

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

CASE NO.: 12-034121 (07)
Complex Litigation Unit

MARGARET J. SMITH as Managing General
Partner of P&S Associates, GENERAL
PARTNERSHIP, a Florida limited partnership,
And S&P ASSOCIATES, GENERAL
PARTNERSHIP, a Florida limited partnership;
P&S ASSOCIATES, GENERAL PARTNERSHIP,
A Florida limited partnership; and S&P
ASSOCIATES, GENERAL PARTNERSHIP,
A Florida limited partnership,
Plaintiffs,

Vs

JANET A. HOOKER CHARITABLE TRUST, a
Charitable trust, DIANE M. DEN BLEYKER, an
Individual, ETTOH LTD., a Florida limited
Partnership, et al.
Defendants.

SECOND REQUEST FOR ADMISSIONS
TO THE PLAINTIFF

COME NOW, the Defendants, ABRAHAM NEWMAN, RITA NEWMAN
and GERTRUDE GORDON, by and through the undersigned counsel, pursuant to
Florida Rule of Civil Procedure 1.370, and request the Plaintiff to admit or deny
the following within thirty (30) days after service of this request:

1. Admit that the attached Schedule K-1 Form 1065 from 2004 through 2012 accurately reflect the information contained therein.

2. Admit that the information contained in the attached K-1 Form 1065 from 2004 through 2012 accurately reflect the information reported to the United States Internal Revenue Service as they relate to the partners identified therein.

3. Admit that no amendments, changes, modifications or corrections have been made to the K-1 Form 1065 attached hereto as Exhibit "A" by the Plaintiff, the Partnership or any persons acting for or on behalf of the Partnership.

4. Admit that the attached Activity Report for 2008 accurately reflect the information contained therein.

5. Admit that the information contained in the attached Activity Report for 2008 accurately reflect the information reported to the United States Internal Revenue Service as they relate to the partners identified therein.

6. Admit that no amendments, changes, modifications or corrections have been made to the Activity Report for 2008 attached hereto as Exhibit "B" by the Plaintiff, the Partnership or any persons acting for or on behalf of the Partnership.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was SENT VIA E-MAIL to: SEE SERVICE LIST ATTACHED; this 18 day of December, 2013.

JOSEPH P. KLAPHOLZ, P.A.
2500 Hollywood Boulevard, Suite 212
Hollywood, Florida 33020
Phone:(954)-925-3355/Fax:(954)-923-0185

By: _____

JOSEPH P. KLAPHOLZ, Esq.

Florida Bar No. 450431

Primary email: klap@klapholzpa.com

Secondary email: dml@klapholzpa.com

SCHEDULE K-1
(Form 1065)Department of the Treasury
Internal Revenue Service**Partner's Share of Income, Credits, Deductions, etc.**

For calendar year 2002 or tax year

OMB No. 1545-0099

2002

Partner's identifying number

Partner's name, address, and ZIP code

beginning

, and ending

Partnership's identifying number

Partnership's name, address, and ZIP code

ABRAHAM OR RITA NEWMAN
10304 LOLLIPOP LANE
ORLANDO, FL 32821P & S ASSOCIATES, GENERAL PARTNERSHIP
GREG O. POWELL, GENERAL PARTNER
6550 N. FEDERAL HWY., SUITE 210
FORT LAUDERDALE, FL 33308-1404A This partner is a ☒ general partner ☐ limited partner
☐ limited liability company memberB What type of entity is this partner? **INDIVIDUAL**C Is this partner a ☒ domestic or a ☐ foreign partner?D Enter partner's percentage of:
(i) Before change or termination (ii) End of yearProfit sharing **VARIOUS%** **VARIOUS%**Loss sharing **VARIOUS%** **VARIOUS%**Ownership of capital **VARIOUS%** **VARIOUS%**E IRS Center where partnership filed return: **OGDEN, UT**

J Analysis of partner's capital account:

(a) Capital account at beginning of year	(b) Capital contributed during year	(c) Partner's share of lines 3, 4, and 7, Form 1065, Schedule M-2	(d) Withdrawals and distributions	(e) Capital account at end of year (combine columns (a) through (d))
82008.		8079.	9741.	80346.

