

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

MATTHEW CARONE, et al.,

COMPLEX LITIGATION UNIT

Plaintiffs,

CASE NO. 12-24051 (07)

v.

MICHAEL D. SULLIVAN, individually,

Defendant.

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**ORDER GRANTING CONSERVATOR'S MOTION FOR ORDER GOVERNING  
SETTLEMENT OF  
CLAIMS IN RELATED MATTER**

THIS MATTER came before the Court at a Case Management Conference on April 4, 2014 on the *Conservator's Motion for an Order Governing Settlement of Claims in Related Matter* requesting that the Court set forth a procedure governing the Court's approval of any settlement between the parties and/or non-parties related to the claims in the matters titled *Philip J. von Kahle as Conservator of P&S Associates, General Partnership and S&P Associates, General Partnership, Plaintiffs v. Michael D. Sullivan, et al.*, Case No. 12-034123 (07) ("Case No. 12-034123").

The Court having reviewed the record in this case and in Case No. 12-03412, having heard argument and proffer of counsel, being otherwise familiar with the cases, and finding, for the reasons stated on the record, that public disclosure of settlements reach by Plaintiffs in Case No. 12-034123 could compromise the ability of such Plaintiffs to recover amounts through settlement in the future, it is **ORDERED** and **ADJUDGED** as follows:

1. The Plaintiffs in Case No. 12-034123, through the Conservator, shall have and possess the power to enter into any settlement related to the claims in Case No. 12-034123

according to the Conservator's business judgment, and that any settlements shall remain confidential in accordance with its terms. To the extent a settlement requires Court approval, the Court's review will be conducted *in camera*. The Conservator shall provide notice when it seeks such review.

2. The Conservator shall pay any compensation due to Berger Singerman, LLP and Messana, PA pursuant to their respective engagement agreements upon the Conservator's receipt and clearance of settlement proceeds related to Case No. 12-034123.

3. This Order is without prejudice to a co-defendant's ability to petition the Court in order to review a settlement between the Conservator and another defendant in Case No. 12-034123, which review may be denied.

Done and ordered in Chambers this \_\_\_\_\_, 2014. JEFFREY E. STREITFELD

APR 14 2014

A TRUE COPY

HONORABLE JEFFREY E. STREITFELD  
Circuit Court Judge

Copies furnished to:  
Thomas M. Messana, Esq. who is directed to serve same upon all interested parties.