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Jeffrey Epstein  
301 E 66 St #108  
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UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF FLORIDA  
FORT LAUDERDALE DIVISION  
[www.flsb.uscourts.gov](http://www.flsb.uscourts.gov)

In re:

ROTHSTEIN ROSENFELDT  
ADLER, P.A.  
Debtor.

Case No. 09-34791-BKC-RBR  
Chapter 11

**NOTICE OF FILING BY DEFENDANTS BALLAMOR CAPITAL MANAGEMENT,  
INC., BALLAMOR CAPITAL MANAGEMENT, LLC, AND BARRY R. BEKKEDAM  
OF RESPONSES PURSUANT TO THE SECOND ORDER RESPECTING  
PARTICIPATION IN AND PROTOCOLS FOR SCOTT ROTHSTEIN'S SECOND  
DEPOSITION**

BALLAMOR CAPITAL MANAGEMENT, INC., BALLAMOR CAPITAL  
MANAGEMENT, LLC, and BARRY R. BEKKEDAM, defendants in Adversary Proceeding  
No. 11-02929-BKC-RBR-A pending in this Court, give notice of the email transmissions made  
by their undersigned counsel in response to paragraphs numbered 1 and 2 of the Second Order  
Respecting Participation in and Protocols for Scott Rothstein's Second Deposition (ECF No.  
3038), copies of which emails are attached hereto.

Dated May 14, 2012

Respectfully submitted,

/s/ Timothy J. Norris

Timothy J. Norris, Esquire  
Fla. Bar No. 206679  
Timothy J. Norris, P.A.  
Harvey W. Gurland, Jr.  
Fla. Bar No. 284033  
Harvey W. Gurland, Jr., P.A.  
**DUANE MORRIS LLP**  
Counsel for Defendants Ballamor Capital  
Management, Inc., Ballamor Capital Management,  
LLC, and Barry R. Bekkedam  
200 South Biscayne Blvd., Suite 3400  
Miami, FL 33131  
Telephone: [REDACTED]  
Facsimile: [REDACTED]  
E-mail: [REDACTED]

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on May 14, 2012, I electronically filed the foregoing document with the Clerk of Court using CM/ECF. I also certify that the foregoing document is being served this day by transmission of Notice of Electronic Filing generated by CM/ECF on all counsel of record or pro se parties who are authorized to receive electronically Notices of Electronic Filing in this adversary proceeding and by first class mail, postage pre-paid, on those persons listed on the Service List attached hereto.

/s/ Timothy J. Norris

Timothy J. Norris

**Norris, Timothy J.**

---

**From:** Norris, Timothy J.  
**Sent:** Monday, May 14, 2012 11:50 AM  
**To:** [REDACTED]; [REDACTED]; Bruce A. Katzen  
[REDACTED]; Charles H. Lichtman  
[REDACTED]; [REDACTED]om';  
'jds@conradscherer.com'; 'Scott L. Schmookler ([REDACTED])'  
**Subject:** Rothstein Rosenfeldt Adler & Deposition of Scott Rothstein--Time Required for  
Deposition by Ballamor Capital Management, Inc. et al, Adv. #11-02929

Gentlemen,

Pursuant to paragraph 1 of the Second Order Respecting Participation in and Protocols for Scott Rothstein's Second Deposition entered in the case of Rothstein Rosenfeldt Adler, P.A., Case No. 09-34791-BKC-RBR, Ballamor Capital Management, Inc., Ballamor Capital Management, LLC, and Barry Bekkedam, as defendants in adversary proceeding number 11-02929-BKC-RBR-A, are required to advise you of how much time they believe that they need for their examination of Scott Rothstein.

As we have previously stated, we have no need or desire to call Rothstein as a witness, and our examination will be solely for the purpose of cross-examination. As such, we simply do not know how much time we will need, as we do not know what questions will be asked by the co-plaintiffs in the adversary proceeding and what responses will be given by Rothstein. We note that presumptively a deposition should last for one day of seven hours of examination, under the applicable Federal Rules of Civil Procedure, and we have not seen any reason related to the current pleadings in the adversary proceeding to rebut that presumption. In any event, we should be allocated at least as much time for cross-examination as is allocated to the co-plaintiffs for their examinations. In our view, we should be allocated a greater amount of time, as we, unlike plaintiff Stettin, have not had the opportunity to interview Rothstein or participate in examinations of him.

We reserve our previously stated objections to the manner proposed for the deposition of Scott Rothstein in the adversary proceeding as well as any objections we may have to its use in the adversary proceeding.

Regards,  
Tim Norris  
Counsel to the Defendants

	
<a href="http://www.duanemorris.com">www.duanemorris.com</a>	
Timothy J. Norris Partner	
Duane Morris LLP 200 South Biscayne Boulevard, Suite 3400 Miami, FL 33131-2318	
P:	[REDACTED]
F:	[REDACTED]
E-MAIL   BIO   VCARD	

**Norris, Timothy J.**

---

**From:** Norris, Timothy J.  
**Sent:** Monday, May 14, 2012 11:53 AM  
**To:** Charles H. Lichtman ([REDACTED])  
**Subject:** Rothstein Rosenfeldt Adler & Deposition of Scott Rothstein--Deposition Exhibits of Ballamor Capital Management, Inc. et al., Adv. #11-02929