	(a) Distributive share item	(b) Amount	(c) 1040 filers enter the amount in column (b) on:
Income (Loss)	1 Ordinary income (loss) from trade or business activities	0.	See page 6 of Partner's Instructions for Schedule K-1 (Form 1065)
	2 Net income (loss) from rental real estate activities		
	3 Net income (loss) from other rental activities		
	4 Portfolio income (loss): a Interest		
	b Ordinary dividends	473.	Sch. B, Part II, line 5
	c Royalties		Sch. E, Part I, line 4
	d Net short-term capital gain (loss)	9671.	Sch. D, line 5, col. (f)
Deductions	e (1) Net long-term capital gain (loss)		Sch. D, line 12, col. (f)
	(2) 28% rate gain (loss)		Sch. D, line 12, col. (g)
	(3) Qualified 5-year gain		Line 4 of worksheet for Sch. D, line 29
	f Other portfolio income (loss) (attach schedule)		Enter on applicable lines of your return
	5 Guaranteed payments to partner		See page 6 of Partner's Instructions for Schedule K-1 (Form 1065)
	6 Net sec. 1231 gain (loss) (other than casualty or theft)		
	7 Other income (loss) (attach schedule)		Enter on applicable line of your return
Credits, Investment Interest & S.E.	8 Charitable contributions (attach schedule) SEE STATEMENT	384.	Sch. A, line 15 or 16
	9 Section 179 expense deduction		See pages 7 and 8 of Partner's Instructions for Schedule K-1 (Form 1065)
	10 Deductions related to portfolio income (attach schedule) STMT	1681.	
	11 Other deductions (attach schedule)		
Adjustments and Tax Preference	13 Other credits		(Enter on applicable lines of your return)
	14 a Interest expense on investment debts		Form 4952, line 1
	b (1) Investment income included on lines 4a, 4b, 4c, and 4f above	473.	See page 9 of Partner's Instructions for Schedule K-1 (Form 1065)
	(2) Investment expenses included on line 10 above	1681.	
Other	15 a Net earnings (loss) from self-employment	0.	Sch. SE, Section A or B
	b Gross farming or fishing income		See page 9 of Partner's Instructions for Schedule K-1 (Form 1065)
	c Gross nonfarm income		
Other	16 a Depreciation adjustment on property placed in service after 1986		See Partner's Instructions for Schedule K-1 (Form 1065) and Instructions for Form 6251
	b Adjusted gain or loss		
	c Other adjustments and tax preference items (attach schedule)		
Other	19 Tax-exempt interest income		Form 1040, line 8b
	20 Other tax-exempt income		
	21 Nondeductible expenses		
	22 Distributions of money (cash and marketable securities)	9741.	
	23 Distributions of property other than money		See pages 9 and 10 of Partner's Instructions for Schedule K-1 (Form 1065)

SCHEDULE K-1
(Form 1065)Department of the Treasury
Internal Revenue Service**Partner's Share of Income, Credits, Deductions, etc.**

For calendar year 2003 or tax year

OMB No. 1545-0099

2003

Partner's identifying number

Partner's name, address, and ZIP code

ABRAHAM OR RITA NEWMAN
10304 LOLLIPOP LANE
ORLANDO, FL 32821

Partnership's identifying number

Partnership's name, address, and ZIP code

P & S ASSOCIATES, GENERAL PARTNERSHIP
MICHAEL SULLIVAN, GENERAL PARTNER
6550 N. FEDERAL HWY., SUITE 210
FORT LAUDERDALE, FL 33308-1404A This partner is a ☒ general partner ☐ limited partner
☐ limited liability company memberB What type of entity is this partner? **INDIVIDUAL**C Is this partner a ☒ domestic or a ☐ foreign partner?D Enter partner's percentage of:
Profit sharing **VARIOUS%** **VARIOUS%**
Loss sharing **VARIOUS%** **VARIOUS%**
Ownership of capital **VARIOUS%** **VARIOUS%**E IRS Center where partnership filed return: **OGDEN, UT**

F Partner's share of liabilities:

Nonrecourse \$
Qualified nonrecourse financing \$
Other \$ **601.**

G Tax shelter registration number

H Check here if this partnership is a publicly traded partnership
as defined in section 469(k)(2) ☐I Check applicable boxes: (1) ☐ Final K-1 (2) ☐ Amended K-1**J Analysis of partner's capital account:**

(a) Capital account at beginning of year	(b) Capital contributed during year	(c) Partner's share of lines 3, 4, and 7, Form 1065, Schedule M-2	(d) Withdrawals and distributions	(e) Capital account at end of year (combine columns (a) through (d))
80346.		6193.	9493.	77046.

	(a) Distributive share item	(b) Amount	(c) 1040 filers enter the amount in column (b) on:
Income (Loss)	1 Ordinary income (loss) from trade or business activities	0.	See page 6 of Partner's Instructions for Schedule K-1 (Form 1065)
	2 Net income (loss) from rental real estate activities		
	3 Net income (loss) from other rental activities		
	4 Portfolio income (loss): a Interest		
	b (1) Qualified dividends		Form 1040, line 8a
	(2) Total ordinary dividends	799.	Form 1040, line 9b
	c Royalties		Form 1040, line 9a
	d (1) Net short-term capital gain (loss) (post-May 5, 2003)		Sch. E, Part I, line 4
	(2) Net short-term capital gain (loss) (entire year)	7099.	Sch. D, line 5, col. (g)
	e (1) Net long-term capital gain (loss) (post-May 5, 2003)		Sch. D, line 5, col. (f)
Deductions	(2) Net long-term capital gain (loss) (entire year)		Sch. D, line 12, col. (g)
	f Other portfolio income (loss) (attach schedule)		Sch. D, line 12 col. (f)
	5 Guaranteed payments to partner		See pages 6 and 7 of Partner's Instructions for Schedule K-1 (Form 1065)
	6 (a) Net section 1231 gain (loss) (post-May 5, 2003)		
	(b) Net section 1231 (loss) (entire year)		
	7 Other income (loss) (attach schedule)		
	8 Charitable contributions (attach schedule) SEE STATEMENT	293.	Sch. A, line 15 or 16
	9 Section 179 expense deduction		See page 8 of Partner's Instructions for Schedule K-1 (Form 1065)
	10 Deductions related to portfolio income (attach schedule) STMT	1412.	
	11 Other deductions (attach schedule)		
Credits, Investment Interest & S.E.	13 Other credits		(Enter on applicable lines of your return)
	14 a Interest expense on investment debts		Form 4952, line 1
	b (1) Investment income included on lines 4a, 4b(2), 4c, and 4f above	799.	See page 9 of Partner's Instructions for Schedule K-1 (Form 1065)
	(2) Investment expenses included on line 10 above	1412.	
	15 a Net earnings (loss) from self-employment	0.	Sch. SE, Section A or B
Adjustments and Tax Preference	c Gross nonfarm income		See page 9 of Partner's Instructions for Schedule K-1 (Form 1065)
	16 a Depreciation adjustment on property placed in service after 1986		See pages 9 and 10 of Partner's Instructions for Schedule K-1 (Form 1065) and Instructions for Form 6251
	b Adjusted gain or loss		
	e Other adjustments and tax preference items (attach schedule)		
Other	19 Tax-exempt interest income		Form 1040, line 8b
	20 Other tax-exempt income		See page 10 of Partner's Instructions for Schedule K-1 (Form 1065)
	21 Nondeductible expenses		
	22 Distributions of money (cash and marketable securities)	9493.	
	23 Distributions of property other than money		

