Agile Safety Fund (International)  
730 17th Street  
Suite 550  
Denver, CO 80202-3539

Agile Safety Fund (Master Fund)  
730 17th Street  
Suite 550  
Denver, CO 80202-3539

Agile Safety Variable Fund, L.P.  
730 17th Street  
Suite 550  
Denver, CO 80202-3539

Albert Liguori  
16590 Crownsbury Way, #201  
Ft. Myers, FL 33908-5695

Alton Opitz  
144 Newhaven Ln  
Butler, PA 16001-7910

Amy Davenport  
3 Greenwich Dr  
Midland, TX 79705-6418

Amy Davenport  
POB 3511  
Midland, TX 79702-3511

Armadillo Fund  
40 Random Farms Cir  
Chappaqua, NY 10514-1000

BTA Oil Producers  
104 S Pecos St  
Midland, TX 79701-5099

Barry Beal  
104 S Pecos St  
Midland, TX 79701-5021

BayRoc Associates  
c/o JamiScott  
15 W 53rd St. #24-B  
New York, NY 10019-5401

Beacon Partners, Ltd  
3030 McKinney Ave, #305  
Dallas, TX 75204-7472

Beal Family Trust FBO Kelly S Beal  
104 S Pecos St  
Midland, TX 79701-5021

Beal GST Exemption Trust  
104 S Pecos St  
Midland, TX 79701-5021

Blackpool Absolute Return Fund, LLC  
c/o John E. Page, Esquire  
Shraiberg, Ferrara & Landau, P.A.  
2385 N.W. Executive Center Drive, Suite  
Boca Raton, Florida 33431-8510

NEF

Bruce Prevost #15810-041  
9595 W Quincy Ave  
Littleton, CO 80123-1159

Calhoun Multi-Series Fund, L.P.  
c/o John E. Page, Esquire  
Shraiberg, Ferrara & Landau, P.A.  
2385 NW Executive Center Dr, Suite 300  
Boca Raton, FL 33431-8530

NEF

Cannonball Funds/Globefin Asset Manageme  
PO Box 218  
Wickatunk, NJ 07765-0218

Carlton Beal Family Trust FBO Barry Beal  
104 S Pecos St  
Midland, TX 79701-5021

Christopher J Topolewski, West Capital Manag  
c/o Simon B. Paris  
1 Liberty Pl 52 FL  
1650 Market St  
Philadelphia, PA 19103-7301



Claude Lestage  
4893 N Kay  
Palm Beach Gardens, FL 33418-6167

Cohen Milstein Sellers & Toll, PLLC  
1100 New York Avenue, N.W.  
Suite 500, West Tower  
Washington, D.C 20005-3964  
Attn: Andrew N. Friedman, Esq.

Compass Special Situations Fund LP  
c/o Robin E. Keller, Esq.  
Hogan Lovells US LLP  
875 Third Ave  
New York, NY 10022-7222

David W Harrold, #15809-041  
Federal Prison Camp  
P.O. Box 779800  
Miami, FL 33177-9800

Deer Island, LP  
Red Bird Farm 89 Nason Hill Rd  
Sherborn, MA 01770-1233

Dennis Dobrinich  
3860 Dogwood Ave  
Palm Beach Gardens, FL 33410-4755

Douglas A. Kelley, Chapter 11 Trustee  
Attn: James A. Rubenstein, Esq.  
Moss and Barnett  
150 South Fifth Street, Suite 1200  
Minneapolis, MN 55402-4129

BAD

Douglas A. Kelley, Chapter 11 Trustee  
Attn: Terrence J. Fleming, Esq.  
4200 IDS Center  
80 South Eighth Street  
Minneapolis, MN 55402-2100

Father's Heart Family Foundation Inc. ( )  
5155 W Quincy Ave E 102  
Denver, CO 80236-3255

Frank Vennes #05123-059  
FCI Coleman Low  
Federal Correctional Institution  
POB 1031  
Coleman, FL 33521-1031

Freestone Capital Management, Inc  
701 Fifth Ave 74th Floor  
Seattle, WA 98104-7016

Fulbright & Jaworski  
Norton Rose Fulbright US LLP  
RBC Plaza  
60 South Sixth St #3100  
Minneapolis, MN 55402-1114

George & Nancy Slain  
1517 Conifer Ridge Lane  
Prescott, AZ 86303-4946

George Novograder  
875 N MICHIGAN Ave #3612  
Chicago, IL 60611-1947

Gillett Mottern and Walker, LLP  
1230 Peachtree St. NE #2445  
Atlanta, GA 30309-7500  
At. Bob Mottern - Sky Bell  
Pete L DeMahy, Esquire

Golden Gate VP Absolute Return Fund, LP  
c/o Michael J Cordone, Esq  
2600 One Commerce Square  
Philadelphia, PA 19103-7018

Golden Sun Capital Management  
Attn: Solomon Halpern  
885 Arapahoe Ave  
Bolder, CO 80302-6011

Golden Sun Multi-Manager Fund  
c/o Jeffrey S Posta, Esq  
POB 5315  
Princeton, NJ 08543-5315