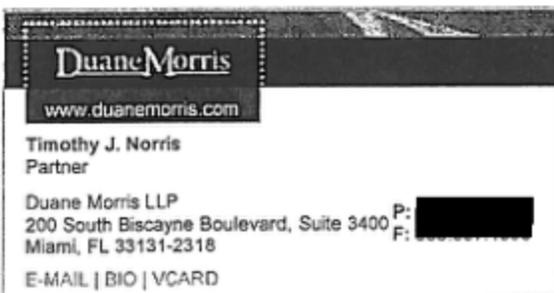
Chuck,

Pursuant to paragraph 2 of the Second Order Respecting Participation in and Protocols for Scott Rothstein's Second Deposition entered in the case of Rothstein Rosenfeldt Adler, P.A., Case No. 09-34791-BKC-RBR, Ballamor Capital Management, Inc., Ballamor Capital Management, LLC, and Barry Bekkedam, as defendants in adversary proceeding number 11-02929-BKC-RBR-A, are required to produce and deliver to you three sets of exhibits in paper format that we reasonably intend to utilize at the deposition of Scott Rothstein.

We are unable to determine what exhibits are appropriate, because we are participating in the deposition solely for the purpose of cross-examination and have yet to see the exhibits which the co-plaintiffs in the adversary proceeding intend to use. We note that the Order requires Mr. Stettin's counsel to serve his exhibits on us by May 15, 2012 and makes no provision for the co-plaintiff Mr. Furr to serve exhibits on us. In these circumstances, we cannot reasonably be expected to determine at this time what exhibits we might appropriately utilize.

We reserve our previously stated objections to the manner proposed for the deposition of Scott Rothstein in the adversary proceeding as well as any objections we may have to its use in the adversary proceeding.

Regards,  
Tim Norris  
Counsel to the Defendants



SERVICE LIST

A-1 Investigative Agency, Inc.  
c/o Moffa & Bonacquisti, P.A.  
John A. Moffa, Esq.  
1776 N Pine Island Rd #222  
Plantation, FL 33322-5223

American Express Travel Related Services Com  
c/o Steven Reisman  
101 Park Ave  
New York, NY 10178-0002

Aran Development Inc.  
c/o Sonn & Erez PLC  
500 E Broward Blvd #1600  
Ft Lauderdale, FL 33394-3006

Banyon 1030-32, LLC  
c/o James C. Moon, Esq.  
Meland Russin & Budwick, P.A.  
200 S. Biscayne Blvd., Suite 3000  
Miami, FL 33131-2305

Banyon Investments, LLC  
c/o James C. Moon, Esq.  
Meland Russin & Budwick, P.A.  
200 S. Biscayne Blvd., Suite 3000  
Miami, FL 33131-2305

BellSouth Telecommunications, Inc.  
c/o Roy L. Weinfeld  
800 Brickell Ave Penthouse One  
Miami, FL 33131-2911

Blue Oaks Limited  
c/o Marianella Morales  
Avenida Francisco de Miranda  
Torre Provincial "A" Piso 8  
Caracas 1060 Venezuela

Buchanan Ingersoll & Rooney PC  
One Oxford Centre  
301 Grant Street, 20th Floor  
Pittsburgh, PA 15219-1412

Casa Casuarina, LLC  
c/o Chad Pugatch, Esq.  
EPRS, PA  
101 NE 3d Ave, #1800  
Ft. Laud., FL 33301-1252

AT&T Corp.  
c/o Roy L. Weinfeld  
800 Brickell Ave Penthouse One  
Miami, FL 33131-2911

American International Specialty Lines Insur  
Isicoff, Ragatz & Koenigsberg  
1200 Brickell Ave., Suite 1900  
Miami, FL 33131-3257

BFMC Investments, LLC  
c/o Conrad & Scherer, LLP  
P.O. Box 14723  
Fort Lauderdale, FL 33302-4723

Banyon Funding, LLC  
c/o James C. Moon, Esq.  
Meland Russin & Budwick, P.A.  
200 S. Biscayne Blvd., Suite 3000  
Miami, FL 33131-2305

Banyon Resources, LLC  
c/o James C. Moon, Esq.  
Meland Russin & Budwick, P.A.  
200 S. Biscayne Blvd., Suite 3000  
Miami, FL 33131-2305

Birks & Mayors Inc.  
c/o Joaquin J. Alemany, Esq.  
Holland & Knight LLP  
701 Brickell Ave., Ste 3000  
Miami, FL 33131-2898

Braman Motors, Inc.  
c/o Matthew G. Krause, Esq.  
Luks Santaniello Petrillo & Jones  
110 S.E. 6th Street  
20th Floor  
Fort Lauderdale, FL 33301-5018

Caro Group, LLC  
Damian & Valori, LLP  
1000 Brickell Avenue  
Suite 1020  
Miami, FL 33131-3014

Centurion Structured Growth LLC  
c/o Bilzin Sumberg Baena Price & Axelrod  
200 South Biscayne Boulevard  
Suite 2500  
Miami, FL 33131-5340

American Express Travel Related Services Com  
c/o Harris J Koroglu  
201 S Biscayne Blvd #1500  
Miami, FL 33131-4328

Ann Von Allmen Living Trust  
c/o Conrad & Scherer, LLP  
P.O. Box 14723  
Fort Lauderdale, FL 33302-4723

Ballamor Capital Management, Inc.  
Duane Morris LLP  
c/o Timothy J. Norris, Esq.  
200 South Biscayne Blvd.  
Suite 3400  
Miami, FL 33131-5323

Banyon Income Fund, LP  
c/o James C. Moon, Esq.  
Meland Russin & Budwick, P.A.  
200 S. Biscayne Blvd., Suite 3000  
Miami, FL 33131-2305

