

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

P & S ASSOCIATES, GENERAL
PARTNERSHIP and S & P ASSOCIATES,

CASE NO. 12-028324 (07)
COMPLEX LITIGATION UNIT

GENERAL PARTNERSHIP,

Plaintiff,

v.

ROBERTA P. ALVES, ET AL.,

Defendants.

**CONSERVATOR'S MOTION FOR NUNC PRO TUNC APPROVAL OF
MODIFIED SERVICE BY WEBSITE**

Philip J. Von Kahle (the "Conservator"), the Court-appointed Conservator for P&S, General Partnership and S&P, General Partnership (together, the "Partnerships"), files this Motion for Nunc Pro Tunc Approval of Modified Service by Website (the "Motion"), consistent with the method of service provided by the Conservator Order (as defined herein), and in support thereof states as follows:

Brief Summary

1. To date, a majority of the named defendants in this matter have been personally served or have waived service of the summons and complaint.
2. This Court, in a related case, has permitted the Conservator to serve pleadings and motions subsequent to initial service of the summons and complaint upon parties-in-interest (who were given an opportunity to request traditional service) by posting such documents to a website, www.FloridaConservator.com.
3. To conserve resources and to more timely provide information to the defendants in this matter, the Conservator requests that this Court enter a parallel order authorizing him to provide alternative service by website to the defendants in this lawsuit.

Background and Relief Sought

4. In July 24, 2012, the above captioned interpleader action was commenced by the Partnerships (the “Distribution Case”).

5. Essentially the Distribution Case is an interpleader action seeking an organized resolution of a dispute between the partners as to their relative interests, if any, in proceeds held by the Partnerships.¹

6. The dispute between the partners manifested itself in, among other ways, the August 24, 2012 filing of a separate but related parallel proceeding between certain partners and management of the Partnerships in Broward County, styled: *Matthew Carone, et. al, Plaintiffs v. Michael D. Sullivan, individually*, Case No. 12-24051 (07) (the “Conservator Suit”).²

7. On January 17, 2013, this Court entered its *Order Appointing Conservator* (the “Conservator Order” attached hereto as **Exhibit “A”**) in the Conservator Suit, to, among other things, preserve the resources of the Partnerships and resolve certain issues between the partners and management.

8. The Conservator Order empowered the Conservator with certain authority and imposed upon him certain responsibilities. Among other things, the Conservator Order resolved issues regarding the preservation and control of Partnerships’ assets, including litigation claims.

9. At present, the Conservator Suit, the Distribution Case, and two additional related (but separate) lawsuits involving the Partnerships, their partners, and others, are presently before the Court.

10. To conserve resources and provide all parties reasonable access to information, the Conservator Order required the Conservator to establish a website (the “Conservator Website”) as a means to efficiently provide service to the “significant number of interested

¹ Becker and Poliakoff LLP retained Deutsch Rotbart & Associates, P.A. to commence the Distribution Case for the benefit of the Partnerships.

² Berger Singerman LLP was retained to commence the Conservator Suit for the benefit of the Partnerships.

parties.” Conservator Order at ¶13. The Conservator Order authorized service to be made by posting documents to the Conservator Website.

11. Specifically, the Conservator Order provided that “any posting on the website will be deemed adequate notice to all Partners unless a Partner specifically request information to be mailed to him/her.” Conservator Order at ¶13 (emphasis added).

12. Pursuant to such direction, the Conservator established the Website located at **www.FloridaConservator.com** and filed and served a *Notice of Modified Service by Website* on February 6, 2013 (attached hereto as **Exhibit “B”**).

13. Since establishing the Conservator Website, the Conservator has posted documents relative to this Distribution Case to allow the interested parties the greatest access to information.

14. In the instant case, the same concerns regarding preserving resources and providing adequate and efficient notice exist. Conventional service, which includes, among other things, printing and copying voluminous documents and mailing same would be a burden on the Partnerships and its more than 175 general partners and other parties in interest.

15. Consistent with the Conservator Order, the Conservator seeks an order in the instant case authorizing the Conservator to effectuate service on all parties in interest through posting on the Conservator Website. The present list of interested parties is attached hereto as **Exhibit “C”**. This Court’s Conservator Order previously approved service to the group of interested parties attached hereto as **Exhibit “D”**.³

16. Allowing the Conservator to serve by posting to the Conservator Website will preserve the assets of the Partnerships and provides a reasonable method of notice.⁴

³ The service list attached hereto as Exhibit C is an updated version of Exhibit D and is substantially the same.