Schedule K-1
(Form 1065)

2004

Department of the Treasury
Internal Revenue Service

Tax year beginning

and ending

Partner's Share of Income, Deductions,
Credits, etc.

▶ See separate instructions.

☐ Final K-1☐ Amended K-1

OMB No. 1545-0099

Part III Partner's Share of Current Year Income,
Deductions, Credits, and Other Items

1 Ordinary business income (loss)	0.	15 Credits & credit recapture	
2 Net rental real estate income (loss)		16 Foreign transactions	
3 Other net rental income (loss)		17 Alternative min tax (AMT) items	
4 Guaranteed payments		18 Tax-exempt income and nondeductible expenses	
5 Interest income		19 Distributions	
6a Ordinary dividends	1254.	A	9091.
6b Qualified dividends		20 Other information	
7 Royalties		A	1254.
8 Net short-term capital gain (loss)	6875.	B	1302.
9a Net long-term capital gain (loss)	-465.		
9b Collectibles (28%) gain (loss)			
9c Unrecaptured sec 1250 gain			
10 Net section 1231 gain (loss)			
11 Other income (loss)			
12 Section 179 deduction			
13 Other deductions			
A	271.		
H*	1302.		
14 Self-employment earnings (loss)			
A	0.		

*See attached statement for additional information.

For IRS Use Only

Part I Information About the Partnership

A Partnership's employer identification number

B Partnership's name, address, city, state, and ZIP code

P & S ASSOCIATES, GENERAL PARTNERSHIP
MICHAEL SULLIVAN, GENERAL PARTNER
6550 N. FEDERAL HWY., SUITE 210
FORT LAUDERDALE, FL 33308-1404C IRS Center where partnership filed return
OGDEN, UTD ☐ Check if this is a publicly traded partnership (PTP)E ☐ Tax shelter registration number, if anyF ☐ Check if Form 8271 is attached**Part II** Information About the Partner

G Partner's identifying number

H Partner's name, address, city, state, and ZIP code

ABRAHAM OR RITA NEWMAN
10304 LOLLIPOP LANE
ORLANDO, FL 32821I ☒ General partner or LLC member-manager ☐ Limited partner or other LLC memberJ ☒ Domestic partner ☐ Foreign partnerK What type of entity is this partner? INDIVIDUAL

L Partner's share of profit, loss, and capital:

Beginning

Ending

Profit	VARIOUS%	VARIOUS%
Loss	VARIOUS%	VARIOUS%
Capital	VARIOUS%	VARIOUS%

M Partner's share of liabilities at year end:

Nonrecourse	\$	
Qualified nonrecourse financing	\$	
Recourse	\$	452.

N Partner's capital account analysis:

Beginning capital account	\$	77046.
Capital contributed during the year	\$	
Current year increase (decrease)	\$	6091.
Withdrawals & distributions	\$(9091.)
Ending capital account	\$	74046.

☒ Tax basis☐ GAAP☐ Section 704(b) book☐ Other (explain)

Schedule K-1
(Form 1065)

2005

Department of the Treasury
Internal Revenue ServiceFor calendar year 2005, or tax
year beginning _____
ending _____Partner's Share of Income, Deductions,
Credits, etc.

▶ See separate instructions.

Part I Information About the Partnership**A** Partnership's employer identification number
[REDACTED]**B** Partnership's name, address, city, state, and ZIP code
P & S ASSOCIATES, GENERAL PARTNERSHIP
MICHAEL SULLIVAN, GENERAL PARTNER
6550 N. FEDERAL HWY., SUITE 210
FORT LAUDERDALE, FL 33308-1404**C** IRS Center where partnership filed return
OGDEN, UT**D** ☐ Check if this is a publicly traded partnership (PTP)**E** ☐ Tax shelter registration number, if any _____**F** ☐ Check if Form 8271 is attached**Part II** Information About the Partner**G** Partner's identifying number
[REDACTED]**H** Partner's name, address, city, state, and ZIP codeABRAHAM OR RITA NEWMAN
10304 LOLLIPOP LANE
ORLANDO, FL 32821**I** ☒ General partner or LLC member-manager ☐ Limited partner or other LLC member**J** ☒ Domestic partner ☐ Foreign partner**K** What type of entity is this partner? INDIVIDUAL**L** Partner's share of profit, loss, and capital:

	Beginning	Ending
Profit	0.4377438%	0.4377438%
Loss	0.4377438%	0.4377438%
Capital	0.4377438%	0.4377438%

M Partner's share of liabilities at year end:

Nonrecourse	\$	
Qualified nonrecourse financing	\$	
Recourse	\$	703.