Banyon USVI (Del), LLC  
c/o James C. Moon, Esq.  
Meland Russin & Budwick, P.A.  
200 S. Biscayne Blvd., Suite 3000  
Miami, FL 33131-2305

Blue Capital US East Coast Properties, L.P.  
c/o Roth & Scholl  
866 South Dixie Highway  
Coral Gables, FL 33146-2603

Broward County Records, Taxes & Treasury  
c/o Hollie Hawn, Esq  
115 So. Andrews Ave.  
Ft. Lauderdale, FL 33301-1818

Carolina Casualty Insurance Company  
c/o Lewis, Brisbois, Bisgaard & Smith, L  
550 West Adams Street  
Suite 300  
Chicago, IL 60661-3607

Chabad of Downtown, Inc.  
713 SE 7th Street  
Fort Lauderdale, FL 33301-3118

Circle K Family, LLC  
 c/o Francis L Carter  
 2699 S Bayshore Dr 7th Flr  
 Miami, FL 33133-5425

Columbia Casualty Company  
 c/o Ivan J Reich  
 401 East Las Olas Boulevard, Suite 1850  
 Fort Lauderdale, FL 33301-4236

Concorde Capital, Inc  
 James D. Silver  
 633 South Federal Hwy  
 Fort Lauderdale, FL 33301-3164

Joquina Investments  
 c/o Kathleen White  
 101 North Shoreline, Suite 600  
 Corpus Christi, TX 78401-2826

D&L Partners, LP  
 c/o Conrad & Scherer, LLP  
 P.O. Box 14723  
 Fort Lauderdale, FL 33302-4723

D3 Capital Club, LLC  
 Conrad & Scherer, LLP  
 P.O. Box 14723  
 Fort Lauderdale, FL 33302-4723

Jave Needle  
 c/o Thomas Roth  
 2222 Foothill Blvd #E354  
 La Canada, CA 91011-1456

David Von Allmen Living Trust  
 c/o Conrad & Scherer, LLC  
 14723  
 Fort Lauderdale, FL 33302

Deborah Marlin Revocable Trust U/A 06/01/98  
 c/o Francis L Carter  
 2699 S Bayshore Dr 7th Flr  
 Miami, FL 33133-5425

Jon King Productions, Inc.  
 c/o Scott L. Baena, Esq.  
 Bilzin Sunberg Baena Price & Axelrod LLP  
 1450 Brickell Avenue  
 Suite 2300  
 Miami, FL 33131-3456

Bmess Capital, LLC  
 c/o Bruce A Katzen, Esq  
 201 S Biscayne Blvd #1700  
 Miami, FL 33131-4329

Euro Motorcars, Inc.  
 c/o Lauri E. Cleary, Esq.  
 Lerch Early & Brewer  
 3 Bethesda Metro Center, Suite 460  
 Bethesda, MD 20814-6369

Executive Capital Group, Inc  
 c/o Thomas Roth  
 2222 Foothill Blvd #E354  
 La Canada, CA 91011-1456

Exito, LLC  
 Damian & Valori, LLP  
 1000 Brickell Avenue  
 Suite 1020  
 Miami, FL 33131-3014

Farmer, Jaffe, Weissing, Edwards, Pistos & L  
 425 N. Andrews Ave., Suite 2  
 Ft. Lauderdale, FL 33301-3268

Federal Insurance Company  
 c/o Ivan J Reich  
 401 East Las Olas Boulevard, Suite 1850  
 Fort Lauderdale, FL 33301-4236

(p)FIFTH THIRD BANK  
 MD# ROPS05 BANKRUPTCY DEPT  
 1850 EAST PARIS SE  
 GRAND RAPIDS MI 49546-6253

Gibraltar Private Bank and Trust  
 c/o Lynn Maynard Gollin  
 1441 Brickell Ave 15 Floor  
 Miami, FL 33131-3430

H&N Associates  
 James D. Silver  
 633 South Federal Hwy  
 Fort Lauderdale, FL 33301-3164

Interamerican Holdings, LLC  
 Damian & Valori LLP  
 1000 Brickell Avenue  
 Suite 1020  
 Miami, FL 33131-3014

Ira Sochet Inter Vivos Trust  
 c/o Lawrence Gordich P.A  
 801 Brickell Ave #900  
 Miami, FL 33131-2979

Iron Mountain Information Management, Inc.  
 c/o Frank P. McGinn, Esq.  
 Bartlett Hackett Feinberg P.C.  
 155 Federal St 9 FL  
 Boston, MA 02110-1610

Ironshore Indemnity  
 c/o Ivan J Reich  
 401 East Las Olas Boulevard, #1850  
 Fort Lauderdale, FL 33301-4236

Ironshore Indemnity, Inc.  
 c/o Michael Adler  
 Ironshore Insurance Services  
 1 State St Plaza  
 New York, NY 10004-1523

Joe Hillman Plumbers, Inc.  
 c/o Leila M. Lugo  
 5353 N Federal Hwy #207  
 Fort Lauderdale, FL 33308-3236

John W. Harris  
 c/o Aleida Martinez Molina  
 Coral Gables, FL 33134

Kendall Sports Bar, Inc  
 c/o Louis J Terminello  
 2700 SW 37 Ave  
 Miami, FL 33133-2742

LMB Funding Group  
 c/o Robert C. Furr Esq  
 2255 Glades Rd #337W  
 Boca Raton, FL 33431-7379