⁴ Like the Conservator Order, any party in interest may request service by traditional means and such requests will be honored.

17. Consistent with this Court's Conservator Order, if modified service is authorized in the instant case the Conservator shall serve a *Notice of Modified Service By Website* substantially similar to the one attached as **Exhibit "E"** on all interested parties in this case to allow them the opportunity to specifically request that information be mailed or emailed to them or their counsel as appropriate.

WHEREFORE, the Conservator requests that the Court enter an Order: (i) authorizing the Conservator to provide service by website located at www.FloridaConservator.com *nunc pro tunc* to February 6, 2013; (ii) authorizing the Conservator to serve a *Notice of Modified Service by Website*; (iii) finding that the Conservator's prior postings of Distribution Case documents to the Conservator Website will constitute adequate service to all defendants and parties-in-interest (presently named or to be named in the future) as of, the later of: (a) the date the *Notice of Modified Service by Website* is served; or (b) the date such defendant received personal service or waives service of the summons and complaint; and (iv) granting such other relief as the Court deems just and proper.

Dated: June 27, 2013.

MESSANA, P.A.
Attorneys for Conservator
401 East Las Olas Boulevard, Suite 1400
Ft. Lauderdale, FL 33301
Telephone: (954) 712-7400
Facsimile: (954) 712-7401

By: /s/ Thomas M. Messana
Thomas M. Messana, Esq.
Florida Bar No. 991422
Brett D. Lieberman, Esq.
Florida Bar No. 69583

Exhibit A

IN THE CIRCUIT COURT OF THE
SEVENTEENTH 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,

Defendants.

ORDER APPOINTING CONSERVATOR

THIS CAUSE came before the Court at 10:00 a.m. on December 18, 2012, and at 1:30 p.m. on December 21, 2012, upon Plaintiffs' Motion to Appoint Receiver (the "Motion"), and the Court having reviewed the Motion, heard from counsel, and being otherwise duly advised in the premises, finds good cause to grant the relief requested.

Accordingly, it is hereby **ORDERED AND ADJUDGED**:

1. Appointment. Philip J. Von Kahle is hereby appointed Conservator (the "Conservator") of P&S, General Partnership and S&P, General Partnership (together, the "Partnerships").

2. Oath. Within twenty (20) days of the date of this Order, the Conservator shall file with this Court an Oath of Conservator.

3. Bond. The Conservator shall post a surety bond in the amount of \$25,000.00 with the Clerk of Court within thirty (30) days of the date of this Order.

4. Possession of Conservatorship Property. The Conservator shall immediately take possession of all property of the Partnerships. The property of the Partnerships, to the extent it exists, shall include the accounts, books of account, checkbooks, assets, files, papers, contracts, records, documents, monies, securities, choses in action, keys, pass codes and passwords, computer data, archived and historical data, and all other property, of the Partnerships including but not limited to any and all funds being held by any third-party on behalf of the Partnerships (the "Conservatorship Property"), which are within the jurisdiction of this Court, except as is otherwise set forth herein, and shall retain custody, except as is set forth hereinafter, of all such Conservatorship Property, until further order of this Court. All persons and corporations now or hereafter in possession of any Conservatorship Property, or any part thereof, shall forthwith turn over such possession to the Conservator. Further, the Partnerships and any persons in active participation with them, shall grant the Conservator unfettered access to any accounts, records, documents, files, plans, engineering reports, permits (whether expired or not), and computer equipment owned by the Partnerships.

The Conservatorship Property includes, but is not limited to, those assets and funds held by Helen Davis Chaitman, Esq. and Becker & Poliakoff LLP on behalf of or for the benefit of the Partnerships. The Conservatorship Property also includes, but is not limited to, all of the books and records of the Partnerships that have been turned over to and are currently in the possession of Margaret Smith and/or Glass Ratner.

All Conservatorship Property must be returned to or transferred to the Conservator within seven (7) days of the date of this Order. All property turned over to the Conservator shall be

delivered subject to the lien rights of any parties, including the rights of any attorneys to charging, retaining or other common-law liens, and the transfer, delivery or otherwise placing the property in the possession of the Conservator shall not prejudice, destroy or otherwise affect any parties' lien rights..

The Conservator may at any time, apply to this Court for further powers and authority as may be necessary and appropriate to carry out the purposes of this Order.