Guy M. Hohmann, Esq.  
100 Congress Ave  
18th Floor  
Austin, TX 78701-4042

HSBC USA, Inc.  
c/o Franck D. Chantayan  
Carlton Fields, PA  
525 Okeechobee Blvd., Suite 1200  
West Palm Beach, FL 33401-6350

NEF

Holland & Knight, LLP  
701 Brickell Ave  
Suite 3000  
Attn: Mitchell Herr  
Miami, FL 33131-2847

JamiScott  
c/o Leonard & Lillian Schneider  
15 W 53rd St #24-B  
New York, NY 10019-5401

JamiScott LLC  
15 W 53rd St #24-B  
New York, NY 10019-5401

Janeete Bancroft  
9052 SW 103 Ave  
Ocala, FL 34481-8230

Janet Bonebrake  
13956 San Pablo Ave., Apt. 336  
San Pablo, CA 94806-5304

Jerry L. Sims, Davis Gillett Mottern & Sims  
Promenade Ste 2445  
1230 Peachtree St NE  
Atlanta, GA 30309-3574

John Bergman  
c/o Erika L. Morabito, Esq.  
Foley k Lardner LLP  
3000 K St NW, Ste 600  
Washington, DC 20007-5111

Judith Goldsmith  
3 Water Ln  
Manhasset, NY 11030-1021

K&K Capital Management, Inc.  
8701 N. Merrill St  
Niles, IL 60714-1922

KBC Finance Products (Cayman Islands) Ltd.  
111 Old Broad Street  
London, England  
EC2N 1FP

Kaufman Rossin & Co.  
2699 S Bayshore Dr  
Miami, FL 33133-5486

Keleen H. Beal Estate  
104 S Pecos St  
Midland, TX 79701-5021

Kelly Beal  
104 S Pecos St  
Midland, TX 79701-5021

LAB Investments Fund, LP  
1875 S Grant St, #600  
San Mateo, CA 94402-7013

Leslie Schneider  
c/o JamiScott  
15 W 53rd St., #24-B  
New York, NY 10019-5401

Lewis B. Freeman & Partners, Inc.  
c/o Kenneth A. Welt, Receiver  
1776 North Pine Island Road  
Suite 101  
Plantation, Florida 33322-5200

NEF

Lionheart LP  
by and through David A, Kite, Agent  
160 N Wacker Dr, 4th Fl  
Chicago, IL 60606-1566

Lynda Beal  
104 S Pecos St  
Midland, TX 79701-5021

M. Lee Toothman  
216 Barbados Dr  
Jupiter, FL 33458-2917

MB Investments, LLC  
110 N Wacker Dr, #330  
Chicago, IL 60606-1511

MIO Partners Inc  
Attn: Casey S Lipscomb  
Vice President-Legal and Secretary  
245 Park Ave 13 Flr  
New York, NY 10167-2300

Marder Investment Advisors Corp.  
8033 Sunset Blvd, #830  
Los Angeles, CA 90046-2401

Mark Prevost  
2372 Hidden Ridge Ln  
Jasper, AL 35504-7268

Martin Casdagli  
554 E Coronado Rd  
Santa Fe, NM 87505-0347

McKinsey Master Retirement Trust  
c/o Robin E. Keller, Esq.  
Hogan Lovells US LLP  
875 Third Ave  
New York, NY 10022-7222

Mosaic Capital Fund LLC  
c/o Philadelphia Financial  
Attn.: John F Reilly  
One Liberty Place  
1650 Market St 54th Place  
Philadelphia, PA 19103-7309

Nancy Beal  
104 S Pecos St  
Midland, TX 79701-5021

Nancy Dobrinich  
3860 Dogwood Ave  
Palm Beach Gardens, FL 33410-4755

Nancy Hollingsworth  
30777 Riverside Ln  
Trappe, MD 21673-1798

NetWide Capital LLC  
P.O. Box 957  
Boulder, CO 80306-0957

Office of the US Trustee  
51 S.W. 1st Ave.  
Suite 1204  
Miami, FL 33130-1614

NEF

Palm Beach Finance Holdings, Inc.  
c/o Lindquist & Vennum, PLLP  
80 South Eighth Street, Ste 4200  
Minneapolis, MN 55402-2223

Palm Beach Offshore II, Ltd  
Admiral Financial Center, 5th Floor  
90 Fort Street, PO Box 32021  
Grand Cayman KY - 1208  
Cayman Islands

Palm Beach Offshore LTD  
Anchorage Centre, 2nd Floor  
PO Box 32021 SMB  
Grand Cayman, Cayman Islands

Pemco Partners, LP  
8 Lyman St, #204  
Westborough, MA 01581-1487

Petters Company, Inc.  
c/o Lindquist & Vennum, PLLP  
80 South Eighth St, Ste 4200  
Minneapolis, MN 55402-2223

Prateek Mehrotra, CFA, CAIA  
Sumnicht & Associates  
W6240 Communication Ct, #1  
Appleton, WI 54914-8549