Las Olas Venture LLC (amended)  
 c/o Henry S. Wulf, Esquire  
 c/o Carlton Fields, P.A.  
 525 Okeechobee Blvd., Suite 1200  
 West Palm Beach, FL 33401-6350

Las Olas Venture, LLC  
 c/o Henry S. Wulf  
 Carlton Fields, P.A.  
 525 Okeechobee Blvd., Suite 1200  
 West Palm Beach, FL 33401-6350

Level 3 Capital Management LP  
c/o Bilzin Sunberg Baena Price & Axelrod  
200 South Biscayne Boulevard  
Suite 2500  
Miami, FL 33131-5340

Levinson & Company, Inc.  
888 E. Las Olas Blvd  
Fort Lauderdale, FL 33301-2272

Loftin Family, LLC  
c/o Chad Pugatch, Esq.  
RPRS, PA  
101 NE 3d Ave., #1800  
Ft. Laud., FL 33301-1252

Loftin Hospitality, LLC  
c/o Chad Pugatch, Esq.  
EPRS, PA  
101 NE 3d Ave., #1800  
Ft. Laud., FL 33301-1252

Luxury Resorts, LLC  
c/o Chad Pugatch, Esq.  
EPRS, PA  
101 NE 3d Ave., #1800  
Ft. Laud., FL 33301-1252

MNRH, LLC  
McDonald Hopkins, LLC  
Bruce E. Reinhart  
505 S. Flagler Drive  
Suite 300  
West Palm Beach, FL 33401-5942

Marmarser, LLC  
Damian & Valori, LLP  
1000 Brickell Avenue  
Suite 1020  
Miami, FL 33131-3014

Marvin P. Kimmel IRRL  
c/o Francis L Carter  
2699 S Bayshore Dr 7th Flr  
Miami, FL 33133-5425

Mayor's Jewelers of Florida, Inc.  
c/o Joaquin J. Alemany, Esq.  
Holland & Knight LLP  
701 Brickell Ave., Ste 3000  
Miami, FL 33131-2898

Mayor's Jewelers, Inc.  
c/o Joaquin J. Alemany, Esq.  
Holland & Knight LLP  
701 Brickell Ave., Suite 3000  
Miami, FL 33131-2898

Miami-Dade County Tax Collector  
c/o April Burch  
Paralegal Unit  
140 W. Flagler St. #1403  
Miami, FL 33130-1569

Mikent, Inc.  
c/o Arthur C. Neiwirth, Esq.  
One East Broward Blvd.  
Suite 1400  
Fort Lauderdale, FL 33301-1834

NF Servicing, LLC  
c/o Moskowitz, Mandell, Salim & Simowitz  
800 Corporate Drive  
Suite 500  
Fort Lauderdale, FL 33334-3621

National Union Fire Insurance Company of Pit  
Isicoff, Ragatz & Koenigsberg  
1200 Brickell Ave., Suite 1900  
Miami, FL 33131-3257

Network Resources, LLC  
Damian & Valori LLP  
1000 Brickell Avenue  
Suite 1020  
Miami, FL 33131-3014

New Miami Group, LLC  
Damian & Valori LLP  
1000 Brickell Avenue  
Suite 1020  
Miami, FL 33131-3014

News Alpha LLC  
c/o Thomas Roth  
2222 Foothill Blvd #E354  
La Canada, CA 91011-1456

Next Door Company  
c/o Michael B Berger  
6400 N Andrews Ave #370  
Fort Lauderdale, FL 33309-9102

Nova Bank  
c/o Heather L. Ries, Esq.  
222 Lakeview Ave., Suite 700  
West Palm Beach, FL 33401-6148

Official Committee of Creditors  
c/o Michael I. Goldberg  
Akerman Senterfitt  
350 East Las Olas Blvd.  
Ste. 1600  
Fort Lauderdale, FL 33301-4247

OrderNDevelopment, Inc  
c/o Thomas Roth  
2222 Foothill Blvd #E354  
La Canada, CA 91011-1456

Pharon Development Assets, Inc  
c/o Marianella Morales  
Avenida Francisco de Miranda  
Torre Provincial "A" Piso 8  
Caracas1060 Venezuela

Pirulin, LLC  
Damian & Valori, LLP  
1000 Brickell Avenue  
Suite 1020  
Miami, FL 33131-3014

Platinum Partners Value Arbitrage Fund LP  
c/o Bilzin Sunberg Baena Price & Axelrod  
200 South Biscayne Blvd.  
Suite 2500  
Miami, FL 33131-5340

Pointillistic Software, Inc  
c/o Thomas Roth  
2222 Foothill Blvd #E354  
La Canada, CA 91011-1456

Preve & Associates, LLC  
Rasco Klock  
283 Catalonia Ave  
Coral Gables, FL 33134-6712

Prince International Ventures, LLC  
400 S Dixie Hwy # 121  
Boca Raton, FL 33432-6023

Qtask  
c/o Robert Buschel  
100 SE 3rd Ave #1300  
Fort Lauderdale, FL 33394-0002

RLI Insurance Company  
c/o Ivan J Reich  
401 East Las Olas Boulevard, Suite 1850  
Fort Lauderdale, FL 33301-4236

Razorback Funding, LLC  
c/o Conrad & Scherer, LLP  
P.O. Box 14723  
Fort Lauderdale, FL 33302-4723

Recovery Racing, LLC  
 c/o Ronald G. Neiwirth, Esq.  
 Boyd & Jenerette, P.A.  
 101 Brickell Avenue  
 Suite 1440  
 Miami, FL 33131-4901

