

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

CASE NO: 12-34121(07)

Complex Litigation Unit

PHILIP J. VON KAHLE, as Conservator of  
P&S ASSOCIATES, GENERAL PARTNERSHIP,  
and S&P ASSOCIATES, GENERAL PARTNERSHIP,

Plaintiffs,

vs.

JANET A. HOOKER CHARITABLE TRUST, et al,

Defendants.

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**DEFENDANT JAMES AND VALERIE JUDD'S**  
**SECOND REQUEST FOR ADMISSIONS TO PLAINTIFFS**

Pursuant to Fla. R. Civ. P. 1.370, Defendants James and Valerie Judd (hereinafter “Defendants Judd”) request plaintiffs to admit:

1. The genuineness of the Activity/Status Report dated October 17, 2000 for the period from January 1, 2000 to September 13, 2000, a copy of which is attached hereto as Exhibit A.
2. As shown on the Activity/Status Report attached hereto as Exhibit A, the Realized Gain for the Capital Investment of Defendants Judd in S&P Associates for the period from January 1, 2000 to September 13, 2000 was \$3,064.89.
3. The genuineness of the Activity/Status Report dated January 19, 2002 for the period from January 1, 2001 to December 31, 2001, a copy of which is attached hereto as Exhibit B.
4. As shown on the Activity/Status Report attached hereto as Exhibit B, the Realized Gain for the Capital Investment of Defendants Judd in S&P Associates for the period from January 1, 2001 to December 31, 2001 was \$24,314.13.
5. The genuineness of the Activity/Status Report dated October 17, 2002 for the period from January 1, 2002 to September 30, 2002, a copy of which is attached hereto as Exhibit C.
6. As shown on the Activity/Status Report attached hereto as Exhibit C, the Realized Gain for the Capital Investment of Defendants Judd in S&P Associates for the period from January 1, 2002 to September 30, 2002 was \$22,095.05.

7. The genuineness of the Activity/Status Report dated January 14, 2004 for the period from January 1, 2003 to December 31, 2003, a copy of which is attached hereto as Exhibit D.
8. As shown on the Activity/Status Report attached hereto as Exhibit D, the Realized Gain for the Capital Investment of Defendants Judd in S&P Associates for the period from January 1, 2003 to December 31, 2003 was \$19,336.60.
9. The genuineness of the Activity/Status Report dated January 18, 2005 for the period from January 1, 2004 to December 31, 2004, a copy of which is attached hereto as Exhibit E.
10. As shown on the Activity/Status Report attached hereto as Exhibit E, the Realized Gain for the Capital Investment of Defendants Judd in S&P Associates for the period from January 1, 2004 to December 31, 2004 was \$13,915.62.
11. The genuineness of the Activity/Status Report dated October 17, 2005 for the period from January 1, 2005 to September 30, 2005, a copy of which is attached hereto as Exhibit F.
12. As shown on the Activity/Status Report attached hereto as Exhibit F, the Realized Gain for the Capital Investment of Defendants Judd in S&P Associates for the period from January 1, 2005 to September 30, 2005 was \$9,292.91.
13. As of September 30, 2000, the Realized balance for the S&P Associates capital account of Defendants Judd was \$102,065.87.
14. As of December 31, 2000, the Realized balance for the S&P Associates capital account of Defendants Judd was \$186,136.31.
15. As of December 31, 2001, the Realized balance for the S&P Associates capital account of Defendants Judd was \$205,390.28.
16. As of December 31, 2002, the Realized balance for the S&P Associates capital account of Defendants Judd was \$225,611.03.
17. As of December 31, 2003, the Realized balance for the S&P Associates capital account of Defendants Judd was \$140,787.26.
18. As of December 31, 2004, the Realized balance for the S&P Associates capital account of Defendants Judd was \$151,845.87.
19. As of September 30, 2005, the Realized balance for the S&P Associates capital account of Defendants Judd was \$159,245.51.
20. As of December 31, 2007, the Realized balance for the S&P Associates capital account of Defendants Judd was \$113,562.96 and the total realized balance as of March 31, 2008 was \$115,079.07 as shown on Exhibit G.

21. As of March 31, 2008, the Realized balance for the S&P Associates capital account of Defendants Judd was \$115,079.07.

22. S&P terminated the account of Defendants Judd before December 3, 2008.

s/ Julian H. Kreeger  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served via Electronic Mail upon Leonard Samuels, Esq. of Berger Singerman and counsel identified below registered to receive electronic notifications, and regular U.S. mail upon Pro Se parties on this 23<sup>rd</sup> day of May, 2014 upon the following:

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By: s/ Julian H. Kreeger  
JULIAN H. KREEGER  
Florida Bar No. 098595

October 17, 2000

**S & P 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

James Judd & Valerie Bruce Judd  
2421 Barcelona Drive  
Ft. Lauderdale, FL 33301

TIN

*NOTE: This report is provided to assist you in evaluating the performance of your account and should NOT be used for Income Tax purposes.*

**Activity/Status Report**  
1/1/00 to 9/30/00

Balance Forward 12/31/99	0.00
Deposits	100,000.00
Withdrawals	0.00
*Miscellaneous Expenses	-14.84
Management Fee Expense	-520.18
Adjustments	0.00
Realized Gain/Loss for Current Year	3,064.89
Realized Ending Balance	<u>102,529.88</u>
Unrealized Gain/Loss on Open Securities	-464.01
<b>TOTAL REALIZED/UNREALIZED BALANCE</b>	<b><u>\$102,065.87</u></b>