Randall Linkous  
1174 SW 27 Ave  
Boynton Beach, FL 33426-7824

Robert Davenport  
POB 3511  
Midland, TX 79702-3511

Robert Davenport, Jr  
104 S Pecos St  
Midland, TX 79701-5021

Ron Priestley  
5565 N Espina Rd  
Tuscon, AZ 85718-5101

Ronald R. Peterson  
Jenner & Block LLP  
353 North Clark St.  
Chicago, IL 60654-5474

Ronald R. Peterson  
c/ Wilkie Farr & Gallagher, LLP  
Attn: Michael S. Schachter, Esq.  
787 Seventh Ave  
New York, NY 10019-6099

Ronald R. Peterson  
c/o McDermott Will & Emery, LLP  
Attn: Lazar P. Raynal, Esq.  
227 West Monroe Street  
Chicago, IL 60606-5096

SALI Fund Services, LLC  
6836 Austin Center St #320  
Austin, TX 78731-3193

SBL-DIF  
c/o Robin E. Keller, Esq.  
Hogan Lovells US LLP  
875 Third Ave  
New York, NY 10022-7222

SSR Capital Partners, LP  
c/o R. James George, Jr., Esq  
114 W 7th St #1100  
Austin, TX 78701-3015

SSR Capital Partners, LP  
c/o R. James George, Jr., Esq.  
114 W. Seventh Street  
Suite 1100  
Austin, TX 78701-3015

Sage Capital Resources  
3006 Julia St W, Unit A  
Tampa, FL 33629-8809

Sandra Linkous  
1174 SW 27 Ave  
Boynton Beach, FL 33426-7824

Sarah Stroebel, Snr Corp Counsel  
U.S. Bank National Association  
800 Nicollet Mall  
Minneapolis, MN 55402-2511

Scott Schneider  
c/o JamiScott  
15 W 53rd St, #24-B  
New York, NY 10019-5401

Special Situations Investment Fund, LP  
c/o Robin Keller, Esq.  
Hogan Lovells US LLP  
875 Third Avenue  
New York, NY 10022-7222

Spencer Beal  
104 S Pecos St  
Midland, TX 79701-5021

Spencer Evans Beal Family Trust  
104 S Pecos St  
Midland, TX 79701-5021

Spring Investor Services Inc.  
Red Bird Farm  
89 Nason Hill Rd  
Sherborn, MA 01770-1233

Sterling Management Inc.  
c/o Dave Engstrom  
14 Basswood Dr  
Santa Rosa Beach, FL 32459-4366

Steven Feder  
730 17th Street  
Suite 550  
Denver, CO 80202-3539

NEF

Strategic Stable Return Fund (ID), LP  
c/o R. James George, Jr., Esq.  
114 West Seventh Street  
Suite 1100  
Austin, TX 78701-3015

Strategic Stable Return Fund II, LP  
c/o R. James George, Jr., Esq.  
114 W. Seventh Street  
Suite 1100  
Austin, TX 78701-3015

Sumnicht Money Masters Fund I  
Liquidating Trust I  
Cust/Ttee Nat'l Advisors Trust Co  
8717 West 110th St, #700  
Overland Park, KS 66210-2127

NEF

Sumnicht Money Masters Fund I  
Liquidating Trust I  
c/o John E. Page  
2385 NW Executive Center Dr. #300  
Boca Raton, FL 33431-8530

NEF

Sumnicht Money Masters Fund, LP  
c/o John E. Page, Esquire  
Shraiberg Ferrara & Landau PA  
2385 NW Executive Center Dr. #300  
Boca Raton, FL 33431-8530

NEF

Table Mountain Capital, LLC  
850 Quince Ave  
Boulder, Co 80304-0746

Ted Goldsmith  
3 Water Ln  
Manhasset, NY 11030-1021

The Beal Trust U/A 4/17/68  
104 S Pecos St  
Midland, TX 79701-5021

Tradex Global Advisors  
35 Mason St, 4th Fl  
Greenwich, CT 06830-5433

U.S. Bank National Association  
c/o Richard G. Wilson, Esq.  
Maslon Edeman Borman & Brand LLP  
90 S 7th Street, Suite 3300  
Minneapolis, MN 55402-4104

VAS Partners, LLC  
Attn: Vincent P Allegra  
4401 W Roosevelt Rd  
Hillside, IL 60162-2031

Vincent Allegra  
449 S Evergreen St  
Bensenville, IL 60106-2505

West Capital Management  
1818 Market St, #3323  
Philadelphia, PA 19103-3655

Wilbur Hobgood  
2189 Radnor Ct  
North Palm Beach, FL 33408-2157

Barry E Mukamal  
1 SE 3 Avenue Ste 2150  
Box 158  
Miami, FL 33131-1716

NEF

Barry E. Mukamal  
1 SE 3 Ave. Ste 2150  
Miami, FL 33131-1716

NEF

Barry E. Mukamal  
1 SE 3rd Ave 10th FL  
Miami, FL 33131-1710

NEF

Boris Onefater  
305 Madison Ave #2036  
New York, NY 10165-0027

NNR

Brett A Stillman  
PC Doctor  
3300 N Palmdale Dr #407  
Pombano Beach, FL 33069-4235

