

IN THE CIRCUIT COURT OF THE  
17<sup>TH</sup> JUDICIAL CIRCUIT IN AND  
FOR BROWARD COUNTY, FLORIDA

Case No: 12-034121(07)  
Complex Litigation Unit

P&S ASSOCIATES, GENERAL PARTNERSHIP,  
et al.,

Plaintiffs,

vs.

JANET A. HOOKER CHARITABLE TRUST,  
et al.,

Defendants.

\_\_\_\_\_ /

AFFIDAVIT OF JANET E. MOLCHAN IN SUPPORT OF THE MOLCHAN DEFENDANTS'  
MOTION FOR SUMMARY JUDGMENT

State of Florida        )  
                                  ) ss:  
County of Broward    )

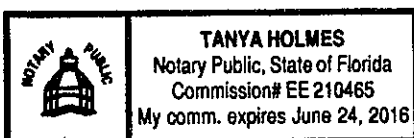
I, Janet E. Molchan, being first duly sworn, depose and state as follow under penalty of perjury:


1. I am over the age of 18 and have personal knowledge of the matters set forth in this affidavit.
2. I am of sound mind, capable of making this affidavit and personally acquainted with the facts stated herein.
3. I am a trustee and the records custodian of the Janet B. Molchan Trust DTD 05/19/94 (the "Janet Molchan Trust"). I was also a trustee of the Alex E. Molchan Trust DTD 05/19/94 (the "Alex Molchan Trust").

4. In the second half of 2000, Janet B. Molchan wrote to Greg Powell, one of the Managing General Partners of P&S Associates, General Partnership ("P&S"), confirming her desire to close the account of the Janet Molchan Trust with P&S after the end of the year.
5. Attached hereto as Composite Exhibit A are: a copy of the aforementioned letter, a copy of a P&S Activity/Status Report dated April 12, 2001 for the Janet Molchan Trust, reflecting a final withdrawal of \$112,643.03 in the first quarter of 2001 and an ending balance of \$0.00 and a Schedule K-1 with respect to P&S for the Janet Molchan Trust reflecting a \$0 capital account at the end of 2001.
6. These documents reflect the fact that the Janet Molchan Trust withdrew as a partner from P&S effective as of the first quarter of 2001.
7. Likewise, by letter dated February 1997, Alex E. Molchan wrote to P&S confirming his desire to close the account of the Alex Molchan Trust with P&S.
8. Attached hereto as Composite Exhibit B are: a copy of the aforementioned letter and copies of two checks from P&S to Alex E. Molchan, one dated 2/19/97 in the amount of \$127,532.52 and a second check dated 2/6/98 in the amount of 595.06. The Plaintiffs in the above-captioned lawsuit produced these documents to me.
9. These documents reflect the fact that the Alex Molchan Trust withdrew as a partner from P&S effective as of the first quarter of 1998.

  
\_\_\_\_\_  
JANET E. MOLCHAN

SWORN TO AND SUBSCRIBED before me this 7<sup>th</sup> day of March 2014 by Janet E. Molchan, who is known to me or produced identification as follows: FL DRIVERS license.



  
\_\_\_\_\_  
(Signature of Notary)

P & S Associates, General Partnership  
C/O Sullivan & Powell  
Port Royal Financial Center  
6550 North Federal Highway  
Suite 210  
Ft. Lauderdale, FL 33308

Dear Greg:

With reference to our recent conversation regarding the closing of my account when you liquidate the partnership at the end of the year, it occurred to me that I would like to use a portion of the money for Christmas. Would you send me a check for \$50,000.00 at this time. The balance could then be sent at the later date.

Thank you.

  
Janet B. Molchan

Composite Exhibit A

April 12, 2001

**P & S Associates, General Partnership**  
c/o Sullivan & Powell  
Port Royale Financial Center  
6550 North Federal Highway  
Suite 210  
Ft. Lauderdale, FL 33308  
(954) 492-0088 fax (954) 938-0069

Janet B. Molchan, Trustee (Trust 5/19/94)  
4404 NE 23rd Avenue  
Ft. Lauderdale, FL 33308

SSN/FEI  
124-26-1423

*NOTE: This report is provided to assist you in evaluating the operations of P&S Associates, General Partnership, and the performance of your general partnership interest. This information should NOT be relied upon for Income Tax purposes.*

**Activity/Status Report**  
1/1/01 to 3/31/01

Balance Forward 12/31/00	112,643.03
Deposits	0.00
Withdrawals / -25-01	-112,643.03
*Miscellaneous Expenses	0.00
Management Fee Expense	0.00
Adjustments	0.00
Realized Gain for Current Year	0.00
<b>REALIZED ENDING BALANCE</b>	<b>0.00</b>
Unrealized Gain/Loss on Open Securities	0.00
<b>TOTAL REALIZED/UNREALIZED BALANCE</b>	<b>\$0.00</b>

**NET ANNUALIZED RETURN**

**#DIV/0!**

\*Miscellaneous Expenses include legal and accounting fees, taxes, and bank service charges.