N Partner's capital account analysis:

Beginning capital account	\$	74046.
Capital contributed during the year	\$	
Current year increase (decrease)	\$	5537.
Withdrawals & distributions	\$(8691.)
Ending capital account	\$	70892.

☒ Tax basis ☐ GAAP ☐ Section 704(b) book
☐ Other (explain) _____
☐ Final K-1☐ Amended K-1

OMB No. 1545-0099

Part III Partner's Share of Current Year Income,
Deductions, Credits, and Other Items

1 Ordinary business income (loss)	0.	15 Credits & credit recapture
2 Net rental real estate income (loss)		
3 Other net rental income (loss)		16 Foreign transactions
4 Guaranteed payments		
5 Interest income		
6a Ordinary dividends	762.	17 Alternative min tax (AMT) items
6b Qualified dividends		
7 Royalties		
8 Net short-term capital gain (loss)	7272.	18 Tax-exempt income and nondeductible expenses
9a Net long-term capital gain (loss)	-1085.	
9b Collectibles (28%) gain (loss)		19 Distributions
9c Unrecaptured sec 1250 gain		A 8691.
10 Net section 1231 gain (loss)		20 Other information
11 Other income (loss)		A 762.
		B 1199.
12 Section 179 deduction		
13 Other deductions	A 213.	
	L* STMT	
14 Self-employment earnings (loss)	A 0.	

* See attached statement for additional information.

For IRS Use Only

Schedule K-1
(Form 1065)

2006

For calendar year 2006, or tax
year beginning _____
ending _____Department of the Treasury
Internal Revenue Service**Partner's Share of Income, Deductions,
Credits, etc.**

▶ See separate instructions.

Part I Information About the Partnership**A** Partnership's employer identification number
[REDACTED]**B** Partnership's name, address, city, state, and ZIP code
P & S ASSOCIATES, GENERAL PARTNERSHIP
MICHAEL SULLIVAN, GENERAL PARTNER
6550 N. FEDERAL HWY., SUITE 210
FORT LAUDERDALE, FL 33308-1404**C** IRS Center where partnership filed return
OGDEN, UT**D** ☐ Check if this is a publicly traded partnership (PTP)**E** ☐ Tax shelter registration number, if any _____**F** ☐ Check if Form 8271 is attached**Part II Information About the Partner****G** Partner's identifying number
[REDACTED]**H** Partner's name, address, city, state, and ZIP code**ABRAHAM OR RITA NEWMAN**
10304 LOLLIPOP LANE
ORLANDO, FL 32821**I** ☒ General partner or LLC member-manager ☐ Limited partner or other LLC member**J** ☒ Domestic partner ☐ Foreign partner**K** What type of entity is this partner? **INDIVIDUAL****L** Partner's share of profit, loss, and capital:

	Beginning	Ending
Profit	0.3408334%	0.3408334%
Loss	0.3408334%	0.3408334%
Capital	0.3408334%	0.3408334%

M Partner's share of liabilities at year end:

Nonrecourse	\$	
Qualified nonrecourse financing	\$	
Recourse	\$	554.

N Partner's capital account analysis:

Beginning capital account	\$	70892.
Capital contributed during the year	\$	
Current year increase (decrease)	\$	6618.
Withdrawals & distributions	\$	8388.)
Ending capital account	\$	69122.

☒ Tax basis☐ GAAP☐ Section 704(b) book☐ Other (explain)☐ Final K-1☐ Amended K-1

OMB No. 1545-0099

**Part III Partner's Share of Current Year Income,
Deductions, Credits, and Other Items**

1 Ordinary business income (loss)	0.	15 Credits
2 Net rental real estate income (loss)		16 Foreign transactions
3 Other net rental income (loss)		
4 Guaranteed payments		
5 Interest income		
6a Ordinary dividends	1202.	17 Alternative min tax (AMT) items
6b Qualified dividends		
7 Royalties		18 Tax-exempt income and nondeductible expenses
8 Net short-term capital gain (loss)	6398.	
9a Net long-term capital gain (loss)	694.	19 Distributions
9b Collectibles (28%) gain (loss)		A 8388.
9c Unrecaptured sec 1250 gain		20 Other information
10 Net section 1231 gain (loss)		A 1202.
11 Other income (loss)		B 1428.
12 Section 179 deduction		
13 Other deductions	A 248.	
	K* STMT	
14 Self-employment earnings (loss)	A 0.	

*See attached statement for additional information.

For IRS Use Only

JWA For Privacy Act and Paperwork Reduction Act Notice, see Instructions for Form 1065.

Schedule K-1 (Form 1065) 2006

611261
01-02-07

Schedule K-1
(Form 1065)

2007

☐ Final K-1☐ Amended K-1

OMB No. 1545-0099

Department of the Treasury
Internal Revenue Service

For calendar year 2007, or tax

year beginning

ending

**Partner's Share of Income, Deductions,
Credits, etc.**

▶ See separate instructions.