NNR

Brian Cummins  
Champion Legal Graphics and Video  
306 Alcazar Ave #201  
Coral Gables, FL 33134-4318

NNR

Bruce Prevost  
c/o Rappaport Osborne & Rappaport PL  
1300 N Federal Hwy #203  
Boca Raton, FL 33432-2848

NEF

Carolyn Robbins Manley  
Carolyn Robbins Jury Simulations, Inc  
1933 S Oak Haven Cir  
North Miami Beach, FL 33179-2834

NNR

Catherine A Ghiglieri  
Ghiglieri & Company  
2300 Cypress Point West  
Austin, TX 78746-7117

NNR

Chad P. Pugatch  
RPRS, PA  
101 NE 3rd Ave., #1800  
Ft. Laud., FL 33301-1252

NEF

Christopher Flynn  
c/o Charles W. Throckmorton  
2525 Ponce de Leon  
9th Floor  
Coral Gables, FL 33134-6039

NEF

Christopher Laursen  
National Economic Research Associates,  
1255 23rd St NW  
Washington, DC 20037-1169

NNR

Daniel N. Rosen  
300 Avenue North #200  
Minneapolis, MN 55425-5527

NNR

David Harrold  
c/o Rappaport Osborne & Rappaport, PL  
1300 N Federal Hwy #203  
Boca Raton, FL 33432-2848

NEF

David S Mandel  
Mandel & Mandel LLP  
1200 Alfred I. duPont Bldg  
169 East Flagler St  
Miami, FL 33131-1205

NNR

Elliot B Kula  
Kula & Samson, LLP  
17501 Biscayne Blvd  
Aventura, FL 33160-4804

NNR

Eric Rubin  
6861 SW 196 Ave #201  
Ft. Lauderdale, FL 33332-1658

NNR

Gerard A McHale, Jr  
1601 Jackson St #200  
Ft Myers, FL 33901-2968

NNR

Hubert Thomas Wilkins III  
Robert Hughes Associates, Inc  
508 Twilight Trail #200  
Richardson, TX 75080-8100

NNR

Ira H Holt Jr  
Analytic Focus, LLC  
11467 Huebner Rd, #4200  
San Antonio, TX 78230-1075

NNR

James S. Feltman  
600 Brickell Ave #2525  
Miami, FL 33131-3082

NNR

Jay P Tarshis  
Arnstein & Lehr LLP  
120 S. Riverside Plaza #1200  
Chicago, IL 60606-3941

NNR

Jeffrey H Sloman  
1 SE Third Ave #1820  
Miami, FL 33131-1704

NNR

John D. Eaton  
Rasco Klock Reininger  
283 Catalonia Avenue, 2nd Floor  
Coral Gables, FL 33134-6712

NNR

John H Genovese  
100 SE 2 St Ste 4400  
Miami, FL 33131-2118

NEF

Jonathan Guy Manning  
Campbells Law Firm  
Willow House Cricket Sq  
POB 884  
Grand Cayman KY1-1103 Cayman Islands  
George Town

Kenneth A Ralston  
c/o John E. Page, Esquire  
Shraiberg, Ferrara & Landau, P.A.  
2385 N.W. Executive Center Drive  
Suite 300  
Boca Raton, FL 33431-8530

NEF

Kenneth A Welt  
Trustee Services, Inc.  
8255 West Sunrise Boulevard  
Suite #177  
Plantation, FL 33322-5403

NEF

Kevin O'Halloran  
Newbridge Management, LLC  
1720 Peachtree St #425N  
Atlanta, GA 30309-2449

NNR

Leslie Roy Grossman  
9132 Vander Cove  
Boynton Beach, FL 33473-4994

NNR

Luke Dalchow  
c/o Fabian Hoffner  
310 4th Ave South  
Suite 5010  
Minneapolis, MN 55415-1053

Lynn E Turner  
LitiNomics  
444 S Flower St #2140  
Los Angeles, CA 90071-2984

NNR

Marc Hurwitz  
Crossroads Investigations, Inc.  
1835 NE Miami Gardens Dr #547  
North Miami Beach, FL 33179-5035

NNR

Marie Ashton  
c/o Helen Chaitman  
45 Broadway  
New York, NY 10006-3007

NEF

Michael Lesser  
68 Mountainview Rd  
Millburn, NJ 07041-1532

NNR

Michael R Slade  
Callaway & Price Inc  
1639 Forum Pl #5  
West Palm Beach, FL 33401-2330

NNR

Michael S Budwick Esq  
200 S Biscayne Blvd # 3200  
Miami, FL 33131-5323

NEF

Michelle Harrold  
c/o Furr and Cohen, P.A.  
2255 Glades Road  
Suite 337W  
Boca Raton, FL 33431-7379

NEF

Nancy B Rapoport  
530 Farrington Court  
Las Vegas, NV 89123-0622

NNR

Paul A Avron Esq.  
One Town Center Road, Ste. 301  
Boca Raton, FL 33486-1014

NEF

Paul Steven Singerman Esq  
1450 Brickell Ave #1900  
Miami, FL 33131-3453

NEF

Peter Hagan  
Berkeley Research Group  
2200 Powell St., Ste. 1200  
Emeryville, CA 94608-1833