5. Conservator's Powers. The Conservator is empowered, directed and authorized by this Court to act on its behalf as the Conservator of 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. The Conservator shall have and possess all powers and rights to facilitate its management and preservation, maintenance, protection and administration including, but not limited to, the following:

(a) Winding down of the affairs of the Partnerships and distribution of assets of the Partnerships, including following up on the Interpleader action filed with the Court to determine how the partnership funds are to be distributed, making all necessary and appropriate applications to the Court in order to effect such wind-down and distributions;

(b) Reviewing, prosecuting, dismissing, initiating and/or investigating any and all potential claims that may be brought or have been brought on behalf of the Partnerships;

(c) Taking any action which could lawfully be taken by the managing general partner of the Partnerships pursuant to the Partnership Agreements of the respective Partnerships;

(d) Investing the Partnerships' funds in an interest-bearing account or accounts at one or several federally insured banks and/or depository institutions;

(e) Calling a Special Meeting of either or both of the Partnerships;

(f) Paying all fees or costs less than \$2,500.00 out of the Conservatorship Property reasonably necessary to conserve, maintain, secure, operate, preserve and protect the Conservatorship Property, including all such fees or costs incurred prior to date of this Order;

(g) Paying any taxes, assessments and charges in the nature thereof, due in connection with the Conservatorship Property;

(h) Opening accounts in the name of the Conservator in order to fulfill his duties pursuant to this Order;

(I) Hiring legal counsel to assist the Conservator in performing the responsibilities with respect to the Conservatorship Property as set forth in this Order. Nothing contained herein shall require the Conservator to expend any of his own funds.

6. Previous Elections of Managing General Partners. The previous elections of Margaret J. Smith and/or Steven Jacob are moot, provided however, that any party may raise the validity of the election of Margaret J. Smith or anyone Ms. Smith allegedly retained on behalf of the partnerships in connection with any application for compensation.

7. Specific Duties of Conservator. The Conservator shall manage, preserve, protect, and maintain the Conservatorship Property in a reasonable, prudent, diligent and efficient manner. Without limitation of that general duty, the Conservator shall have the following specific duties:

(a) Operating Account. The Conservator may establish and maintain, at a bank whose deposits are insured by the Federal Deposit Insurance Corporation, a separate operating account or accounts into which the Conservator shall deposit all receipts, if any, related to the Conservatorship Property and from which the Conservator shall disburse all amounts due

and payable as reasonable, necessary and proper operating expenses of the Conservatorship Property, subject to the terms of this Order and the availability of funds.

(b) Records. The Conservator shall maintain a system of books and accounts concerning the maintenance of the Conservatorship Property. Upon reasonable notice, and at all reasonable times, the general partners of the Partnerships, and their respective agents, shall have reasonable access to such records, accounts and books and to all other material pertaining to the operation of the Conservatorship Property, all of which the Conservator agrees to keep safe, available and separate from any records not having to do with the operation of the Conservatorship Property.

(c) Legal Requirements. The Conservator shall ensure that all aspects of the Conservatorship Property, and its operation, management, and development, comply with any and all laws, regulations, orders or requirements affecting the Conservatorship Property having jurisdiction there over.

(d) No Waste. Without the approval of the Court, the Conservator shall not suffer, cause or permit: (i) any removal of any Conservatorship Property; nor (ii) any waste of the Conservatorship Property or any of the components thereof.

8. Net Proceeds. Except as otherwise authorized in this Order, all proceeds from the Partnerships' actions shall be held by Conservator in a Conservatorship account or accounts, pending further Order of this Court, subject to paragraph 12, below.

9. No Interference. Except as otherwise requested or authorized by the Conservator, or until further order of this Court, all persons are hereby enjoined from: (i) interfering in any manner with the management of the Conservatorship Property by the Conservator as hereinabove

described until further order of this Court; or (ii) acting or purporting to act on behalf of the Partnerships, Conservatorship Property, and/or the Conservator.

10. Consultation. The Conservator shall meet or confer over the telephone, at least once, with Michael D. Sullivan, Steven Jacob, and Margaret J. Smith, to gather information that may assist him in carrying out his duties as Conservator, for the duration and to the extent that the Conservator deems necessary. The Conservator is encouraged, but is not required, to discuss the affairs of the Partnerships with other individuals as he deems it necessary and using his best judgment.

