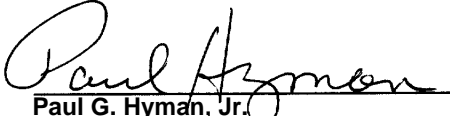




**ORDERED in the Southern District of Florida on July 8, 2015.**

  
Paul G. Hyman, Jr.  
Chief United States Bankruptcy Judge

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

Debtors.

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**ORDER GRANTING LIQUIDATING TRUSTEE'S  
MOTION TO APPROVE (1) SETTLEMENT WITH  
BRANNON HOWSE AND (2) AND PAYMENT OF CONTINGENCY FEE**

**THIS CAUSE** came before the Court upon the Liquidating Trustee's Motion to Approve (1) Settlement with Brannon Howse and (2) Payment of Contingency Fee [ECF No. 2639] ("**Motion**").<sup>1</sup> The Court, having reviewed the Motion and noting that a Certificate of No Response or Settlement and Request for Entry of Order has been filed, finds that the notice of the proposed compromise and settlement is sufficient to comply with Bankruptcy Rules 9019 and

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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.

2002(a)(3), Local Rule 9013-1(D) and any other applicable notice requirement, and accordingly, it is:

**ORDERED** as follows:

1. The Motion is **GRANTED**.
2. The Stipulation is **APPROVED**.
3. The Transferee shall pay (or cause to be paid) \$30,000.00 (the “*Settlement*”

*Payment*”) as follows:

- a) Within 10 days from the date of the entry of this Order and a final, non-appealable order of the Minnesota Bankruptcy Court approving the Stipulation, \$10,000.00 shall be paid to the Trustees as follows:
  - i) \$4,000.00 will be paid to the Liquidating Trustee;
  - ii) \$6,000.00 will be paid to the PCI Trustee (collectively, the “*First Payment*”);
- b) Within 6 months from the date the Transferee makes the First Payment, \$10,000.00 will be paid to the Trustees as follows:
  - i) \$4,000.00 will be paid to the Liquidating Trustee;
  - ii) \$6,000.00 will be paid to the PCI Trustee (collectively, the “*Second Payment*”); and
- c) Within 6 months from the date the Transferee makes the Second Payment, \$10,000.00 will be paid to the Trustees as follows:
  - i) \$4,000.00 will be paid to the Liquidating Trustee;
  - ii) \$6,000.00 will be paid to the PCI Trustee.

4. The Liquidating Trustee’s portion of the Settlement Payment (\$12,000.00) may be made via (i) wire transfers pursuant to written instructions to be provided by the Liquidating Trustee or his counsel or (ii) checks made payable to “Barry E. Mukamal, Liquidating Trustee” and delivered to Jessica L. Wasserstrom, Esq., Meland Russin & Budwick, P.A., 200 South Biscayne Blvd., Suite 3200, Miami, Florida 33131.

5. The Settlement Payment shall be allocated and apportioned among the Debtors as follows: 18% to Palm Beach Finance Partners, L.P. Liquidating Trust and 82% to Palm Beach

Finance II, L.P. Liquidating Trust (the “*Pro Rata Allocation Formula*”), and the Settlement Payment shall be made in the amounts in accordance with this allocation.

6. The Liquidating Trustee’s portion of the Settlement Payment (\$12,000.00) will be held in the trust account of counsel for the Liquidating Trustee pending approval of the Stipulation by the Minnesota Bankruptcy Court.

7. To the extent that the Transferee 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

8. MRB’s Contingency Fee in the amount of \$1,200.00 is approved. The Liquidating Trustee is authorized and directed to make payment of the Contingency Fee from each of the Trusts without the need of further Court Order, in accordance with the Pro Rata Allocation Formula, promptly upon receipt of the Settlement Payment.

9. The Court retains jurisdiction to enforce or interpret this Order.

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**Submitted By:**

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Telephone: (305) 358-6363  
Telecopy: (305) 358-1221  
Attorneys for the Liquidating Trustee

**Copies Furnished To:**

Jessica L. Wasserstrom, Esquire, is directed to serve copies of this Order on all parties in interest and to file a Certificate of Service.