NNR

Richard Painter  
7128 Mark Terrace Dr  
Edina, MN 55439-1628

NNR

Richard B Solum

NNR

Soneet R Kapila  
Kapila & Company  
1000 S Federal Hwy #200  
Ft. Lauderdale, FL 33316-1237

NNR

Stephen Williams  
59 Damonte Ranch Pkwy #3360  
Reno, NV 89521-1907

Steven Bakaysa  
2251 Wigwam Pkwy #1026  
Hendesron, NV 89074-6235

Label Matrix for local noticing 113C-9 Case 09-36396-PGH Southern District of Florida West Palm Beach Thu Feb 25 10:17:31 EST 2016	Geoff Varga, as Liquidator c/o Robin J. Rubens 201 S Biscayne Blvd 34 Fl Miami, FL 33131-4332	Palm Beach Finance II, L.P. 3601 PGA Blvd Suite 301 Palm Beach Gardens, FL 33410-2712
US Trust, Co-Trustee of the Maxine B Adler T 5200 Town Center Road #500 Boca Raton, FL 33486-1018	ARIS Capital Management 333 SE 2nd Ave #2012 Miami, FL 33131-2177	ARIS Multi-Strategy Fund, LP Aris Capital Management 333 SE 2nd Ave #2012 Miami, FL 33131-2177
Agile Safety Fund (Master Fund) 730 17th Street Suite 550 Denver, CO 80202-3539	Agile Safety Variable Fund, L.P. 730 17th Street Suite 550 Denver, CO 80202-3539	Alton Opitz 144 Newhaven Ln Butler, PA 16001-7910
Barnett Capital Ltd. 450 Skokie Blvd, #604 Northbrook, IL 60062-7914	Barry Beal 104 S Pecos St Midland, TX 79701-5021	BayRoc Associates LLC c/o JamiScott LLC 15 West 53rd St #24-B New York NY 10019-5401
Blackpool Absolute Return Fund, LLC c/o John E. Page, Esquire Shraiberg, Ferrara & Landau, P.A. 2385 N.W. Executive Center Drive, # Boca Raton, Florida 33431-8510	Blackpool Partners, LLC c/o John E. Page, Esquire Shraiberg, Ferrara & Landau, P.A. 2385 N.W. Executive Center Drive, # Boca Raton, Florida 33431-8510	Bruce Prevost #15810-041 9595 West Quincy Avenue Littleton, CO 80123-1159
Centermark Asset Management 21320 Baltic Dr Cornelius, NC 28031-6425	Clarridge Associates LLC c/o JamiScott LLC 15 West 53rd St #24-B New York NY 10019-5401	Cohen Milstein Sellers & Toll, PLLC 1100 New York Avenue, N.W. Suite 500, West Tower Washington, D.C 20005-3964 Attn: Andrew N. Friedman, Esq.
Compass Offshore Special Situations, PCC c/o Compass ITV LLC 245 Park Ave FL 13 New York, NY 10167-2300	David Harrold #15809-041 Federal Prison Camp POB 779800 Miami, FL 33177-9800	Douglas A. Kelley, Chapter 11 Trustee Attn: James A. Rubenstein, Esq. 4800 Wells Fargo Center 90 South Seventh Street Minneapolis, MN 55402-3903
Douglas A. Kelley, Chapter 11 Trustee Attn: Terrence J. Fleming, Esq. 4200 IDS Center 80 South Eighth Street Minneapolis, MN 55402-2100	Frank Vennes #05123-059 FCI Coleman Low Federal Correction Institution POB 1031 Coleman, FL 33521-1031	Fulbright & Jaworski Norton Rose Fulbright US LLP RBC Plaza 80 South Sixth Stt Minneapolis, MN 55402
Genesis Capital Attention: Mike Dubinsky 7191 Wagner Way NW, Suite 302 Gig Harbor, WA 98335-6909	Geoffrey Varga and Neil Morris Joint Liquidators of Palm Beach Offshore c/o Mark W. Eckard, Esq. 1201 N. Market Street, Suite 1500 Wilmington, DE 19801-1163	Gillett Mottern and Walker LLP 1230 Peachtree Street NE #2445 Atlanta, GA 30309-7500 Attn: Bob Mottern - Sky Bell Pete L. DeMahy, Esquire
Golden Sun Capital Management Attn: Solomon Halpern 885 Arapahoe Avenue Boulder, CO 80302-6011	Golden Sun Multi-Manager Fund, LP Attn: Solomon Halpern 885 Arapahoe Avenue Boulder, CO 80302-6011	Guardian Capital, LLC 3018 Devon Road Durham, NC 27707-4544

NNR

NEF

NNR

Verified 5-24-2016

PBFP

PBFP

PBFP

PBFP

NEF

NEF

PBFP

PBFP

BAD

PBFP

PBFP

PBFP

PBFP

PBFP

Guy M. Hohmann, Esq.  
100 Congress Ave  
18th Floor  
Austin, TX 78701-4042

PBFP

HSEC USA, INC.  
c/o Franck D. Chantayan  
Carlton Fields, P.A.  
525 Okeechobee Blvd., Suite 1200  
West Palm Beach, FL 33401-6350