11. Consultants and Professionals. With the permission of the Court upon appropriate application and notice to all parties in interest, the Conservator may be empowered to retain others to provide legal or accounting services as may be necessary during the period of Conservatorship. All such persons shall be compensated in accordance with Paragraph 12 below.

12. Fees. The Conservator shall be compensated at a rate of \$ 300 per hour, plus the reasonable and necessary out-of-pocket expenses incurred by the Conservator on behalf of the Conservatorship Property, excluding travel, lodging and meal expenses. The Conservator and any professionals the Conservator retains after Court approval shall be authorized to file applications for compensation every sixty (60) days. Applications shall be filed in full with the Court only and shall not be served. The notice of hearing on the application shall be served on all partners and other parties in interest and shall set forth a) the amount of fees and costs that the applicant is seeking and b) a bulletin that any partner or other party in interest may obtain a full copy of the application by contacting the applicant, and provide the name of a person, email

address and telephone number at the applicant's office who can provide a copy of the application.

13. Creation of Website. In light of the significant number of interested parties, a website shall be set up within 20 days of entry of this order to provide notice to all Partners of ongoing developments, including but not limited to reports contemplated by paragraph 12. A notice of the existence of this website shall be mailed to each of the Partners listed on the certificate of service attached to Plaintiffs' Motion to Appoint Receiver. In order to preserve the assets of the Partnerships, any postings on the website will be deemed adequate notice to all Partners unless a Partner specifically requests for information to be mailed to him/her.

14. Applications for Reimbursement. Any accountants, attorneys, consultants and other professionals that have purported to incur costs and fees on behalf of the Partnerships prior to the date of this Order may submit an application within twenty-one (21) calendar days of the date of this Order to be reimbursed by the Partnerships for those amounts. The Conservator shall first review the fee/cost requests to determine a) if they are expenses properly chargeable to the Partnerships and b) if the fees and costs are reasonable. The Conservator shall then present the requests to the Court along with his recommendations and shall serve a notice of hearing in the same manner and that contains the same information as required in Paragraph 12 above. The Court shall make the final determination on any requests for fees and costs, and all partners and other parties in interest shall have the right to object.

15. Judicial Immunity. The Conservator and the Conservator's attorneys and agents: (i) may rely on any and all outstanding court orders, judgments, decrees and rules of law, and shall not be liable to anyone for their own good faith compliance with any such order, judgment, decree or rule of law; (ii) may rely on, and shall be protected in any action upon, any resolution,

certificate, statement, opinion, report, notice, consent, or other document believed by them to be genuine and to have been signed or presented by the proper parties; (iii) shall not be liable to anyone for their good faith compliance with their duties and responsibilities as a Conservator, or as attorney or agent for Conservator; and (iv) shall not be liable to anyone for their acts or omissions, except upon a finding by this Court that such acts or omissions were outside the scope of their duties or were grossly negligent or constitute misfeasance. Except for matters set forth in subsection (iv) of the preceding sentence, persons dealing with the Conservator shall only look to the Conservatorship assets and bond posted by the Conservator to satisfy any liability, and neither the Conservator nor his attorneys or his agents shall have any personal liability to satisfy any such obligation.

16. Further Instructions. The Conservator may at any time upon notice to all partners and parties in interest, apply to this Court for further or other instructions or powers, whenever such instructions or additional powers shall be deemed necessary in order to enable him to perform properly and legally the duties of his Conservatorship and to maintain, operate, protect and preserve the real property.

17. Duration. This Conservatorship will continue for such time until the Court enters an order terminating the Conservatorship and discharging the Conservator; provided that to the extent the Conservator no longer desires to serve in that capacity, upon notice to Plaintiff and Borrower, the Conservator may apply to the Court for termination of his appointment.

18. Jurisdiction. Jurisdiction of this action is retained to enter further orders as are appropriate.

DONE AND ORDERED in Chambers at Broward County, Florida, on this ____ day of
January, 2013.

