

From: Cecile de Jongh <[REDACTED]>

To: JEE <jeevacation@gmail.com>

Cc: Richard Kahn <[REDACTED]>, Jeanne Brennan <[REDACTED]>

Subject: Fw: AYH

Date: Fri, 31 May 2013 16:43:37 +0000

Attachments: Closing_Statement_MOF_to_IGY-AYH.pdf

FYI - The closing statement.

With warm regards,

Cecile

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"Nearly all men can stand adversity, but if you want to test a man's character, give him power." ~ Abraham Lincoln

 Please consider the environment before printing this e-mail.

----- Forwarded Message -----

From: "Garrison, Frank" <[REDACTED]>

To: Cecile de Jongh <[REDACTED]>

Cc: "Garrison, Frank" <[REDACTED]>

Sent: Friday, May 31, 2013 11:53 AM

Subject: RE: AYH

Cecile:

What I sent you last night included the closing documents (Item 2 below). Is there something specifically that you think is missing? In addition, while not specifically requested, I am attaching a copy of the closing statement which reconciles all of the #'s as this may be helpful.

The seller's representative (Item 3) was Johnny Powers (972) 789-1400.

I am looking into the other items.

One of Jeffrey's e-mails to Andrew indicated he had e-mail history of communication from the fall of 2006 regarding this matter; can you supply that information as it may be informative.

Frank

Frank M. Garrison
Island Capital Group LLC
One American Center
3100 West End Ave Suite 1230
Nashville, TN 37203

From: Cecile de Jongh [mailto:]
Sent: Friday, May 31, 2013 10:37 AM
To: Garrison, Frank
Cc: Cecile de Jongh
Subject: Re: AYH

Good morning Frank,

Thank you very much for the documents you sent last night, unfortunately, they do not address our original request. To confirm, I have relisted the items below. Thanks again for your assistance and, as discussed, feel free to include any additional information you think would be useful.

1. The name of the person who led your team at Island Global Yachting Acquisition, LTD (IGY)
2. January 2007 closing documents to included the closing statement for the sale between MOF VI (Sun Resort entity) and IGY.
3. The contact information for the seller.
4. The seller's records that were presented to IGY's team in your due diligence process (i.e., previous years financial statements 2003-2005 and the first 9 months of 2006, receivables, rent rolls) and any other pertinent documents that were used in the evaluation of the purchase.
5. A list of the Marina Opportunity Fund partners.
6. August 22, 2007 Banco Popular finance of \$15.3 million term loan documents:
 - a. Note
 - b. Commitment letter
 - c. Closing Statement
 - d. Property Appraisal
7. Any other information given to your team relative to the purchase of AYH

Additionally, Jeffrey mentioned that there was a recently disclosed \$368,000 error in his favor and he would like, as soon as possible, the calculation of that that error.

Thank you again for your time and attention to this matter.

With warm regards,

Cecile

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"Nearly all men can stand adversity, but if you want to test a man's character, give him power." ~ Abraham Lincoln

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From: "Garrison, Frank" <[REDACTED]>
To: Cecile de Jongh <[REDACTED]>
Cc: "Garrison, Frank" <[REDACTED]>
Sent: Thursday, May 30, 2013 10:50 PM
Subject: FW: AYH

Cecile,

See below which includes both the Purchase and Sale Agreement as well as the actual transfer documents. The transfer documents, other than the deed, only recite nominal consideration. I don't know what is customary in the USVI but similar documents in the U.S. depending upon jurisdiction, also recite nominal consideration on their face.

Frank

Frank M. Garrison
Island Capital Group LLC
One American Center
3100 West End Ave Suite 1230
Nashville, TN 37203
615-793-1031
[REDACTED]

From: Lande, Mark
Sent: Thursday, May 30, 2013 2:10 PM
To: Garrison, Frank; Jennifer Greene
Cc: Mukamal, Tom
Subject: RE: AYH

The deed is for a lesser amount - \$6.1 million.
Bill of Sale – nominal consideration
Assignment and Assumption of Material Contracts, Slip Agreements and Leases – nominal consideration
Assignment of CZM Permits – nominal consideration
P&S Agreement - \$25.5 million – Section 2.04 (you probably already have)

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