NEF

HSEC USA, Inc.  
HSBC Alternative Fund Services  
330 Madison Ave, 5th Floor  
New York, NY 10017-5042

Hillcrest Properties, c/o Stephen Willia  
59 Damonte Ranch Pkwy, #B-360  
Reno, NV 89521-1907

Holland & Knight, LLP  
701 Brickell Ave  
Suite 3000  
Attn: Mitchell Herr  
Miami, FL 33131-2847

PBFP

James Corydon  
6650 N Tower Circle Dr  
Lincolnwood, IL 60712-3218

Jamiscott, LLC  
15 W 53 St, #24-B  
New York, NY 10019-5401

PBFP

Jamiscott, LLC, c/o Leonard & Lillian Sc  
1089 S Ocean Blvd  
Palm Beach, FL 33480-4932

John Daniel  
225 Wellington Ln  
Cape Girardeau, MO 63701-9540

Judith Goldsmith  
3 Water Ln  
Manhasset, NY 11030-1021

PBFP

Kaufman Rossin & Co.  
2699 S Bayshore Dr  
Miami, FL 33133-5486

PBFP

Kenneth A. Ralston  
c/o John E. Page, Esquire  
Shraiberg, Ferrara & Landau, P.A.  
2385 N.W. Executive Center Drive, #  
Boca Raton, Florida 33431-8510

NEF

Kenneth Ralston  
1008 Mackenzie Pl  
Wheaton, IL 60187-3333

Kenneth Ralston  
c/o John E. Page, Esquire  
Shraiberg, Ferrara & Landau, P.A.  
2385 N.W. Executive Center Drive, #  
Boca Raton, Florida 33431-8510

NEF

LAB Investments Fund, LP  
1875 S Grant St, #600  
San Mateo, CA 94402-7013

PBFP

Laulima Partners, LP  
C/O Smithfield Trust Co.  
Attn:Robert Kopf Jr.  
20 Stanwix St, #650  
Pittsburgh, PA 15222-1330

Leslie Schneider  
c/o JamiScott LLC  
15 West 53rd St #24-B  
New York NY 10019-5401

PBFP

Lewis B. Freeman & Partners, Inc.  
c/o Kenneth A. Welt, Receiver  
1776 North Pine Island Road  
Suite 102  
Plantation, Florida 33322-5200

NEF

Lynn E Maynard Gollin  
Godron & Reese LLP  
200 S Biscayne Blvd #4300  
Miami FL 33131-2362

Marder Investment Advisors Corp.  
8033 Sunset Blvd, #830  
Los Angeles, CA 90046-2401

PBFP

Maxine Adler  
109 Los Patios  
Los Gatos, CA 95032-1127

Maxine Adler  
c/o US Trust/Bank of America and Patrici  
150 E. Palmetto Park Road, Suite 200  
Boca Raton, FL 33432-4831

McKinsey Master Retirement Trust  
c/o Robin Keller, Esq.  
Hogan Lovells US LLP  
875 Third Avenue  
New York, NY 10022-7222

PBFP

Mosaic Capital Fund LLC  
c/o Philadelphia Financial  
attn: John F. Reilly  
One Liberty Place  
1650 Market St 54th Fl  
Philadelphia, PA 19103-7309

PBFP

Ocean Gate Capital Management, LP  
5 Sewall Street  
Marblehead, MA 01945-3396

Office of the US Trustee  
51 S.W. 1st Ave.  
Suite 1204  
Miami, FL 33130-1614

NEF

Palm Beach Finance Holdings, Inc.  
c/o Lindquist & Vennum, PLLP  
80 South Eighth Street, Ste 4200  
Minneapolis, MN 55402-2223

PBFP

Palm Beach Offshore II, Ltd.  
Admiral Financial Center, 5th Floor  
90 Fort Street, PO Box 32021  
Grand Cayman KY-1208  
Cayman Islands

PBFP

Palm Beach Offshore, Ltd.  
Anchorage Centre, 2nd Floor  
PO Box 32021 SMB  
Grand Cayman  
Cayman Islands

PBFP

Pemco Partners, LP  
8 Lyman St, #204  
Westborough, MA 01581-1487

PBFP

Pete L Demahy  
150 Alhambra Cir PH  
Coral Gables, FL 33134-4505

Petters Company, Inc. **PBFP**  
c/o Lindquist & Vennum, PLLP  
80 South Eighth Street, Ste 4200  
Minneapolis, MN 55402-2223

Quantum Family Office Group, LLC  
6619 S Dixie Hwy #251  
Miami, FL 33143-7919

Raymond Feldman  
4644 Balboa Ave  
Encino, CA 91316-4105

Raymond G. Feldman Family Ventures, L.P.  
c/o John E. Page, Esquire **NEF**  
Shraiberg, Ferrara & Landau, P.A.  
2385 N.W. Executive Center Drive, #  
Boca Raton, Florida 33431-8510

Ronald R. Peterson **PBFP**  
Jenner & Block LLP  
353 North Clark St.  
Chicago, IL 60654-5474