JEFFREY E. STREITFELD

JAN 17 2013

~~A TRUE COPY~~
HONORABLE JEFFREY E. STREITFELD
Circuit Court Judge

Copies furnished to:

See attached service list

Exhibit B

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

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

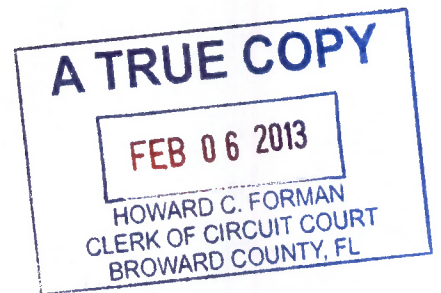
MATTHEW CARONE, as Trustee for the Carone
Marital Trust #2 UTD 1/26/00, Carone Gallery, Inc.
Pension Trust, Carone Family Trust, Carone Marital
Trust #1 UTD 1/26/00 and Matthew D. Carone
Revocable Trust, JAMES JORDAN, as Trustee for
the James A. Jordan Living Trust, ELAINE ZIFFER,
an individual, and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

Plaintiffs,

v.

MICHAEL D. SULLIVAN, individually,

Defendant.



NOTICE OF MODIFIED SERVICE BY WEBSITE

PLEASE TAKE NOTICE of the implementation and existence of the website www.FloridaConservator.com pursuant to this Court's January 17, 2013 Order Appointing Conservator (the "Website").

The Website will contain information relevant to the instant proceeding including, among other things, pleadings, documents and applications filed by the Philip Von Kahle, the Court-Appointed Conservator, and, where applicable, his agents, attorneys and professionals.

Any and all postings to the Website constitute adequate notice to all parties unless a particular party specifically requests, in writing, that the information be mailed to such party.

If you desire delivery by mail, you must do so in writing. Requests for delivery by mail can be made on undersigned counsel. The request for delivery by mail must include your name,

address, e-mail address, telephone number and an explanation of your interest in the instant proceeding.

MESSANA, P.A.
Counsel for Conservator, Philip Von Kahle
401 E. Las Olas Boulevard, Suite 1400
Fort Lauderdale, Florida 33301
Telephone: (954) 712-7400
Facsimile: (954) 712-7401

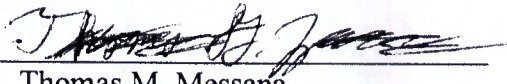
By: 
Thomas M. Messana
Florida Bar No. 991422
Brett D. Lieberman
Florida Bar No. 69583
Thomas G. Zeichman
Florida Bar No. 99239

Exhibit C

LIST OF INTERESTED PARTIES

Andrea J. Acker
c/o MDS Assoc.
158 Esperanza Way
Palm Beach Gardens, FL 33418

Ande Anderten
12 Beechcroft Rd.
Newton, MA 02458

John F. Bogaert
1501 S.E. 8th Drive
Okeechobee, FL 34974

Pamela Bogaert
1501 S.E. 8th Drive
Okeechobee, FL 34974

Dorothy K. Bulger
503 SE 8th Drive
Okeechobee, FL 34974

Carone Family Trust
c/o Ray Ballotta
7901 SW 6th Court, Suite 140
Plantation, FL 33324

Carone Gallery, Inc., Pension Trust
c/o Ray Ballotta
7901 SW 6th Court, Suite 140
Plantation, FL 33324

Carone Marital Trust #1 UTD
1/26/00
c/o Ray Ballotta
7901 SW 6th Court, Suite 140
Plantation, FL 33324

Carone Marital Trust #2 UTD
1/26/00
c/o Ray Ballotta
7901 SW 6th Court, Suite 140
Plantation, FL 33324

Mathew D. Carone Revocable Trust
c/o Ray Ballotta
7901 SW 6th Court, Suite 140
Plantation, FL 33324

Centro De Capacitacao Da
Juventude
c/o Fr. Maurice Shortall
88-53 74th Ave.
Glendale, NY 11385

Robin L. Costa
3750 Gait Ocean Drive, #1409
Fort Lauderdale, FL 33308

Bruce E. Cummings
1960 NE 55th Street
Fort Lauderdale, FL 33308

Lynn P. Cummings
1960 NE 55th Street
Fort Lauderdale, FL 33308

Ana De Elejalde
9600 Lucerne Ave Apt 3
Culver City, CA 92032-2928

Lauren Disbury
1430 SE 13th Avenue
Deerfield Beach, FL 33441

Sandra Dydo
370 SE 6th St
Pompano Beach, FL 33060-8422

Joyce Forte
1960 NE 55th Street
Fort Lauderdale, FL 33308

Paul J. Frank Revocable Living Trust
c/o Jack A. Baxter, Jr., Esq.
Law Office of Jack Andrew Baxter, Jr
4530 North Federal Highway
Fort Lauderdale, FL 33308