Part I Information About the Partnership**A** Partnership's employer identification number**B** Partnership's name, address, city, state, and ZIP codeP & S ASSOCIATES, GENERAL PARTNERSHIP
MICHAEL SULLIVAN, GENERAL PARTNER
6550 N. FEDERAL HWY., SUITE 210
FORT LAUDERDALE, FL 33308-1404**C** IRS Center where partnership filed return
OGDEN, UT**D** ☐ Check if this is a publicly traded partnership (PTP)**Part II Information About the Partner****E** Partner's identifying number**F** Partner's name, address, city, state, and ZIP codeABRAHAM OR RITA NEWMAN
10304 LOLLIPOP LANE
ORLANDO, FL 32821**G** ☒ General partner or LLC member-manager ☐ Limited partner or other LLC member**H** ☒ Domestic partner ☐ Foreign partner**I** What type of entity is this partner? INDIVIDUAL**J** Partner's share of profit, loss, and capital:

	Beginning	Ending
Profit	0.3737195%	0.3737195%
Loss	0.3737195%	0.3737195%
Capital	0.3737195%	0.3737195%

K Partner's share of liabilities at year end:

Nonrecourse	\$	
Qualified nonrecourse financing	\$	
Recourse	\$	161.

L Partner's capital account analysis:

Beginning capital account	\$	69122.
Capital contributed during the year	\$	
Current year increase (decrease)	\$	6145.
Withdrawals & distributions	\$	8204.
Ending capital account	\$	67063.

☒ Tax basis ☐ GAAP ☐ Section 704(b) book
☐ Other (explain)
**Part III Partner's Share of Current Year Income,
Deductions, Credits, and Other Items**

1 Ordinary business income (loss)	0.	15 Credits
2 Net rental real estate income (loss)		
3 Other net rental income (loss)		16 Foreign transactions
4 Guaranteed payments		
5 Interest income		
6a Ordinary dividends	791.	17 Alternative min tax (AMT) items
6b Qualified dividends		
7 Royalties		18 Tax-exempt income and nondeductible expenses
8 Net short-term capital gain (loss)	7325.	
9a Net long-term capital gain (loss)	-415.	
9b Collectibles (28%) gain (loss)		19 Distributions
9c Unrecaptured sec 1250 gain		A 8204.
10 Net section 1231 gain (loss)		20 Other information
11 Other income (loss)		A 791.
		B 1341.
12 Section 179 deduction		
13 Other deductions		
A 215.		
K* STMT		
14 Self-employment earnings (loss)		
A 0.		

*See attached statement for additional information.

For IRS Use Only

JWA For Paperwork Reduction Act Notice, see Instructions for Form 1065.

Schedule K-1 (Form 1065) 2007

1/26/09

P & S Associates, General Partnership
c/o Sullivan & Powell
Port Royale Financial Center
6550 North Federal Highway
Suite 210
Ft. Lauderdale, FL 33308
Phone: (954) 492-0088 Fax: (954) 938-0069
Email: Investit@bellsouth.net

Abraham & Rita Newman
10304 Lollipop Lane
Orlando, FL 32821

SSN/FEI
[REDACTED]

NOTE: This report is provided to assist you in evaluating the operations of P&S Associates, General Partnership, and the performance of your general partnership interests. This information should NOT be relied upon for income tax purposes.

Activity/ Status Report
1/1/08 to 12/31/08

Balance Forward 12/31/07	67,062.09
Deposits	0.00
Withdrawals	5,952.35
*Miscellaneous Expenses	224.29
Management Fee Expense	1,328.65
Adjustments	0.00
Realized Gain for Current Year	5,057.76
Realized Ending Balance	64,614.86
Unrealized Loss on Open Securities	1,585.49
TOTAL REALIZED/UNREALIZED BALANCE	\$66,200.06

NET ANNUALIZED RETURN 7.97%

*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 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 partnership.

Schedule K-1
(Form 1065)

2009

Department of the Treasury
Internal Revenue Service

For calendar year 2009, or tax

year beginning

ending

Partner's Share of Income, Deductions, Credits, etc.

▶ See separate instructions.

☐ Final K-1☐ Amended K-1

OMB No. 1545-0099

Part III Partner's Share of Current Year Income, Deductions, Credits, and Other Items

1 Ordinary business income (loss) 0.	15 Credits
2 Net rental real estate income (loss)	16 Foreign transactions
3 Other net rental income (loss)	
4 Guaranteed payments	
5 Interest income	
6a Ordinary dividends	17 Alternative min tax (AMT) items
6b Qualified dividends	
7 Royalties	18 Tax-exempt income and nondeductible expenses
8 Net short-term capital gain (loss)	
9a Net long-term capital gain (loss)	
9b Collectibles (28%) gain (loss)	19 Distributions
9c Unrecaptured sec 1250 gain	20 Other information
10 Net section 1231 gain (loss)	B 350.
11 Other income (loss)	
12 Section 179 deduction	
13 Other deductions L* STMT	
14 Self-employment earnings (loss) A 0.	

*See attached statement for additional information.

For IRS Use Only

Part I Information About the Partnership**A** Partnership's employer identification number**B** Partnership's name, address, city, state, and ZIP codeP & S ASSOCIATES, GENERAL PARTNERSHIP
MICHAEL SULLIVAN, GENERAL PARTNER
6550 N. FEDERAL HWY., SUITE 210
FORT LAUDERDALE, FL 33308-1404**C** IRS Center where partnership filed return

OGDEN, UT

D ☐ Check if this is a publicly traded partnership (PTP)**Part II Information About the Partner****E** Partner's identifying number**F** Partner's name, address, city, state, and ZIP codeABRAHAM OR RITA NEWMAN
10304 LOLLIPOP LANE
ORLANDO, FL 32821**G** ☒ General partner or LLC member-manager ☐ Limited partner or other LLC member**H** ☒ Domestic partner ☐ Foreign partner**I** What type of entity is this partner? INDIVIDUAL**J** Partner's share of profit, loss, and capital:

	Beginning	Ending
Profit	0.3807000%	0.3807000%
Loss	0.3807000%	0.3807000%
Capital	0.3807000%	0.3807000%

K Partner's share of liabilities at year end:

Nonrecourse	\$	
Qualified nonrecourse financing	\$	
Recourse	\$	3588.