Ronald R. Peterson  
c/ Wilkie Farr & Gallagher, LLP  
Attn: Michael S. Schachter, Esq.  
787 Seventh Ave  
New York, NY 10019-6099

**PBFP**

Ronald R. Peterson  
c/o McDermott Will & Emery, LLP  
Attn: Lazar P. Raynal, Esq. **PBFP**  
227 West Monroe Street  
Chicago, IL 60606-5096

SSR Capital Management LLC  
4514 Cole Ave, #810 **BAD**  
Dallas, TX 75205-4185

SSR Capital Partners, LP  
c/o R. James George, Jr., Esq.  
114 W. Seventh Street  
Suite 1100 **PBFP**  
Austin, TX 78701-3015

Santa Barbara Investment Capital  
327 Los Cerros  
San Luis Obispo CA 93405-1272

Scotia Capital  
The Bank of Nova Scotia  
Global Alternative Asset Group  
40 King St W, 68th FL  
Toronto, Ontario M5W 2X6 Canada

Scott Schneider  
c/o JamiScott LLC **PBFP**  
15 West 53rd St #24-B  
New York NY 10019-5401

Select Access Management  
15 Valley Dr  
Greenwich, CT 06831-5205

Special Olympics  
Northern California, Inc  
Attn: Rebecca Thompson, General Counsel  
3480 Buskirk Ave #340  
Pleasant Hill, CA 94523-4382

Steven Feder  
730 17th Street  
Suite 550 **PBFP**  
Denver, CO 80202-3539

Strategic Stable Return Fund (ID), LP  
c/o R. James George, Jr., Esq.  
114 W. Seventh Street **PBFP**  
Suite 1100  
Austin, TX 78701-3015

Strategic Stable Return Fund II, LP  
c/o J. James George, Jr., Esq.  
114 W. Seventh Street **PBFP**  
Suite 1100  
Austin, TX 78701-3015

Strategic Stable Return Fund, II, LP  
c/o R. James George, Jr., Esq. **PBFP**  
114 W. Seventh Street  
Suite 1100  
Austin, TX 78701-3015

Table Mountain Capital, LLC  
850 Quince Ave  
Boulder, Co 80304-0746

Ted Goldsmith **PBFP**  
3 Water Ln  
Manhasset, NY 11030-1021

U.S. Bank Natl Assoc  
c/o Richard G Wilson, Esq. **PBFP**  
90 S 7 St #3300  
Minneapolis, MN 55402-4104

U.S. Trust and Patricia Scwab  
Successor Trustees, TUA Maxine B Adler  
POB 842056  
Dallas, TX 75284-2056

UC Davis School of Veterinary Medicine  
Office of the Dean - Development  
One Shields Avenue  
Davis, CA 95616-5270

Umbach Financial Group, LLC  
525 South Flagler Drive, #100  
West Palm Beach, FL 33401-5932

Zimmer Lucas Capital  
PO Box 3539  
New York, NY 10163-3539

Barry E Mukamal **NEF**  
1 SE 3 Avenue Ste 2150  
Box 158  
Miami, FL 33131-1716

Patricia Schwab, Co-Trustee of the Maxine B  
1511 NE 57 Ct  
Ft Lauderdale, FL 33334-5976

Paul A Avron Esq. **NEF**  
One Town Center Road, Ste. 301  
Boca Raton, FL 33486-1014

Paul Steven Singerman Esq. **NEF**  
1450 Brickell Ave #1900  
Miami, FL 33131-3453



James L. Volling, Esquire  
2200 Wells Fargo Center  
90 South Seventh Street  
Minneapolis, MN 55402-3901

Lionheart Insurance Fund Series Interests of the SALI  
Multi-Fund Series Fund, LP  
6836 Austin Center Blvd. Ste 320  
Austin, TX 78731

Debevoise & Plimpton LLP  
Attn: Edwin G. Schallert, Esquire  
919 Third Avenue  
New York, NY 10022

Ron Robertson, President  
Strategic Capital Group  
7191 Wagner Way NW, Suite 302  
Gig Harbor, WA 98335

Andrew P. O'Brien, Esquire  
U.S. Securities and Exchange Commission Chicago  
Regional Office  
175 West Jackson Blvd., Suite 900  
Chicago, IL 60604

Citco Global Securities Services  
2600 Airport Business Park  
Kinsale Road  
Co.Cork  
Ireland

Internal Revenue Service  
PO Box 7346  
Philadelphia, PA 19101-7346

Monica Hanlet  
PO Box 321255  
Palm Coast, FL 32135-1255

Michael R. Band, Esquire  
Band Law Firm  
169 East Flagler Street  
Suite 1200  
Miami, FL 33131

Peggy Adams Animal Rescue League of the Palm  
Beaches, Inc.  
c/o Andrew Helgesen, Esq.  
11380 Prosperity Farms Road, Suite 201  
Palm Beach Gardens, FL 33410

Bear Stearns Capital Markets, Inc.  
c/o Mark W. Page, Esquire  
Kelley Drye & Warren LLP  
333 West Wacker Drive  
26th Floor  
Chicago, IL 60606

