

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

MARGARET J. SMITH, as Managing General
Partner of P&S Associates, General Partnership,
a Florida partnership, and S&P Associates,
General Partnership, a Florida partnership, et al.,

Case No. 12-034123 (07)

Plaintiffs,

vs.

MICHAEL D. SULLIVAN, et al.,

Defendants.

SERVICE STATUS REPORT

Philip J. Von Kahle (the "Conservator"), as Conservator for P&S Associates, General Partnership ("P&S") and S&P Associates, General Partnership ("S&P") (together, the "Partnerships"), by and through undersigned counsel, files the following Service Status Report in compliance with this Court's Order Setting Deadline to File Service Status Report dated July 9, 2013:

1. Summonses were issued in this matter for eight Defendants.
2. The following four Defendants have been served by personal service and the Verified Returns of Service have been filed with the court: Michael D. Sullivan & Associates, Inc.; Michael D. Sullivan; Steven Jacob; and Steven F. Jacob, CPA & Associates Inc.
3. The remaining Defendants, Vincent T. Kelly, individually, Vincent T. Kelly as Registered Agent for Kelco Foundation, Michael Bienes, and Frank Avellino are believed to be out of town. Attached hereto as Exhibit "A" are copies of the Verified Returns of Service for the un-served Defendants.
4. Upon information and belief after reasonable investigation, it appears that Vincent T. Kelly, individually and as Registered Agent for Kelco Foundation, Inc. is out of the

immediate area until the latter part of August. This information was conveyed to the process server by certain school employees where Mr. Kelly is employed. It is believed that service can be obtained on Mr. Kelly in the latter part of August, 2013. The investigation into Mr. Kelly's current location is ongoing.

5. Upon information and belief after reasonable investigation, it appears that Defendant Michael Bienes is out of the immediate area until the latter part of October. This information was conveyed to the process server by certain security personnel at the condominium where Mr. Bienes resides. It is believed that service can be obtained on Mr. Bienes in the latter part of October, 2013. The investigation into Mr. Kelly's current location is ongoing.

6. Upon information and belief after reasonable investigation, it appears that Defendant Frank Avellino is out of the immediate area until the latter part of August according to the process server attempting to obtain service on Mr. Avellino. It is believed that service can be obtained on Mr. Avellino in the latter part of August, 2013. The investigation into Mr. Kelly's current location is ongoing.

Respectfully submitted this 19th day of July, 2013.

MESSANA, P.A.
Attorneys for Conservator
401 East Las Olas Boulevard, Suite 1400
Fort. Lauderdale, Florida 33301
Telephone: (954) 712-7400
Facsimile: (954) 712-7401
blieberman@messana-law.com

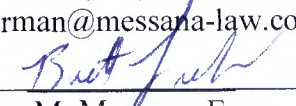
By: 
Thomas M. Messana, Esq.
Florida Bar No. 991422
Brett D. Lieberman, Esq.
Florida Bar No. 69583

Exhibit "A"

VERIFIED RETURN OF SERVICE

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

CASE NO. 12-028323 (07)
Complex Litigation Unit

Margaret Smith, et al.,

Plaintiff,

v.

Janet A Hooker Charitable Trust, et al.,

Defendants.

At the Request of: Michael Moecker & Associates, Inc.

Received by Rogue Intelligence Services Corp. on the 21th day of June, 2013.

To be served on: Robert A. Uchin Rev Trust 501 SW 7th Ave. Fort Lauderdale, Florida 33315.

I, Harrison W. Barrus, do hereby affirm that on the 25th day of June, 2013 at 3:10 PM, I executed service by delivering a true copy of this Alias Summons, and Complaint in accordance with state statutes in the manner marked below:

INDIVIDUAL SERVICE: service on the within named person.

SUBSTITUTE SERVICE: by serving

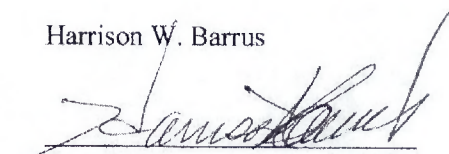
POSTED SERVICE: after attempting service on ___/___/___ at ___ and ___/___/___ at ___ service was posted in a conspicuous place on the property described herein.

NON SERVICE: see comments below.

Comments: Out of town till some time in August.

I certify that I am over the age of 18 and have no interest in the above action and that I am a Special process server in good standing in the judicial circuit in which the process was served.
Notary not required pursuant to Florida Statute § 92.525.