Robert A. Kimmel GRNTR RTND Annuity Trust  
 c/o Francis L Carter  
 2699 S Bayshore Dr 7th Flr  
 Miami, FL 33133-5425

Rothstein Rosenfeldt Adler, PA  
 6600 NW 16 St #11  
 Plantation, FL 33313-4554

Jalco Products, Inc  
 c/o Thomas Roth  
 1222 Foothill Blvd #E354  
 La Canada, CA 91011-1456

Satorquest, Inc.  
 P.O. Box 110152  
 Lakewood Ranch, FL 34211-0002

St. Paul Fire and Marine Ins. Co.  
 c/o Ivan J Reich  
 401 East Las Olas Boulevard, Suite 1850  
 Tampa, FL 33602

JunTrust Bank  
 1001 Semmes Ave  
 Richmond, VA 23224-2245

TD Bank, N.A.  
 c/o Greenberg Traurig  
 333 Ave of the Americas #4400  
 Miami, FL 33131-2184

The Florida Bar  
 c/o Adria E Quintela  
 1300 Concord Terr #130  
 Sunrise, FL 33323-2899

United States of America  
 United States Attorney  
 19 NE 4 street  
 Miami, FL 33132-2145

Universal Legal  
 888 E Las Olas Blvd #508  
 Ft Lauderdale, FL 33301-2285

VRLP1, LLC  
 c/o Mark F Booth  
 1401 East Broward Blvd #300  
 Fort Lauderdale, FL 33301-2116

Viceroy Global Investments, Inc  
 James D. Silver  
 533 South Federal Hwy  
 Fort Lauderdale, FL 33301-3164

Von Allmen Dynasty Trust  
 c/o Conrad & Scherer, LLP  
 P.O. Box 14723  
 Fort Lauderdale, FL 33302-4723

Westchester Insurance Company  
 c/o Ivan J Reich  
 401 East Las Olas Boulevard, Suite 1850  
 Fort Lauderdale, FL 33301-4236

White Oak Global Advisors LLC  
 c/o Lauren Fleischer Louis  
 101 East Las Olas Blvd #1200  
 Fort Lauderdale, FL 33301-2211

Zurich American Ins. Co.  
 c/o Ivan J. Reich  
 401 East Las Olas Boulevard, Suite 1850  
 Fort Lauderdale, FL 33301-4236

Adele & Jack Mussry  
 C/O Conrad & Scherer, LLP  
 633 South Federal Highway  
 Ft. Lauderdale, FL 33301-3164

Alissa Mauro  
 c/o Farmer Jaffe Weissing, et al.  
 125 N. Andrews Ave., Suite 2  
 Ft. Lauderdale, FL 33301-3268

American Express Travel Related Services Co  
 c/o Becket and Lee LLP  
 POB 3001  
 Malvern PA 19355-0701

Angel Cruz  
 c/o Farmer Jaffe Weissing, et al.  
 125 N. Andrews Ave., Suite 2  
 Ft. Lauderdale, FL 33301-3268

Angela Riggs  
 8181 Madison Lake Circle S  
 Davie, FL 33328-4523

Aran Development Inc  
 c/o Sonn & Erez  
 500 E Broward Blvd #1600  
 Ft Lauderdale FL 33394-3006

Aretz Associates, a Partnership  
 C/O Conrad & Scherer, LLP  
 633 South Federal Highway  
 Ft. Lauderdale, FL 33301-3164

BFMC Investment, LLC  
 C/O Conrad & Sherer, LLP  
 633 South Federal Highway  
 Ft. Lauderdale, FL 33301-3164

BSFS Equipment Leasing  
 1010 Thomas Edison Blvd SW  
 Cedar Rapids IA 52404-8247

Banyon 1030-32, LLC  
 c/o Michael S. Budwick, Esq.  
 200 S. Biscayne Blvd., Suite 3000  
 Miami, FL 33131-2305

Banyon Funding, LLC  
 3960 Howard Hughes Pkwy, #500  
 Las Vegas, NV 89169-5988

Banyon Funding, LLC  
 c/o Michael S. Budwick, Esq.  
 200 S. Biscayne Blvd., Suite 3000  
 Miami, FL 33131-2305

Banyon Income Fund, LP  
 c/o Michael S. Budwick, Esq.  
 200 S. Biscayne Blvd., Suite 3000  
 Miami, FL 33131-2305

Banyon Investments LLC  
3960 Howard Hughes Pkwy, #500  
Las Vegas, NV 89169-5988

Banyon Investments, LLC  
c/o Michael S. Budwick, P.A.  
200 S. Biscayne Blvd., Suite 3000  
Miami, FL 33131-2305

Banyon Resources LLC  
3960 Howard Hughes Pkwy, #500  
Las Vegas, NV 89169-5988

Banyon Resources, LLC  
c/o Michael S. Budwick, Esq.  
200 S. Biscayne Blvd., Suite 3000  
Miami, FL 33131-2305

Banyon USVI (Del), LLC  
c/o Michael S. Budwick, Esq.  
200 S. Biscayne Blvd., Suite 3000  
Miami, FL 33131-2305

Beatriz Lopez  
c/o Farmer Jaffe Weissing, et al.  
425 N. Andrews Ave., Suite 2  
Ft. Lauderdale, FL 33301-3268

Ben Zion Varon  
c/o William G. Salim, Jr., Esq.  
Moskowitz, Mandell, Salim & Simowitz, PA  
800 Corporate Drive, Suite 500  
Fort Lauderdale, FL 33334-3621