Deutsche Bank (Cayman) Ltd  
c/o Deutsche International Trust Corporation  
Mauritius Limited  
Level 5 Altima Building,  
56 Ebene Cybercity  
Mauritius

KAT TNR, Inc.  
17600 Wagon Wheel Drive  
Boca Raton, FL 33496  
Contact: Phyllis Toon, President

AVDA (Aid to Victims of Domestic Violence)  
P.O. Box 6161  
Delray Beach, FL 33482  
Contact: Pamela A. O'Brien, Executive Director

Town Cats  
P.O. Box 1828  
Morgan Hill, CA 95038  
Contact: Rosemary Mirko, Principal

Special Olympics Florida  
1915 Don Wickham Drive  
Clermont, FL 34711  
Contact: Larry Daniel, VP of Direct Marketing

Next Door Solutions to Domestic Violence  
234 E. Gish Road, Suite 200  
San Jose, CA 95112  
Contact: Kathleen Krenek, Executive Director

Eden Rock Capital Management  
50 Curzon Street  
London W1J 7UW  
United Kingdom

Aaron M. Dorfner, Esq.  
Cotton Bledso et al.  
500 W. Illinois Ste. 300  
Midland, TX 79701

David C. Cimo, Esquire  
Genovese Joblove & Battista, P.A.  
100 Southeast Second Street, 44th Floor  
Miami, Florida 33131

Harvest Investments LP  
c/o Deer Island, LP  
Red Bird Farm  
89 Nason Hill Rd  
Sherborn, MA 01770-1233

Eric N. Assouline, Esq.  
Assouline & Berlowe, P.A.  
213 E. Sheridan Street  
Suite 3  
Dania Beach, FL 33004

Thomas F. Miller, Esq.  
Thomas F. Miller, P.A.  
1000 Superior Blvd., Suite 303  
Wayzata, MN 55391-1873

James J. Waters  
RE: Sonata Funds  
3300 E First Avenue  
Suite 560  
Denver, CO 80206

HSBC USA, Inc.  
Phillips Lytle LLP  
Attn: Angela Z. Miller, Esq.  
3400 HSBC Center  
Buffalo, NY 14203

ABR Capital, LLC  
c/o Alan B. Rosenthal  
4645 Delafield Ave  
Riverdale, NY 10471

The Gantcher Group  
c/o Nathan Gantcher  
EXOP Capital, LLC  
767 Third Ave, 16 FL  
New York, NY 10017

Harborlight Capital Management, LLC  
2502 Rocky Point Drive  
Suite 560  
Tampa, FL 33607

Thomas Sandlow / Tremont Group Holdings, Inc.  
305 Riverside Dr, Apt 7A  
New York, NY 10025-5214

Nancy Mishkin / Mondiale Partners  
211 E 53<sup>rd</sup> St, Apt 12-D  
New York, NY 10022-4807

Lionheart, LP  
by and through Robert A. Mandel, GP  
8383 Wilshire Blvd., # 400  
Beverly Hills, CA 90211

Frank Carruth  
c/o Linda Carruth Strugar  
240 Summa St  
West Palm Beach, FL 33405-4718

David Harrold, #15809-041  
Palm Beach Diversified Income, L.P.  
by and through David Harrold, its officer  
Federal Prison Camp  
P.O. Box 779800  
Miami, FL 33177-9800

Lionheart, L.P.  
Craig H. Averch, Esq.  
Shiva Delrahim, Esq.  
White & Case LLP  
633 West Fifth Street, Suite 1900  
Los Angeles, CA 90071-2007

Second City Alternatives  
c/o Premier Advisors Fund, LLC  
801 Park Ave  
Wilmette, IL 60091

Blackpool Partners, LLC  
Attn: Mr. Douglas Ralston  
318 W. Half Day Road, Suite 291  
Buffalo Grove, IL 60089

Blackpool Absolute Return Fund, LLC  
Attn: Mr. Douglas Ralston  
318 W. Half Day Road, Suite 291  
Buffalo Grove, IL 60089

Robert J. Malione, Esq.  
Latham & Watkins, LLP  
885 Third Avenue  
New York, NY 10022-4834

Miles N. Ruthberg, Esq.  
Latham & Watkins, LLP  
885 Third Avenue  
New York, NY 10022-4834

Thomas R. Manisero, Esq.  
Wilson Elser Moskowitz Edelman & Dicker LLP  
1133 Westchester Avenue  
White Plains, NY 10604

PENSCO Trust Company  
FBO George C. Slain IRA  
P.O. Box 173859  
Denver, CO 80217-3859

**ADDITIONAL VIA EMAIL (ADDL-E)**

GMB Capital Management by Email: [kanderson@gmbcapital.com](mailto:kanderson@gmbcapital.com)

Harvest Investments LP by Email: [jonathan@springonline.net](mailto:jonathan@springonline.net)

SSR Capital Management LLC by Email: [shelland@ssrcm.com](mailto:shelland@ssrcm.com)

Harborlight Capital Management, LLC by Email: [dean@harborlightcapital.com](mailto:dean@harborlightcapital.com)