



ORDERED in the Southern District of Florida on September 27, 2012.

A handwritten signature in black ink that reads "Paul Hyman".

**Paul G. Hyman, Chief Judge
United States Bankruptcy Court**

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION
www.flb.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.

ORDER GRANTING LIQUIDATING TRUSTEE'S MOTION FOR APPROVAL OF SETTLEMENT WITH DIVERSIFIED INVESTMENT POOL, LLC AND LEE MORTIMER AND PAYMENT OF CONTINGENCY FEE [ECF NO. 1373]

THIS CAUSE came before the Court upon the Liquidating Trustee's Motion for Approval of Settlement with Diversified Investment Pool, LLC ("**DIP**") and Lee Mortimer ("**Mortimer**") and Payment of Contingency Fee [ECF No. 1373] (the "**Motion**").¹ The Court, having reviewed the Motion and noting that a Certificate of No Response and Request for Entry of Order has been filed, finds that the notice of the proposed compromise and settlement is

¹ Capitalized terms not defined in this Order shall have the meaning ascribed to such term as set forth in the Motion.

sufficient to comply with Bankruptcy Rules 9019 and 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 Settlement is **APPROVED**.
3. DIP and Mortimer shall pay (or cause to be paid) \$5,000.00 (the “*Settlement Payment*”) within 20 days from the date of the entry of this Order. The Settlement Payment may be made via (i) wire transfer pursuant to written instructions to be provided by the Liquidating Trustee or his counsel or (ii) check made payable to “Barry E. Mukamal, Liquidating Trustee” and delivered to Joshua A. Marcus, Esq., Meland Russin & Budwick, P.A., 200 South Biscayne Blvd., Suite 3200, Miami, Florida 33131.
4. To the extent that DIP or Mortimer has any scheduled claim or proof of interest or has filed a proof of claim or proof of interest in the PBF I bankruptcy case, such claim or interest is deemed disallowed in its entirety.
5. The Court retains jurisdiction to enforce the terms of the Stipulation.

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6. MRB's Contingency Fee in the amount of \$500.00 is approved and the Liquidating Trustee is authorized to pay this amount upon funding of the Settlement Payment.

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Submitted By:

s/ Joshua A. Marcus

Joshua A. Marcus, Esquire

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Attorneys for Barry E. Mukamal,

Liquidating Trustee

Copies Furnished To:

Joshua A. Marcus, Esquire, is directed to serve copies of this Order on all parties in interest and to file a Certificate of Service.