Beth Williamson  
Farmer, Jaffe, Weissing, et al.  
425 N. Andrews Ave., Suite 2  
Ft. Lauderdale, FL 33301-3268

Bonnie Barnett  
c/o Sonn & Brer  
500 E Broward Blvd #1600  
Ft Lauderdale FL 33394-3006

Bradley J. Edwards  
Farmer, Jaffe, Weissing, et al.  
425 N. Andrews Ave., Suite 2  
Ft. Lauderdale, FL 33301-3268

Brian A. Baudrit  
c/o Farmer Jaffe Weissing, et al.  
425 N. Andrews Ave., Suite 2  
Ft. Lauderdale, FL 33301-3268

Brian Korinko, p.r. Est. Jacqueline Sue Cohe  
c/o Farmer Jaffe Weissing, et al.  
425 N. Andrews Ave., Suite 2  
Ft. Lauderdale, FL 33301-3268

Broward County Records, Taxes & Treasury Div.  
Tax Collector-Gov't Center Annex  
Attn: Litigation Dept  
115 So. Andrews Avenue  
Ft. Lauderdale, FL 33301-1818

Broward County Records, Taxes & Treasury Div.  
Tax Collector-Gov't Center Annex  
Attn: Litigation Section  
115 So. Andrews Avenue  
Ft. Lauderdale, FL 33301-1818

CIT Technology Financing Services Inc  
Bankruptcy Processing Solutions  
800 E Sonterra Blvd #240  
San Antonio TX 78258-3941

Carolina Casualty Insurance Company  
c/o Bradley S. Shraiberg, Esq.  
2385 NW Executive Drive, Suite 300  
Boca Raton, FL 33431

Carl Linder  
1900 N Bayshore Dr #4904  
Miami, FL 33132-3026

Cheryl Seinfeld  
115 NE 3rd Ave., #307  
Ft. Lauderdale, FL 33301-1296

Christina Harrell  
c/o Farmer Jaffe Weissing, et al.  
425 N. Andrews Ave., Suite 2  
Ft. Lauderdale, FL 33301-3268

Circle K Family, LLC  
c/o Francis L. Carter, Esq.  
Katz Barron Squitiero Faust  
2699 S. Bayshore Dr., 7th Floor  
Miami, FL 33133-5425

Concorde Capital, Inc  
C/O Conrad & Scherer, LLP  
633 South Federal Highway  
Ft. Lauderdale, FL 33301-3164

Cooper Management, LLC  
C/O Conrad & Scherer, LLC  
633 South Federal Highway  
Ft. Lauderdale, FL 33301-3164

Coquina Investments  
c/o G. Eric Brunstad, Jr.  
Dechert LLP  
90 State House Square  
Hartford, CT 06103-3702

Crime Stoppers  
Ivan J. Reich, Esq.  
GrayRobinson, P.A.  
401 E. Las Olas Blvd., Ste. 1850  
Fort Lauderdale, FL 33301-4236

D&L Partners, L.P.  
C/O Conrad & Scherer, LLP  
633 South Federal Highway  
Ft. Lauderdale, FL 33301-3164

D3 Capital Club, LLC  
C/O Conrad & Scherer, LLP  
633 South Federal Highway  
Ft. Lauderdale, FL 33301-3164

Daniel Minkowitz  
c/o William G. Salim, Jr., Esq.  
Moskowitz, Mandell, Salim & Simowitz, PA  
800 Corporate Drive, Suite 500  
Fort Lauderdale, FL 33334-3621

Danielle El-Ani  
C/O Conrad & Scherer, LLP  
633 South Federal Highway  
Ft. Lauderdale, FL 33301-3164

Darah I. Rivera  
3828 Wilderness Way  
Coral Springs FL 33065-6052

Dean Kretschmar  
c/o Conrad & Scherer, LLP  
633 South Federal Highway  
Fort Lauderdale, FL 33301-3164

Deborah Marlin Revocable Trust U/A 06/01/98  
 c/o Francis L. Carter, Esq.  
 Katz Barron Squitiero Faust  
 1699 S. Bayshore Dr., 7th Floor  
 Miami, FL 33133-5425

Denis Kleinfeld  
 2061 NE 214 Terr  
 North Miami Beach, FL 33179-1648

Diana Garcia  
 c/o Farmer Jaffe Weissing, et al.  
 425 N. Andrews Ave., Suite 2  
 Ft. Lauderdale, FL 33301-3268

Diana Meyer  
 10291 NW 10 Ave  
 Pembroke Pines FL 33029-3429

Dolores Schneider  
 c/o Farmer Jaffe Weissing, et al.  
 425 N. Andrews Ave., Suite 2  
 Ft. Lauderdale, FL 33301-3268

Doris Inverso  
 c/o Farmer Jaffe Weissing, et al.  
 425 N. Andrews Ave., Suite 2  
 Ft. Lauderdale, FL 33301-3268

Edward & Mary Lorie Saltzman  
 c/o Francis L. Carter, Esq.  
 Katz Barron Squitiero Faust  
 1699 S. Bayshore Dr., 7th Floor  
 Miami, FL 33133-5425

Edward and Carol Morse  
 6010 Lelac Road  
 Boca Raton, FL 33496-2302

Emess Capital, LLC.  
 c/o Bruce A. Katren, Esq.  
 201 S. Biscayne Blvd.  
 17th Floor  
 Miami, Florida 33131-4329