**NET ANNUALIZED RETURN** 11.29%

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

*All data subject to verification. Please review data for discrepancies. Please note that the ending balance may not represent your actual capital account balance. Rather, it represents your balance, subject to the terms of your agreement, assuming a liquidation of the portfolio.*

EX. A

January 19, 2002

S & P 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

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2421 Barcelona Drive  
Ft. Lauderdale, FL 33301

TIN

**SCHEDULE K-1 WILL BE ISSUED BEFORE MARCH 15 FOR INCOME TAX PREPARATION.**

NOTE: This report is provided to assist you in evaluating the operations of S&P 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  
1/01/01 to 12/31/01**

Balance Forward 12/31/00	186,136.31
Deposits	0.00
Withdrawals	0.00
*Miscellaneous Expenses	-197.33
Management Fee Expense	-4,862.83
Adjustments	0.00
Realized Gain/Loss for Current Year	24,314.13
Realized Ending Balance	<u>205,390.28</u>
Unrealized Gain/Loss on Open Securities	0.00
<b>TOTAL REALIZED/UNREALIZED BALANCE</b>	<b><u>\$205,390.28</u></b>

NET ANNUALIZED RETURN 10.34%

\*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.*

EX. B

October 17, 2002

S & P 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

James Judd & Valere Bruce Judd  
2421 Barcelona Drive  
Ft. Lauderdale, FL 33301

TIN

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**Activity/Status Report**  
1/01/02 to 9/30/02

Balance Forward 12/31/01	205,390.28
Deposits	0.00
Withdrawals	0.00
Miscellaneous Expenses	-138.13
Management Fee Expense	-4,504.08
Adjustments	0.00
Realized Gain/Loss for Current Year	22,095.05
Realized Ending Balance	<u>222,843.12</u>
Unrealized Gain/Loss on Open Securities	425.34
<b>TOTAL REALIZED/UNREALIZED BALANCE</b>	<b><u>\$223,268.46</u></b>
<b>TOTAL ANNUALIZED RETURN</b>	<b><u>11.64%</u></b>

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

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EX, C

January 14, 2004

**S & P 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

James Judd & Valerie Bruce Judd  
2421 Barcelona Drive  
Ft. Lauderdale, FL 33301

TIN

NOTE: This report is provided to assist you in evaluating the operations of S&P 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**  
1/01/03 to 12/31/03

Balance Forward 12/31/02	
Deposits	225,611.03
Withdrawals	0.00
*Miscellaneous Expenses	-100,000.00
Management Fee Expense	-293.05
Adjustments	-3,867.32
Realized Gain/Loss for Current Year	0.00
Realized Ending Balance	19,336.60
	<u>140,787.26</u>
Unrealized Gain/Loss on Open Securities	0.00
<b>TOTAL REALIZED/UNREALIZED BALANCE</b>	<b><u>\$140,787.26</u></b>

NET ANNUALIZED RETURN 8.39%

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

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Ex. D



January 18, 2005

**S & P 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

James Judd & Valerie Bruce Judd  
2421 Barcelona Drive  
Ft. Lauderdale, FL 33301

TIN



NOTE: This report is provided to assist you in evaluating the operations of S&P 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**  
1/01/04 to 12/31/04

Balance Forward 12/31/03	140,787.26
Deposits	0.00
Withdrawals	0.00
*Miscellaneous Expenses	-73.89
Management Fee Expense	-2,783.12
Adjustments	0.00
<b>Realized Gain/Loss for Current Year</b>	<b>13,915.62</b>
<b>Realized Ending Balance</b>	<b><u>151,845.87</u></b>
<b>Unrealized Gain/Loss on Open Securities</b>	<b>0.00</b>
<b>TOTAL REALIZED/UNREALIZED BALANCE</b>	<b><u>\$151,845.87</u></b>

NET ANNUALIZED RETURN 7.85%

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

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Zx. E

October 17, 2005

S & P Associates, General Partnership  
c/o Sullivan & Powell  
Port Royale Financial Center  
6550 North Federal Highway  
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(954) 492-0088 fax (954) 938-0069

James Judd & Valerie Bruce Judd  
2421 Barcelona Drive  
Ft. Lauderdale, FL 33301

TIN

NOTE: This report is provided to assist you in evaluating the operations of S&P 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**  
**1/01/05 to 9/30/05**

Balance Forward 12/31/04	151,845.87
Deposits	0.00
Withdrawals	0.00
*Miscellaneous Expenses	-49.71
Management Fee Expense	-1,862.34
Adjustments	0.00
Realized Gain/Loss for Current Year	9,292.91
Realized Ending Balance	<u>159,226.73</u>
Unrealized Gain/Loss on Open Securities	18.79
<b>TOTAL REALIZED/UNREALIZED BALANCE</b>	<b><u>\$159,245.51</u></b>

**NET ANNUALIZED RETURN** 6.49%

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

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EX. F

4/21/08

S & P Associates, General Partnership  
c/o Sullivan & Powell  
Port Royale Financial Center  
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(954) 492-0088 fax (954) 938-0069

James Judd & Valerie Bruce Judd  
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**Activity/ Status Report**  
**1/1/08 to 3/31/08**

Balance Forward 12/31/07	113,562.96
Deposits	0.00
Withdrawals	0.00
*Miscellaneous Expenses	-9.73
Management Fee Expense	-381.46
Adjustments	0.00
<b>Realized Gain/Loss for Current Year</b>	<b>1,577.16</b>
<b>Realized Ending Balance</b>	<b><u>114,748.93</u></b>
Unrealized Gain/Loss on Open Securities	330.14
<b>TOTAL REALIZED/UNREALIZED BALANCE</b>	<b><u>\$115,079.07</u></b>

NET ANNUALIZED RETURN 5.35%

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

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ZR.G