

IN THE CIRCUIT COURT OF THE
17TH JUDICIAL CIRCUIT IN AND FOR
BROWARD COUNTY, FLORIDA

CASE NO. 12-24051 (07)
COMPLEX LITIGATION UNIT

MATTHEW CARONE, as Trustee for the Carone Marital Trust #2 UTD 1/26/00, Carone Gallery, Inc. Pension Trust, Carone Family Trust, Carone Marital Trust #1 UTD 1/26/00 and Matthew D. Carone Revocable Trust, JAMES JORDAN, as Trustee for the James A. Jordan Living Trust, ELAINE ZIFFER, an individual, and FESTUS AND HELEN STACY FOUNDATION, INC., a Florida Corporation,

Plaintiffs,

v.

MICHAEL D. SULLIVAN, individually,

Defendant.



**CONSERVATOR'S MOTION TO RETAIN AND COMPENSATE
MICHAEL MOECKER & ASSOCIATES AS ADMINISTRATION CONSULTANT**

Philip J. Von Kahle (the "Conservator"), as Conservator for P&S, General Partnership and S&P, General Partnership (together, the "Partnerships"), files this application to retain and compensate Michael Moecker & Associates ("Moecker") as the Conservator's special litigation and administration consultant and in support thereof states as follows:

1. On January 17, 2013, this Court entered its Order Appointing Conservator (the "Order of Appointment"). Among other things, the Order of Appointment directed the Conservator to take possession of all property of the Partnerships (the "Conservatorship Property"), and to do any and all things necessary for the proper management, wind-down, preservation, maintenance, protection and administration of the Conservatorship Property.

2. In order to facilitate and support the Conservator in carrying out his duties, consistent with applicable Florida law, the Order of Appointment authorizes the Conservator to retain and compensate necessary professionals.

3. The Conservator seeks to, in his discretion, hire and employ Moecker to serve as the Conservator's consultant for, among other things, litigation and administration support.


4. Consistent with the Order of Appointment, Moecker shall file applications for compensation with the court every sixty (60) days, or later as is deemed reasonable and necessary within the discretion of Moecker, and will provide notice to the partners and other parties-in-interest in the manner more fully described in the Order of Appointment.

5. The Conservator deems the employment of Moecker necessary for the efficient administration of the Partnerships. The Conservator further believes that a Court Order authorizing the retention and the proposed compensation arrangement is necessary for Moecker to effectively serve the Conservator.

WHEREFORE, the Conservator requests that the Court enter an Order: (i) authorizing the retention of Moecker; (ii) authorizing the Conservator to pay Moecker consistent with the Order of Appointment; and (iii) granting such other relief as the Court deems just and proper.

Dated: February 26, 2013

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