Erin Griffiths  
 c/o Farmer Jaffe Weissing, et al.  
 425 N. Andrews Ave., Suite 2  
 Ft. Lauderdale, FL 33301-3268

Evelyn Adamo  
 c/o Farmer Jaffe Weissing, et al.  
 425 N. Andrews Ave., Suite 2  
 Ft. Lauderdale, FL 33301-3268

Extra Inning Dynasty Trust  
 C/O Conrad & Scherer, LLP  
 633 South Federal Highway  
 Ft. Lauderdale, FL 33301-3164

FEB Victims Group  
 c/o Geoffrey S Aaronson  
 100 SE 2nd St, 27th Fl  
 Miami FL 33131-2122

Gary M. Farmer, Jr.  
 Farmer, Jaffe, Weissing, et al.  
 425 N. Andrews Ave., Suite 2  
 Ft. Lauderdale, FL 33301-3268

General Electric Capital Corp  
 1010 Thomas Edison Blvd SW  
 Cedar Rapids IA 52404-8247

Greenwood Capital Partners, LLC  
 c/o Robert C. Furr, Esq  
 Furr and Cohen PA  
 2255 Glades Rd #337W  
 Boca Raton, FL 33431-7379

Gulfstream Development Group, LLC  
 c/o Darol H. M. Carr, Esquire  
 Farr, Farr, Emerich, Hackett and Carr, P  
 99 Nasbit Street  
 Punta Gorda, FL 33950-3636

H&N Associates, a Partnership  
 C/O Conrad & Scherer, LLP  
 633 South Federal Highway  
 Ft. Lauderdale, FL 33301-3164

Hirbod Samsam, p.r. Est of Parvaneh Samsam  
 c/o Farmer Jaffe Weissing, et al.  
 425 N. Andrews Ave., Suite 2  
 Ft. Lauderdale, FL 33301-3268

(p)INTERNAL REVENUE SERVICE  
 CENTRALIZED INSOLVENCY OPERATIONS  
 PO BOX 7346  
 PHILADELPHIA PA 19101-7346

Ira Sochet Inter Vivos Trust  
 c/o Lawrence A. Gordich, Esq.  
 Segall Gordich P.A.  
 801 Brickell Avenue, Suite 900  
 Miami, FL 33131-2979

Iris Altman  
 c/o Farmer Jaffe Weissing, et al.  
 425 N. Andrews Ave., Suite 2  
 Ft. Lauderdale, FL 33301-3268

Jaime Alvarez  
 c/o Farmer Jaffe Weissing, et al.  
 425 N. Andrews Ave., Suite 2  
 Ft. Lauderdale, FL 33301-3268

Jeff Stay  
 c/o James Schwitalla  
 12954 SW 133 Court  
 Miami, FL 33186-5806

Joan Weissberg  
 c/o Farmer Jaffe Weissing, et al.  
 425 N. Andrews Ave., Suite 2  
 Ft. Lauderdale, FL 33301-3268

John B Thompson III  
 203 Colony Rd  
 Jupiter, FL 33469-3528

John Figueroa  
 c/o Farmer Jaffe Weissing, et al.  
 425 N. Andrews Ave., Suite 2  
 Ft. Lauderdale, FL 33301-3268

Jonathan Birkman  
 1336 NW 4 St  
 Boca Raton FL 33486-3202

Juan Frometa  
 c/o Farmer Jaffe Weissing, et al.  
 425 N. Andrews Ave., Suite 2  
 Ft. Lauderdale, FL 33301-3268

Judith Hy  
 c/o Farmer Jaffe Weissing, et al.  
 425 N. Andrews Ave., Suite 2  
 Ft. Lauderdale, FL 33301-3268

Judith Mencke & Frank Garza  
c/o Farmer Jaffe Weissing, et al.  
425 N. Andrews Ave., Suite 2  
Ft. Lauderdale, FL 33301-3268

Kaley Lombardo  
1638 SW 33 Ct  
Ft Lauderdale, FL 33315-2874

Kari Rosenfeld  
1417 NE 5 St  
Ft Lauderdale FL 33301-1267

Karin & Slawomir Romanowski  
4 Romar Drive  
Dundas, Ontario  
Canada L9H 5E2

Kenneth Marlin  
c/o Francis L. Carter, Esq.  
Katz Barron Squitero Faust  
2699 S. Bayshore Dr., 7th Floor  
Miami, FL 33133-5425

Kenneth Valdespino and Annette Valdespino  
c/o Farmer Jaffe Weissing, et al.  
425 N. Andrews Ave., Suite 2  
Ft. Lauderdale, FL 33301-3268

(c) LMB FUNDING GROUP  
ATTN: LARRY KING  
160 SUMMIT AVE STE 2  
MONTVALE NJ 07645-1721

Lawrence E. Dekelbaum  
c/o Conrad & Scherer, LLP  
633 South Federal Highway  
Ft. Lauderdale, Florida 33301-3164

Leonid Dvosis  
3660 NE 166 St #515  
North Miami Beach, FL 33160-3861

Leslyn McCrae  
8011 NW 37 Dr  
Coral Springs FL 33065-3010

LexisNexis  
A Div. of Reed Elsevier Inc.  
9443 Springboro Pike  
Miamisburg, OH 45342-4425

Linda Holt  
48 Union St  
Camden ME 04843-2023

Lisa Sorge  
2721 NE 11 Terr  
Pompano Bch FL 33064-6317

Lorenzo Fagan  
c/o Farmer Jaffe Weissing, et al.  
425 N. Andrews Ave., Suite 2  
Ft. Lauderdale, FL 33301-3268

