

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

PHILIP J. VON KAHLE, as Conservator of
P&S Associates, General Partnership and
S&P Associates, General Partnership

CASE NO.: 12-034123 (07)
COMPLEX LITIGATION UNIT

Plaintiffs,

v.

MICHAEL D. SULLIVAN, et al.,

Defendants.

JOINT STIPULATION OF DISMISSAL WITH PREJUDICE

Plaintiffs P&S Associates, General Partnership (“**P&S**”), S&P Associates, General Partnership (“**S&P**”), and Philip von Kahle as the conservator of P&S and S&P (the “**Conservator**,” together with P&S and S&P, the “**Plaintiffs**”), and defendants Diane K. Bienes as Personal Representative of the Estate of Michael S. Bienes (*see in re: Estate of Michael S. Bienes*, Probate Case No. 2017-CP-001678 in the Circuit Court for Broward County, Florida) (“**Bienes**”) and Frank Avellino (“**Avellino**”) (Bienes and Avellino together with the Plaintiffs, the “**Parties**”), pursuant to Rule 1.420 of the Florida Rules of Civil Procedure, hereby stipulate to dismissal of Count IV of the Fifth Amended Complaint (Avoidance of Fraudulent Transfers) against Bienes and Avellino with prejudice, with each Party to bear its own attorneys’ fees and costs.

DATED: October 31, 2018.

Signatures continued on next page.

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