L Partner's capital account analysis:

Beginning capital account	\$	4827.
Capital contributed during the year	\$	
Current year increase (decrease)	\$	-350.
Withdrawals & distributions	\$(
Ending capital account	\$	4477.

☒ Tax basis ☐ GAAP ☐ Section 704(b) book
☐ Other (explain)
M Did the partner contribute property with a built-in gain or loss?☐ Yes ☒ No

If "Yes", attach statement (see instructions)

Schedule K-1
(Form 1065)

2010

Department of the Treasury
Internal Revenue Service

For calendar year 2010, or tax

year beginning

ending

Partner's Share of Income, Deductions,
Credits, etc.

▶ See separate instructions.

☐ Final K-1☐ Amended K-1

OMB No. 1545-0099

**Part III Partner's Share of Current Year Income,
Deductions, Credits, and Other Items**

1 Ordinary business income (loss) 0.	15 Credits
2 Net rental real estate income (loss)	16 Foreign transactions
3 Other net rental income (loss)	
4 Guaranteed payments	
5 Interest income	
6a Ordinary dividends	17 Alternative min tax (AMT) items
6b Qualified dividends	
7 Royalties	18 Tax-exempt income and nondeductible expenses
8 Net short-term capital gain (loss)	
9a Net long-term capital gain (loss)	
9b Collectibles (28%) gain (loss)	19 Distributions
9c Unrecaptured sec 1250 gain	20 Other information
10 Net section 1231 gain (loss)	
11 Other income (loss)	
12 Section 179 deduction	
13 Other deductions	
14 Self-employment earnings (loss) A 0.	

*See attached statement for additional information.

For IRS Use Only

Part I Information About the Partnership**A** Partnership's employer identification number**B** Partnership's name, address, city, state, and ZIP codeP & S ASSOCIATES, GENERAL PARTNERSHIP
MICHAEL SULLIVAN, GENERAL PARTNER
6550 N. FEDERAL HWY., SUITE 210
FORT LAUDERDALE, FL 33308-1404**C** IRS Center where partnership filed return

OGDEN, UT

D ☐ Check if this is a publicly traded partnership (PTP)**Part II Information About the Partner****E** Partner's identifying number**F** Partner's name, address, city, state, and ZIP codeABRAHAM OR RITA NEWMAN
10304 LOLLIPOP LANE
ORLANDO, FL 32821**G** ☒ General partner or LLC
member-manager☐ Limited partner or other LLC
member**H** ☒ Domestic partner☐ Foreign partner**I** What type of entity is this partner? INDIVIDUAL**J** Partner's share of profit, loss, and capital:

	Beginning	Ending
Profit	0.3807000%	0.3807000%
Loss	0.3807000%	0.3807000%
Capital	0.3807000%	0.3807000%

K Partner's share of liabilities at year end:

Nonrecourse \$

Qualified nonrecourse financing \$

Recourse \$ 3405.

L Partner's capital account analysis:

Beginning capital account \$ 4477.

Capital contributed during the year \$

Current year increase (decrease) \$ -167.

Withdrawals & distributions \$()

Ending capital account \$ 4310.

☒ Tax basis ☐ GAAP ☐ Section 704(b) book

☐ Other (explain)

M Did the partner contribute property with a built-in gain or loss?☐ Yes ☒ No

If "Yes", attach statement (see instructions)

Department of the Treasury
Internal Revenue Service

For calendar year 2012, or tax
year beginning _____, 2012
ending _____, 20____

► See back of form and separate instructions.

A Partnership's employer identification number

B Partnership's name, address, city, state, and ZIP code

P & S ASSOCIATES, GENERAL PARTNERSHIP
C/O PHILIP VON KAHLE, CONSERVATOR
3613 NORTH 29TH AVENUE
HOLLYWOOD, FL 33020

C IRS Center where partnership filed return

CINCINNATI

D	Check if this is a publicly traded partnership (PTP)
----------	--

E	Partner's identifying number	17
---	------------------------------	----

F Partner's name, address, city, state, and ZIP code

ABRAHAM OR RITA NEWMAN
10304 LOLLIPOP LANE
ORLANDO, FL 32821

G ☒ General partner or LLC member-manager. ☐ Limited partner or other LLC member.

H ☒ Domestic partner ☐ Foreign partner

11 What type of entity is this partner? (see instructions) **INDIVIDUAL**

12 If this partner is a retirement plan (IRA/SEP/Keogh/etc.), check here (see instructions) ☐

J Partner's share of profit, loss, and capital (see instructions):

	Beginning		Ending	
Profit	0.380700	%	0.380700	%
Loss	0.380700	%	0.380700	%
Capital	0.380700	%	0.380700	%

K Partner's share of liabilities at year end:

Nonrecourse	\$	
Qualified nonrecourse financing	\$	
Recourse	\$	3,179.

