



**ORDERED in the Southern District of Florida on June 7, 2013.**

A handwritten signature in black ink that reads "Paul G. 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:

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 FOR APPROVAL OF SETTLEMENT WITH HARVEY AND DEANNE GILBERT AND MILLENIUM TRUST COMPANY F/B/O GEORGE LUKAS IRA AND PAYMENT OF CONTINGENCY FEE**

**THIS CAUSE** came before the Court upon the Liquidating Trustee's Motion for Approval of Settlement with Harvey and Deanne Gilbert (collectively, "*Gilberts*") and Millenium Trust Company f/b/o George Lukas IRA ("*Millenium*") and Payment of Contingency Fee [ECF No. 1840] ("*Motion*").<sup>1</sup> 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

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

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 Stipulation is **APPROVED**.
3. The Gilberts shall pay (or cause to be paid) \$19,711.00 (“*Gilberts Settlement Payment*”) to the Liquidating Trustee within twenty (20) days from the date of the entry of this Order.
4. Millenium shall pay (or cause to be paid) \$5,384.00 (“*Millenium Settlement Payment*”); and collectively with the Gilberts Settlement Payment, “*Settlement Payments*”) to the Liquidating Trustee within twenty (20) days from the date of the entry of this Order.
5. The Settlement Payments 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 Jonathan S. Feldman, Esq., Meland Russin & Budwick, P.A., 200 South Biscayne Blvd., Suite 3200, Miami, Florida 33131.
6. To the extent the Gilberts or Millenium have any scheduled claims or proofs of interest or have filed proofs of claim or proofs of interest in the PBF I bankruptcy case, such claims or interests are deemed disallowed in their entirety.
7. The Court retains jurisdiction to enforce the terms of the Settlement.

**[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK]**

8. The portion of MRB's Contingency Fee in the amount \$1,971.10 based on the Gilberts Settlement Payment is approved and the Liquidating Trustee is authorized to pay this amount upon funding of the Gilberts Settlement Payment.

9. The portion of MRB's Contingency Fee in the amount \$538.40 based on the Millenium Settlement Payment is approved and the Liquidating Trustee is authorized to pay this amount upon funding of the Millenium Settlement Payment.

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**Submitted By:**

s/ Joshua A. Marcus  
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Attorneys for the 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.