



ORDERED in the Southern District of Florida on February 11, 2021.

Erik P. Kimball, Judge  
United States Bankruptcy Court

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

In re:

Chapter 11

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

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

Debtors.

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**ORDER GRANTING TRUSTEE’S MOTION TO APPROVE SETTLEMENT  
WITH (I) BACAP MULTI-STRATEGY HEDGE FUND, LLC – SERIES III;  
(II) BA MULTI-STRATEGY FUND, LLC – SERIES 1;  
(III) BACAP ALTERNATIVE MONTAGE FUND, LLC – SERIES D;  
AND (IV) BACAP MULTI-STRATEGY HEDGE FUND, LLC – SERIES 1**

*THIS CAUSE* came before the Court upon *Trustee’s Motion to Approve Settlement with (I) BACAP Multi-Strategy Hedge Fund, LLC - Series III; (II) BA Multi-Strategy Fund, LLC; (III) BACAP Alternative Montage Fund, LLC - Series D; and (IV) BACAP Multi-Strategy Hedge Fund,*

*LLC - Series I* [ECF No. 3771] (“*Motion*”).<sup>1</sup> The Court, having reviewed the Motion, and movant by submitting this order having represented that the Motion was served on all parties required by Bankruptcy Rule 2002 or Local Rule 2002-1(H), (I) or (J), that the 21-day response time provided by Local Rule 9013-1(D) has expired, that no one has filed or served on the movant a response to the Motion, and that the form of order was attached as an exhibit to the Motion. Accordingly, it is:

**ORDERED** as follows:

1. The Motion is **GRANTED**.
2. The Settlement is **APPROVED**.
3. BACAP Funds shall pay \$115,000.00 (the “*Settlement Payment*”) within 30 business days from the date of the entry of this Order. The Settlement Payment will be paid by ACH to the Liquidating Trustee.
4. MB’s Contingency Fee in the amount of \$11,500.00 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.

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<sup>1</sup> All capitalized terms not defined in this Order shall have the meaning ascribed to such term as set forth in the Motion.

5. To the extent that BACAP Funds has any scheduled claim or proof of interest or has filed a proof of claim or proof of interest in the Debtors' chapter 11 cases, such claim or interest is deemed disallowed in its entirety.

6. The Court retains jurisdiction to enforce the terms of the Settlement.

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**Submitted By:**

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**Copies Furnished To:**

James C. Moon, Esquire, is directed to serve copies of this Order on all parties in interest and to file a Certificate of Service.