



**ORDERED in the Southern District of Florida on January 10, 2014.**

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.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.

---

**ORDER GRANTING LIQUIDATING TRUSTEE'S  
MOTION FOR APPROVAL OF SETTLEMENT WITH AGILE  
PERFORMANCE FUND, L.P. AND PAYMENT OF CONTINGENCY FEE**

**THIS CAUSE** came before the Court upon the Liquidating Trustee's Motion for Approval of Settlement with Agile Performance Fund, L.P. and Payment of Contingency Fee [ECF No. 2046] ("**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 the proposed compromise and settlement is sufficient to comply with Bankruptcy Rules 9019

---

<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.

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. To the extent Defendant Agile Performance Fund, L.P. has any scheduled claim or proof of interest or has filed a proof of claim or proof of interest in the PBF I bankruptcy cases, such claim or interest is deemed disallowed in its entirety.
4. The Court retains jurisdiction to enforce the terms of the Stipulation.
5. MRB's Contingency Fee in the amount of \$4,300.00 is approved and the Liquidating Trustee is authorized to pay this amount upon funding of the Settlement Payment.

###

**Submitted By:**

Jonathan S. Feldman, Esquire  
Florida Bar No. 12682  
[jfeldman@melandrussin.com](mailto:jfeldman@melandrussin.com)  
MELAND RUSSIN & BUDWICK, P.A.  
3200 Southeast Financial Center  
200 South Biscayne Boulevard  
Miami, Florida 33131  
Telephone: (305) 358-6363  
Telecopy: (305) 358-1221  
Attorneys for the Liquidating Trustee

**Copies Furnished To:**

Jonathan S. Feldman, Esquire, is directed to serve copies of this Order on all parties in interest and to file a Certificate of Service.