Myra Friedman
100 Worth Avenue
Apt 1-303
Palm Beach, FL 33408

Group Benefit Consultants, Inc.
33 SE 7th Street Suite A
Boca Raton, FL 33432

Calla Gutter
3176 N. 34 Street
Hollywood, FL 33021

Holy Ghost Fathers HG-Ireland, Inc.
c/o Fr. Patrick Doody / Fr. Richard
Olin
48-49 37th Street
Long Island City, NY 11101

Holy Ghost Fathers HG-Mombasa
c/o Rev. James Delaney, CSSP
691 West Side Avenue
Jersey City, NJ 07304

Holy Ghost Fathers HG-SW Brazil
c/o Fr. Maurice Shortall
88-53 74th Ave.
Glendale, NY 11385

Holy Ghost Fathers of Ireland
c/o Fr. Maurice Shortall
88-53 74th Ave.
Glendale, NY 11385

Holy Ghost Fathers of Ireland, Inc.
co Fr. D. Casey
1133 Broadway
Milbrae, CA 94030

Holy Ghost Fathers Pastoral Juvenil
Rua Bispo Eugenio Demazenof 463-A
Vila Alpina 03206-40
Sao Paulo, Brazil

Holy Ghost Fathers, Compassion Fund
C/O Fr. Nole O'Meara CSSP.
Congregation of the Holy Spirit
Kimmage Manor, Whitehall Road
Dublin 12, Ireland

Holy Ghost Fathers, Compassion
Fund
c/o Fr. Nole O'Meara CSSP
Ailesbury Road
Dublin 4, Ireland
.....

Joan Hughs
2245 River Ridge Drive
Deland, FL 32720

Charles L. Jordan
12401 Lakewood Drive
Laurinburg, NC 28352

James A. Jordan Living Trust
288 Codrington Drive
Lauderdale By The Sea, FL 33441

Fr. Vincent T. Kelly
4595 Bayview Drive
Fort Lauderdale, FL 33308

Vincent T. Kelly Irrevocable Trust
4595 Bayview Drive
Fort Lauderdale, FL 33308

Henry C. & Irmgard M. Loehler
Trust
Probellan22 3706 TG
Zeist, The Netherlands

Adam C. Langley
1488 SW 28th Terrace
Deerfield Beach, FL 33442

Gerald Login
355 South End Avenue, Apt. 22A
New York, NY 10208

Whitney M. Marema
c/o Dr. Robert Marema
300 Health Park Blvd.
St. Augustine, FL 32086

Janet E. Molchan
5100 N. Ocean Blvd., Apt. 302
Fort Lauderdale, FL 33308

Burt Moss
2860 NE19th Street
Pompano Beach, FL 33062

Burt Moss & Associates, Inc., 401K
Plan
1675 N. Military Trail, Ste 570
Boca Raton, FL 33486

Susan Moss
2860 NE 19th Street
Pompano Beach, FL 33062

Abraham Newman
10304 Lollipop Lane
Orlando, FL 32821

Rita Newman
10304 Lollipop Lane
Orlando, FL 32821

Mary Ellen Nickens
6520 NE21 Drive
Fort Lauderdale, FL 33308-1004

Paroquia de Santa Luzia
c/o Fr. John Fitzpatrick
1133 Broadway
Milbrae, CA 94030

Frank G. Perkins
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Fort Lauderdale, FL 33334

Patricia J. Perkins
1600 NE 59th Place
Fort Lauderdale, FL 33334

Robert Plati
2816 NE 35 Court
Fort Lauderdale, FL 33308

Suzanne King Plati Revocable Trust
2816 NE 35 Court
Fort Lauderdale, FL 33308

Suzanne Plati
2816 NE 35 Court
Fort Lauderdale, FL 33308

Edith Rosen
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Boynton Beach, FL 33437