L Partner's capital account analysis:

Beginning capital account	\$	<u>4,251.</u>
Capital contributed during the year . .	\$	<u> </u>
Current year increase (decrease) . . .	\$	<u>-2,426.</u>
Withdrawals & distributions	\$	<u>()</u>
Ending capital account	\$	<u>1,825.</u>

<input checked="" type="checkbox"/>	Tax basis	<input type="checkbox"/> GAAP	<input type="checkbox"/> Section 704(b) book
<input type="checkbox"/>	Other (explain)		

M Did the partner contribute property with a built-in gain or loss?

☐ Yes ☒ No

If "Yes", attach statement (see instructions)

Final K-1

Amended K-1

OMB No. 1545-0099

Part III Partner's Share of Current Year Income, Deductions, Credits, and Other Items

1	Ordinary business income (loss)	15	Credits
2	Net rental real estate income (loss)		
3	Other net rental income (loss)	16	Foreign transactions
4	Guaranteed payments		
5	Interest income		
6a	Ordinary dividends		
6b	Qualified dividends		
7	Royalties		
8	Net short-term capital gain (loss)		
9a	Net long-term capital gain (loss)	17	Alternative minimum tax (AMT) items
9b	Collectibles (28%) gain (loss)		
9c	Unrecaptured section 1250 gain		
10	Net section 1231 gain (loss)	18	Tax-exempt income and nondeductible expenses
11	Other income (loss)		
F*	745.		
		19	Distributions
12	Section 179 deduction		
13	Other deductions		
K*	299.	20	Other information
L*	3,046.	A	7.
		B	3,345.
14	Self-employment earnings (loss)		

*See attached statement for additional information.

For IRS Use Only

ITEM K, PARTNER'S SHARE OF LIABILITIES

RECOURSE LIABILITIES:

OTHER CURRENT LIABILITIES:

ACCRUED PROFL FEES <2011 NONE
CLAWBACK PAYABLE 3,179.

TOTAL OTHER CURRENT LIABILITIES 3,179.

TOTAL RECOURSE LIABILITIES 3,179.

ITEM L - RECONCILIATION OF INCOME

INCOME (LOSS) FROM SCH. K-1, LINES 1 - 11 752.
LESS: DEDUCTIONS FROM SCH. K-1, LINES 12, 13, 16L, AND 16M 3,345.

TOTAL INCOME PER SCHEDULE K-1 -2,593.

PLUS: DEDUCTIONS ON SCH. K-1, NOT CHARGED AGAINST BOOKS:

PROFESSIONAL FEES PREVIOUSLY ACCRUED &
NOT DEDUCTED (PAID IN 2012) 167.

TOTAL INCOME PER ITEM L, CURRENT YEAR INCR(DEC) -2,426.

LINE 11 - OTHER INCOME(LOSS)

OTHER INCOME(LOSS)

OTHER INCOME INCLUDED IN ITEM L, CURRENT YEAR INCREASE (DECREASE):

THEFT LOSS RECOVERY IN EXCESS OF
AMOUNT PREVIOUSLY ESTIMATED (IN 2008) 745.

TOTAL BOX F 745.

LINE 13 - OTHER DEDUCTIONS

DEDUCTIONS - PORTFOLIO (2% FLOOR)

PROFESSIONAL FEES PAID IN 2012 299.

TOTAL BOX K 299.

DEDUCTIONS - PORTFOLIO (OTHER)

ADOFF TRUSTEE CLAWBACK OF PREVIOUSLY
REPAID PRINCIPAL 3,046.

TOTAL BOX L 3,046.

STATEMENT 1

P & S ASSOCIATES, GENERAL PARTNERSHIP
SCH K-1 SUPPORTING SCHEDULES PARTNER # 17 ABRAHAM OR RITA NEWMAN

=====

PARTNER FOOTNOTES

=====

THE CONSERVATOR CANNOT ADVISE YOU OR DETERMINE WHAT TAX CONSEQUENCES
MAY RESULT FROM YOUR INTEREST IN THIS PARTNERSHIP, OR FROM YOUR SHARE
OF THE PARTNERSHIP'S INCOME, LOSS, DEDUCTION(S), AND/OR CREDIT(S).
THEREFORE, WE STRONGLY SUGGEST THAT YOU CONSULT WITH YOUR TAX ADVISOR
CONCERNING THE TAX CONSEQUENCES ASSOCIATED WITH YOUR INTEREST IN THIS
PARTNERSHIP, AND THE ANNUAL REPORTING ASSOCIATED WITH YOUR SHARE OF
THE PARTNERSHIP'S INCOME, LOSS, DEDUCTION(S), AND/OR CREDIT(S).

SERVICE LIST

ATTORNEYS

Leonard K. Samuels, Esq.

Etan Mark, Esq.

Steven D. Weber, Esq.

Berger Singerman, LLP

350 East Las Olas Boulevard, Suite 1000

Fort Lauderdale, Florida 33301

Secondary e-mail: lsamuels@bergersingerman.com

Secondary e-mail: emark@bergersingerman.com

e-mail: sweber@bergersingerman.com

Primary e-mail: DRT@bergersingerman.com

e-mail: VLeon@bergersingerman.com

e-mail: lwebster@bergersingerman.com

(attorneys for P&S Associates, General Partnership and S&P Associates, General Partnership)

Thomas M. Messana, Esq.

Messana, P.A.