*This information is being provided to you for your review and decision making in your capacity as a general partner. All data provided above is subject to verification by you. Please review data for discrepancies. Please also note that the ending balance may not represent your actual capital account balance. Rather, it represents your balance, subject to the terms of the Amended and Restated General Partnership Agreement, assuming a liquidation of the general partnership.*

SCHEDULE K-1 (Form 1065)

Department of the Treasury Internal Revenue Service

Partner's Share of Income, Credits, Deductions, etc.

For calendar year 2001 or tax year

OMB No. 1545-0099

2001

beginning

, 2001, and ending

Partner's identifying number 124-26-1423

Partnership's identifying number 65-0371258

Partner's name, address, and ZIP code

Partnership's name, address, and ZIP code

JANET B. MOLCHAN TRUST DTD 5/19/94 4404 N.E. 23RD AVENUE FORT LAUDERDALE, FL 33308

P & S ASSOCIATES, GENERAL PARTNERSHIP GREG O. POWELL, GENERAL PARTNER 6550 N. FEDERAL HWY., SUITE 210 FORT LAUDERDALE, FL 33308-1404

Form fields A through F: Partner type, entity type, domestic/foreign partner, ownership percentages, and IRS center.

Form fields G through J: Partner's share of liabilities, tax shelter registration number, public trading status, and applicable boxes.

J Analysis of partner's capital account:

Summary table for capital account analysis with columns (a) through (e) and values 112641., 0., 112641., 0.

Main table for partner's share of income, credits, deductions, and adjustments with columns (a) through (c) and rows 1 through 23.

JWA For Paperwork Reduction Act Notice, see Form 1065 Instructions.

No Information Required for Page 2 Schedule K-1 (Form 1065) 2001

Feb 5, 1997

PAS Associates:

I desire that my account  
be closed and that a check  
for the full amount be  
sent to me at my home  
address.

RECEIVED  
FEB 10 1997

Sincerely,

Alex C. Molchan  
4404 N.E. 23rd Ave.  
Ft. Lauderdale, FL  
33308

SSN/FEI  
304-22-8789

Composite Exhibit B

P & S ASSOCIATES, GEN. PTRSHP.  
PORT ROYALE FINANCIAL CENTER  
6550 N. FEDERAL HWY., SUITE 210  
FT. LAUDERDALE, FL 33308  
PHONE (954) 492-0088 FAX (954) 938-0069

SAVINGS OF AMERICA  
A DIVISION OF HOME SAVINGS OF AMERICA F.A.  
POMPANO BEACH OFFICE 238  
225 N. FEDERAL HWY.  
POMPANO BEACH, FL 33062  
66-8365-2670

1427

FL 31 FT LAUDERDALE  
28-0467950713  
97 FEB 21 PM 2:59

PAY \$127,532.52 and 52/100 Dollars  
TO THE ORDER OF

Alex E. Molchan  
4404 NE 23 Avenue  
Ft. Lauderdale, FL 33308

DATE 2/19/97 AMOUNT \$127,532.52  
030403433 0452 0315 14 02-24-97

*Alex Molchan*

Memo: Distribution

⑈001427⑈ ⑆267083653⑆02339078673⑈

⑈0012753252⑈

SECURITY FEATURES: MICRO PRINT TOP & BOTTOM BORDERS - COLORED PATTERN - ARTIFICIAL WATERMARK ON REVERSE SIDE - MISSING FEATURE INDICATES A COPY

215-5825060

1485

P & S ASSOCIATES, GEN. PTRSHP.  
PORT ROYALE FINANCIAL CENTER  
6550 N. FEDERAL HWY., SUITE 210  
FT. LAUDERDALE, FL 33308  
PHONE (954) 492-0088 FAX (954) 938-0069

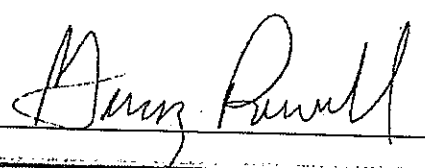
SAVINGS OF AMERICA  
A DIVISION OF HOME SAVINGS OF AMERICA F.A.  
POMPANO BEACH OFFICE 233  
225 N. FEDERAL HWY.  
POMPANO BEACH, FL 33062  
66-8365/2670

00752 018 253517 02-09-98 12:13 CASHED

PAY Five Hundred Ninety-Five and 06/100 Dollars  
TO THE ORDER OF

DATE 2/6/98 AMOUNT \$595.06

Alex E. Molchan  
4404 NE 23 Avenue  
Ft. Lauderdale, FL 33308



Memo: Distribution

⑈001485⑈ ⑆267083653⑆02339078873⑈ ⑆0000059506⑆

SECURITY FEATURES: MICRO PRINT TOP & BOTTOM BANDS • COLORED PATTERN • ARTIFICIAL WATERMARK ON REVERSE SIDE • MISSING TEXTURE INDICATES A COPY