

**MESSANA P.A.**

A Law Firm  
www.messana-law.com

401 E. Las Olas Blvd., Suite 1400  
Fort Lauderdale, Florida 33301

Telephone: 954-712-7400  
Facsimile: 954-712-7401

Post Office Box 2485  
Fort Lauderdale, Florida 33303

Tom Zeichman  
tzeichman@messana-law.com  
954-712-7405

April 10, 2014

The Honorable Jeffrey E. Streitfeld  
Broward County Courthouse  
201 Southeast Sixth Street, Room 920A  
Fort Lauderdale, Florida 33301

Re: *Matthew Carone, etc., et al. v. Michael D. Sullivan*, Case No. 12-24051(07)

Dear Judge Streitfeld:

Enclosed herewith please find *Order Granting Conservator's Motion For Order Governing Settlement Of Claims In Related Matter* and *Agreed Order On Conservator's Motion For Contempt Against Helen D. Chairman*.

If the proposed orders meets with your approval, I would appreciate your executing same. I have enclosed a self-addressed stamped envelope for return of a conformed copy of the order. Thereafter, I will serve the order upon the parties in interest and request the Conservator to post it to the website.

Thank you for your consideration in this matter.

Sincerely,



Thomas G. Zeichman, Esq.

TGZ/eam  
Encls.

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

MATTHEW CARONE, et al.,

COMPLEX LITIGATION UNIT

Plaintiffs,

CASE NO. 12-24051 (07)

v.

MICHAEL D. SULLIVAN, individually,

Defendant.

---

**ORDER GRANTING CONSERVATOR'S MOTION FOR ORDER GOVERNING  
SETTLEMENT OF  
CLAIMS IN RELATED MATTER**

THIS MATTER came before the Court at a Case Management Conference on April 4, 2014 on the *Conservator's Motion for an Order Governing Settlement of Claims in Related Matter* requesting that the Court set forth a procedure governing the Court's approval of any settlement between the parties and/or non-parties related to the claims in the matters titled *Philip J. von Kahle as Conservator of P&S Associates, General Partnership and S&P Associates, General Partnership, Plaintiffs v. Michael D. Sullivan, et al.*, Case No. 12-034123 (07) ("Case No. 12-034123").

The Court having reviewed the record in this case and in Case No. 12-03412, having heard argument and proffer of counsel, being otherwise familiar with the cases, and finding, for the reasons stated on the record, that public disclosure of settlements reach by Plaintiffs in Case No. 12-034123 could compromise the ability of such Plaintiffs to recover amounts through settlement in the future, it is **ORDERED** and **ADJUDGED** as follows:

1. The Plaintiffs in Case No. 12-034123, through the Conservator, shall have and possess the power to enter into any settlement related to the claims in Case No. 12-034123

according to the Conservator's business judgment, and that any settlements shall remain confidential in accordance with its terms. To the extent a settlement requires Court approval, the Court's review will be conducted *in camera*. The Conservator shall provide notice when it seeks such review.

2. The Conservator shall pay any compensation due to Berger Singerman, LLP and Messana, PA pursuant to their respective engagement agreements upon the Conservator's receipt and clearance of settlement proceeds related to Case No. 12-034123.

3. This Order is without prejudice to a co-defendant's ability to petition the Court in order to review a settlement between the Conservator and another defendant in Case No. 12-034123, which review may be denied.

Done and ordered in Chambers this \_\_\_\_\_, 2014.

HONORABLE JEFFREY E. STREITFELD  
Circuit Court Judge

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



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

MATTHEW CARONE, et al.,

COMPLEX LITIGATION UNIT

Plaintiffs,

CASE NO. 12-24051 (07)

v.

MICHAEL D. SULLIVAN, individually,

Defendant.

---

**AGREED ORDER ON CONSERVATOR'S MOTION FOR CONTEMPT  
AGAINST HELEN D. CHAITMAN**

THIS MATTER came before the Court at a Status Conference on March 4, 2014 on the *Conservator's Motion For Contempt Against Helen D. Chaitman* (the "Motion"). The Court having reviewed the record in this case, being advised of the agreement of the parties, finding that the Conservator exercised his reasonable business judgment by entering into on the *Stipulation Between the Conservator and Helen D. Chaitman and Becker & Poliakoff, LLP* dated March 27, 2014 (the "Stipulation"), and being otherwise familiar with the case, it is **ORDERED** and **ADJUDGED** as follows:

1. The Motion is deemed **Moot** based on the Stipulation.
2. The Parties, as defined in the Stipulation, are authorized to take all necessary actions to accomplish the provisions in the Stipulation, including the payment of expenses related to the Subpoena.

Done and ordered in Chambers this \_\_\_\_\_, 2014.

\_\_\_\_\_  
HONORABLE JEFFREY E. STREITFELD  
Circuit Court Judge

Copies furnished to:

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