P.O. Box 2485

Fort Lauderdale, Florida 33303-2485

Primary e-mail: tmessana@messana-law.com

(attorneys for Philip J. Von Kahle, the Conservator of the P&S Associates, General Partnership and the S&P Associates, General Partnership/Plaintiff's Attorney)

Eric N. Assouline, Esq.

Assouline & Berlowe, P.A.

213 E. Sheridan Street, Suite 3

Dania Beach, Florida 33004

E-mail: ena@assoulineberlowe.com

E-mail: ah@assoulineberlowe.com

(Attorney for Ersica P. Gianna)

Julian H. Kreeger, Esq.

2665 S. Bayshore Drive, Suite 220-14

Miami, Florida 33133-5402

E-mail: juliankreeger@gmail.com

(Attorney for James Bruce Judd and Valeria Judd)

Michael R. Casey, Esq.

1831 N.E. 38th Street, # 707

Oakland Park, Florida 33308

E-mail: mcasey666@gmail.com

(Attorney for Alex E. Molchan; Janet B. Molchan; Susan E. Molchan and Thomas Whiteman)

Daniel W. Matlow, Esq.

Emerald Lake Corporate Park, Suite 101

3109 Stirling Road

Fort Lauderdale, Florida 33312

Primary E-mail: dmatlow@danmatlow.com

Secondary E-mail: assistant@danmatlow.com

(Attorney for Herbert Irwig Revocable Trust)

Marc Stuart Dobin, Esq. and

Dobin Law Group, P.A.

500 University Boulevard, Suite 205

Jupiter, Florida 33458-2775

E-mail: MDobin@DobinLaw.com

E-mail: service@DobinLaw.com

(Attorney for Congregation of the Holy Ghost – Western Providence)

Jonathan Thomas Lieber, Esq.

Dobin Law Group, P.A.

500 University Boulevard, Suite 205

Jupiter, Florida 33458-2775

E-mail: jlieber@dobinlaw.com

E-mail: service@DobinLaw.com

(Attorney for

Thomas Louis Abrams, Esq.

1776 North Pine Island Road, Suite 309

Plantation, Florida 33322-5235

Primary E-mail: tabrams@tabramslaw.com

Secondary E-mail: fcolumbo@tabramslaw.com

(Attorney for Sam Rosen and Edith Rosen)

Ethan Mark, Esq.

Berger Singerman, LLP

1450 Brickell Avenue, Suite 1900

Miami, Florida 33131-3453

E-mail: emark@bergersingerman.com

(Attorney for Margaret J. Smith)

Peter G. Herman, Esq.

Tripp Scott

110 S.E. 6th Street, Suite 1500

Fort Lauderdale, Florida 33301

E-mail: PGH@trippscott.com

(Attorney for Steve Jacobs)

Richard T. Woulfe, Esq.

Bunnell & Woulfe, P.A.

One Financial Plaza, Suite 1000

100 S.E. 3rd Avenue

Fort Lauderdale, Florida 33394

E-mail: pleadings.RTW@bunnellwoulfe.com

(Attorney for Robert A. Uchin Revocable Trust)

Joanne Wilcomes, Esq.

McCarter & English, LLP

100 Mulberry Street

Four Gateway Center

Newark, NJ 07102

E-mail: jjwilcomes@mccarter.com

(Attorney for Holy Ghost Fathers HG – Ireland/Kenema)

Michael C. Foster, Esq.

Daniels Kashtan

4000 Ponce de Leon Boulevard, Suite 800

Coral Gables, Florida 33146-1436

E-mail: mfoster@dkdr.com

(Attorney for Ettoh Ltd)

Robert J. Hunt, Esq.

Debra D. Klingsberg, Esq.

Hunt & Gross, P.A.

185 N.W. Spanish River Boulevard, Suite 220

Boca Raton, Florida 33431-4230

E-mail: bobhunt@huntgross.com

E-mail: dklingsberg@huntgross.com

E-mail: eService@huntgross.com

E-mail: Sharon@huntgross.com

(Attorneys for Hampton Financial, Group, Inc.)

PRO SEE LITIGANTS

Janet A. Hooker Charitable Trust
1600 Market Street, 29th Floor
Philadelphia, PA 19103

Diane M. Den Bleyker
9 Fawn Lane
Clarkesville, GA 30523-0355

John and/or Lois Combs
5145 Matousek St.
Stuart, Florida 34997-2429

Catherina B. & Berry C. Smith
3733 Starboard Lane
Stuart, Florida 34997

Edna A. Profe Rev. Liv. Trust
1755 N.E. 52nd Street
Fort Lauderdale, Florida 33334

Richard F. and Bette West
4157 N. Indian River Drive
Hernando, Florida 34442-4542

Gregg Wallick
11901 S.W. 3rd Street
Plantation, Florida 33325

Julianne M. Jones
1817 S.E. Deming Avenue
Port St. Lucie, Florida 34952-4928

Jesse A. and Lois Goss, Trustees
1471 Sungate Drive, Apt. 309
Kissimmee, Florida 34746-6566

Lisa Ryan
26084 Hendrie Boulevard
Huntington Woods, MI 48070-1243

Paragon Ventures, Ltd.
An Austrian Limited Partnership
Imbergstrasse 6 A-5020

Salzburg, Austria

John J. Crowley
And/or Jonathan Crowley
4921 N.W. 52nd Street
Tamarac, Florida 33319

Ann or Michael Sullivan
2590 N.E. 41st Street
Fort Lauderdale, Florida 33308