

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.

**CONSENT AND JOINDER TO CONSERVATOR'S MOTION FOR CONTEMPT AND
TO COMPEL TURNOVER OF PARTNERSHIPS' BOOKS, RECORDS AND
ELECTRONICALLY STORED INFORMATION**

Plaintiffs, **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, (jointly referred to as "**PLAINTIFFS**") hereby file this Consent and Joinder to Conservator's Motion for Contempt and To Compel Turnover of Partnerships' Books, Records and Electronically Stored Information and state as follows:

1. **PLAINTIFFS** adopt and incorporate the Conservator's Motion for Contempt and to Compel Turnover of Partnerships' Books, Records and Electronically Stored Information dated April 10, 2013 and the Supplement thereto dated April 24, 2013.

2. Since filing the Verified Complaint in this cause on August 24, 2012, the PLAINTIFFS have been seeking production of relevant information from the Defendant, including but not limited to, assets, books, records and electronically stored information. Said relevant information was not produced.

3. On January 17, 2013, this Court appointed a Conservator. The Conservator had, and still has, the same goal of obtaining all this relevant information.

4. Notwithstanding Orders of this Court, the Defendant has not produced the relevant information and, like the PLAINTIFFS, the Conservator has also been frustrated in its attempt to obtain this relevant information. Such action by the Defendant has severely prejudiced the PLAINTIFFS in the prosecution of their case.

5. Accordingly, the PLAINTIFFS adopt and join in the Motion of the Conservator, requesting that this Court find the Defendant in contempt of Court and to compel the Defendant to provide the Conservator with all requested documents and electronically stored information on computers.

WHEREFORE, the PLAINTIFFS pray that this Court enter an Order accordingly and grant the Conservator all relief requested by the Conservator in the Motion and the Supplement thereto.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail and/or U.S. Mail to all following persons on the 5th day of May, 2013.

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