Sam Rosen
7692 New Ellenton Drive
Boynton Beach, FL 33437

Abraham Saland
10329 Silverlake Drive
Boca Raton, FL 33428

Shirley Saland
10329 Silverlake Drive
Boca Raton, FL 33428

Susan M. Shaheen
2541 N.W. 107th Avenue
Coral Springs, FL 33065

Victor G. Shaheen
2541 N.W. 107th Avenue
Coral Springs, FL 33065

Alex Shanks
4631 NW 100 Way
Coral Springs, FL 33076

Angela Shanks
4631 NW 100 Way
Coral Springs, FL 33076

Dorothy J. Vause
1647 SW 23rd Ter
Okeechobee, FL 34974-5601

Susan M. Willis
4416 Hallam Hill Lane
Lakeland, FL 33813

W. Waite Willis, Jr.
4416 Hallam Hill Lane
Lakeland, FL 33813

Catherine G. Walden Rev. Trust
DTD 2/12/98
311 Mumford Drive
Columbia, MO 65203

Robert G. Walsh Family Trust #3
37 Hawkins Avenue
Hamberg, NY 14075

Robert G. Walsh Family Trust #4
37 Hawkins Avenue
Hamberg, NY 14075

Walsh Family Trust #1
37 Hawkins Avenue
Hamberg, NY 14075

Walsh Family Trust #2
37 Hawkins Avenue
Hamberg, NY 14075

Walsh Family Trust #3
37 Hawkins Avenue
Hamberg, NY 14075

Rebekah Wills
2619 Chicago Ave
Sebring, FL 33870-4301

Richard Wills, Jr.
5801 Mantanzas Drive
Sebring, FL 33872

Mark Wirick
2343 S. Jefferson Street
Monticello, FL 32344

Trisha Wirick
1722 River Birch Hollow
Tallahassee, FL 32308

Elanine Ziffer
3100 NE 47th Court, Apt. 301
Fort Lauderdale, FL 33308-5363

Roberta P. Alves
4800 N. Bayview Drive, #501
Fort Lauderdale, FL 33308

Vania P. Alves
4800 N. Bayview Drive, #501
Fort Lauderdale, FL 33308

Katherine F. Astley
197 Cameron Dr.
Weston, FL 33326-3514

Bruce Aymes
33 Buckley Street
Liberty, NY 12754

Kathryn L. Babcock
3208 Colony Club Road, Apt 6
Pompano Beach, FL 33062-4730

Roger G. Bond
3111 NE 57 Street
Fort Lauderdale, FL 33308

Terry A. Bond
3111 NE 57 Street
Fort Lauderdale, FL 33308

Laurel Bonhage
1313 Mockinbird LN
The Village, FL 32163-2276

William Bonhage
1313 Mockingbird LN
The Village, FL 32163-2276

Martin L. Braun
823 Promenade Way Apt. 104
Jupiter, FL 33458

Ruth J. Brown Revocable Trust
1741 NE 58th Street
Fort Lauderdale, FL 33334

James Caplinger
309 Blackbird Way
Lewisburg, WV 24901

Gary Chapman
5926 Bartram Street
Boca Raton, FL 33432

Johanna Wills Clark
2544 Saint Heather Way
Orlando, FL 32806

John Combs
5145 SE Matoufek Street
Stuart, FL 34997

Lois Combs
5145 SE Matoufek Street
Stuart, FL 34997

Denise A. Cram
91 Princeton Avenue
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James E. Yonge, Trustee
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Jacksonville Beach, FL 32250-5847

Exhibit E

IN THE CIRCUIT COURT OF THE
SEVENTEENTH JUDICIAL CIRCUIT,
IN AND FOR BROWARD COUNTY, FLORIDA
CASE NO. 12-028324 (07)
COMPLEX LITIGATION UNIT

P & S ASSOCIATES, GENERAL
PARTNERSHIP and S & P ASSOCIATES,
GENERAL PARTNERSHIP,

Plaintiff,

v.

ROBERTA P. ALVES, ET AL.,

Defendants.

NOTICE OF MODIFIED SERVICE BY WEBSITE

PLEASE TAKE NOTICE of the implementation and existence of the website www.FloridaConservator.com (the "Conservator Website") pursuant to this Court's *Order Granting Conservator's Motion for Nunc Pro Tunc Approval of Modified Service by Website*.

The Conservator Website will contain information relevant to the instant proceeding including, among other things, pleadings, documents and applications filed by the Philip Von Kahle, the Court-Appointed Conservator, and, where applicable, his agents, attorneys and professionals.

Any and all postings to the Conservator Website constitute adequate service to all parties unless a particular party specifically requests, in writing, that the information be mailed to such party.

If you desire delivery by mail, you must do so in writing. Requests for delivery by mail can be made on undersigned counsel. The request for delivery by mail must include your name, address, e-mail address, telephone number and an explanation of your interest in the instant proceeding.

MESSANA, P.A.

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