



**ORDERED in the Southern District of Florida on April 2, 2013.**

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

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

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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:

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

Debtors.

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CHAPTER 11

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

**ORDER GRANTING PBF I LIQUIDATING TRUSTEE'S MOTION FOR APPROVAL  
OF SETTLEMENT WITH JOSEPH A. UMBACH AND ZCALL, LLC**

**THIS CAUSE** came before the Court upon the *PBF I Liquidating Trustee's Motion for Approval of Settlement with Joseph A. Umbach and ZCALL, Inc.* (the "**Motion**") (D.E. 1734) that was filed by Barry E. Mukamal, in his capacity as liquidating trustee (the "**PBF I Liquidating Trustee**") for the Palm Beach Finance Partners Liquidating Trust (the "**PBF I Trust**").<sup>1</sup> The

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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.

Court, having reviewed the Motion and noting that a *Certificate of No Response and Request for Entry of Order* (D.E. 1774) has been filed, finds that the notice of the proposed compromise and settlement is 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. Umbach shall pay (or cause to be paid) the total sum of \$185,750.00 (the “*Settlement Payment*”) within three (3) business days of the PBF I Liquidating Trustee notifying Umbach that this Order is final and non-appealable. The Settlement Payment may be made via (i) wire transfer pursuant to written instructions to be provided by the PBF I Liquidating Trustee or his counsel, or (ii) check made payable to “Barry E. Mukamal, PBF I Liquidating Trustee” and delivered to John D. Eaton, Esq., Rasco Klock *et al.*, 283 Catalonia Avenue, 2<sup>nd</sup> Floor, Coral Gables, Florida 33134.
4. To the extent that Umbach has any scheduled claim or proof of interest or has filed a proof of claim or proof of interest with respect to PBF I or the PBF I estate in PBF I’s chapter 11 case, such claim or interest as to PBF I and the PBF I estate is deemed disallowed in its entirety.

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

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**Submitted By:**

John D. Eaton, Esq.  
Florida Bar No. 0861367  
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Special Counsel for the PBF I Liquidating Trustee

**Copies Furnished To:**

John D. Eaton, Esquire, is directed to serve copies of this Order on all parties in interest and to file a Certificate of Service.

4842-2420-7123, v. 1