

**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, et al.,

Plaintiffs,

v.

MICHAEL D. SULLIVAN, individually,

Defendants.

/

**ORDER APPROVING CONSERVATOR'S FEE
REPORT WITH RESPECT TO BERGER SINGERMAN LLP**

THIS MATTER came before the Court on August 2, 2013 at 1:30 p.m. at a continued hearing to consider, *inter alia*, the outstanding recommendations of the *Conservator's Fee Report* (the "Fee Report") filed by the Court-Appointed Conservator of P&S Associates, General Partnership and S&P Associates, General Partnership (the "Partnerships"), Philip Von Kahle. The Court having reviewed the Fee Report, having heard proffer of counsel and giving all parties, including Steven Jacob, Burt Moss, Michael Sullivan and others, an opportunity to be heard, and having reviewed the court file for this matter, it is

ORDERED and **ADJUDGED** as follows:

1. The recommendations of the Fee Report as to Berger Singerman LLP ("Berger Singerman") are approved in all respects.
2. The Conservator shall promptly make a distribution to Berger Singerman in the amount of \$125,000 out of the Partnerships' assets, with such distributions being allocated to each of the Partnerships proportionally.

3. The fees and costs recommended by the Conservator for Berger Singerman are found to be reasonable considering each and every factor contemplated by *Florida Patient's Compensation Fund v. Rowe*, 472 So. 2d 1145 (Fla. 1985) and the principles of *Lewis v. Gramil Corp.*, 94 So. 2d 174, 177 (Fla. 1957).

Done and ordered in Chambers this August _____, 2013.

TRUE COPY
AUG 01 2013

Hon. ~~JEFFREY E. STAYITZ~~ Jeffrey E. Steinfeld
Circuit Court Judge

Copies furnished to:

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