Harrison W. Barrus



Certified Process Server # 1322

Affidavit Date: 06/28/2013

VERIFIED RETURN OF SERVICE

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

CASE NO. 12-028323 (07)
Complex Litigation Unit

Margaret Smith, et al.,

Plaintiff,

v.

Michael D. Sullivan, Et Al.

Defendants.

At the Request of: Michael Moecker & Associates, Inc.

Received by Rogue Intelligence Services Corp. on the 21th day of June, 2013.

To be served on: Vincent T. Kelly, 4595 Bayview Drive, Fort Lauderdale, Florida 33308,

I, Harrison W. Barrus, do hereby affirm that on the 21st day of June, 2013 at 6:47 PM, I executed service by delivering a true copy of this Alias Summons, and Complaint in accordance with state statutes in the manner marked below:

INDIVIDUAL SERVICE: service on the within named person.

SUBSTITUTE SERVICE: by serving

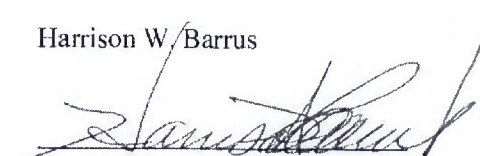
POSTED SERVICE: after attempting service on ___/___/___ at ___ and ___/___/___ at ___ service was posted in a conspicuous place on the property described herein.

NON SERVICE: see comments below.

Comments: Mr. Kelly is out of town till the end of august.

I certify that I am over the age of 18 and have no interest in the above action and that I am a Special process server in good standing in the judicial circuit in which the process was served.
Notary not required pursuant to Florida Statute § 92.525.

Harrison W. Barrus



Certified Process Server # 1322

Affidavit Date: 06/28/2013

VERIFIED RETURN OF SERVICE

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

CASE NO. 12-028323 (07)
Complex Litigation Unit

Margaret Smith, et al.,

Plaintiff,

v.

Michael D. Sullivan, Et Al.

Defendants.

At the Request of: Michael Moecker & Associates, Inc.

Received by Rogue Intelligence Services Corp. on the 21th day of June, 2013.

To be served on: Michael Bienes,

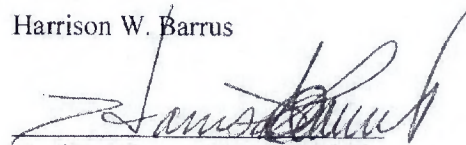
I, Harrison W. Barrus, do hereby affirm that on the 21st day of June, 2013 at 6:50 PM, I executed service by delivering a true copy of this Alias Summons, and Complaint in accordance with state statutes in the manner marked below:

- INDIVIDUAL SERVICE: service on the within named person.
- SUBSTITUTE SERVICE: by serving
- POSTED SERVICE: after attempting service on ___ / ___ / ___ at ___ and ___ / ___ / ___ at ___ service was posted in a conspicuous place on the property described herein.
- NON SERVICE: see comments below.

Comments: Mr. Bienes is out of town for the next 4 months. Per condo security.

I certify that I am over the age of 18 and have no interest in the above action and that I am a Special process server in good standing in the judicial circuit in which the process was served.
Notary not required pursuant to Florida Statute § 92.525.

Harrison W. Barrus



Certified Process Server # 1322

Affidavit Date: 06/28/2013

VERIFIED RETURN OF SERVICE

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

CASE NO. 12-028323 (07)
Complex Litigation Unit

Margaret Smith, et al.,

Plaintiff,

v.

Michael D. Sullivan, Et Al.

Defendants.

At the Request of: Michael Moecker & Associates, Inc.

Received by Rogue Intelligence Services Corp. on the 21st day of June, 2013.

To be served on: Kelco Foundation, Inc. Registered Agent: Vincent T. Kelly, 4595 Bayview Drive, Fort Lauderdale, Florida 33308,


I, Harrison W. Barrus, do hereby affirm that on the 21st day of June, 2013 at 6:47 PM, I executed service by delivering a true copy of this Alias Summons, and Complaint in accordance with state statutes in the manner marked below:

- INDIVIDUAL SERVICE: service on the within named person.
- SUBSTITUTE SERVICE: by serving _____
- POSTED SERVICE: after attempting service on ___/___/___ at _____ and ___/___/___ at _____ service was posted in a conspicuous place on the property described herein.
- NON SERVICE: see comments below.

Comments: Mr. Kelly is out of town till the end of august.

I certify that I am over the age of 18 and have no interest in the above action and that I am a Special process server in good standing in the judicial circuit in which the process was served.
Notary not required pursuant to Florida Statute § 92.525.

Harrison W. Barrus


Certified Process Server # 1322
Affidavit Date: 06/28/2013