MMRE, LLC  
c/o Bruce Reinhart, P.A.  
250 S. Australian Avenue #1400  
West Palm Beach, Florida 33401-5016  
[REDACTED]

Mamita Morrison  
c/o Farmer Jaffe Weissing, et al.  
425 N. Andrews Ave., Suite 2  
Ft. Lauderdale, FL 33301-3268

Maria Prunskis  
c/o Farmer Jaffe Weissing, et al.  
425 N. Andrews Ave., Suite 2  
Ft. Lauderdale, FL 33301-3268

Maria W. Kelljchian  
Farmer, Jaffe, Weissing, et al.  
425 N. Andrews Ave., Suite 2  
Ft. Lauderdale, FL 33301-3268

Mark S. Fistos  
3213 Pablo Creek Way  
Tallahassee, FL 32312-4276

Marlin Business Bank  
300 Fellowship Road  
Mount Laurel, NJ 08054-1201

Marlin Leasing Corporation  
300 Fellowship Road  
Mount Laurel, NJ 08054-1727

Marvin P. Kimmel FBO IRRL  
c/o Francis L. Carter, Esq.  
Katz Barron Squitero Faust  
2699 S. Bayshore Dr., 7th Floor  
Miami, FL 33133-5425

Matthew D. Weissing  
Farmer, Jaffe, Weissing, et al.  
425 N. Andrews Ave., Suite 2  
Ft. Lauderdale, FL 33301-3268

Melina El-Ani  
C/O Conrad & Scherer, LLP  
633 South Federal Highway  
Ft. Lauderdale, FL 33301-3164

Mercedes Zota  
c/o Farmer Jaffe Weissing, et al.  
425 N. Andrews Ave., Suite 2  
Ft. Lauderdale, FL 33301-3268

Miami-Dade County Tax Collector  
Paralegal Unit  
140 W Flagler St. #1403  
Miami, FL 33130-1569

Michael Pisten  
Farmer, Jaffe, Weissing, et al.  
425 N. Andrews Ave., Suite 2  
Ft. Lauderdale, FL 33301-3268

Mitchell Delgado  
c/o Farmer Jaffe Weissing, et al.  
425 N. Andrews Ave., Suite 2  
Ft. Lauderdale, FL 33301-3268

Molly O'Brien and Kenneth O'Brien  
c/o Farmer Jaffe Weissing, et al.  
425 N. Andrews Ave., Suite 2  
Ft. Lauderdale, FL 33301-3268

Monarch Capital Fund, Ltd.  
c/o Paul L. Orshan, P.A.  
2506 Ponce de Leon Blvd.  
Coral Gables, FL 33134-6013

fordechai Bar Adon  
 c/o William G. Salim, Jr., Esq.  
 Moskowitz, Mandell, Salim & Simowitz, PA  
 800 Corporate Drive, Suite 500  
 Fort Lauderdale, FL 33334-3621

WF Servicing, LLC  
 c/o William G. Salim, Jr., Esq.  
 Moskowitz, Mandell, Salim & Simowitz, PA  
 800 Corporate Drive, Suite 500  
 Fort Lauderdale, FL 33334-3621

Norka A. Silverio  
 2601 SW 26th Ln  
 Miami, FL 33133-2233

Park National Mortgage Servicing, a Partners  
 c/o Conrad & Scherer, LLP  
 633 South Federal Highway  
 Ft. Lauderdale, FL 33301-3164

Razorback Funding, LLC  
 c/o Conrad & Scherer, LLP  
 Ft. Lauderdale, FL 33301

Richard Polidori  
 c/o Conrad & Scherer, LLP  
 633 South Federal Highway  
 Ft. Lauderdale, FL 33301-3164

Rubin and Sharon Vine  
 2200 S. Ocean Lane Apt 2610  
 Ft. Lauderdale, FL 33316-3833

Seth Lehrman  
 Farmer, Jaffe, Weissing, et al.  
 425 N. Andrews Ave., Suite 2  
 Ft. Lauderdale, FL 33301-3268

State Service Corporation  
 4030 Powerline Rd  
 Ft Lauderdale FL 33309-5053

Susan Papagikos  
 372 W Riverbend Dr  
 Sunrise, FL 33326

Morse Operations, Inc.  
 6363 NE 5th Way, Suite 400  
 Fort Lauderdale, FL 33309

Nadine Robin  
 c/o Farmer Jaffe Weissing, et al.  
 425 N. Andrews Ave., Suite 2  
 Ft. Lauderdale, FL 33301-3268

Office of the US Trustee  
 51 S.W. 1st Ave.  
 Suite 1204  
 Miami, FL 33130-1614

Pitney Bowes Inc  
 27 Waterview Drive  
 Shelton, CT 06484-4361

Razorback Funding, LLP  
 c/o Conrad & Scherer, LLP  
 633 South Federal Highway  
 Ft. Lauderdale, FL 33301-3164

Robert A. Kimmel Grantor Retained Annuity Tr  
 c/o Francis L. Carter, Esq.  
 Katz Barron Squitiero Faust  
 2699 S. Bayshore Dr., 7th Floor  
 Miami, FL 33133-5425

Scott Morgan  
 c/o Conrad & Scherer, LLP  
 633 South Federal Highway  
 Fort Lauderdale, FL 33301-3164

Shebella Edwards Oliver  
 c/o Farmer Jaffe Weissing, et al.  
 425 N. Andrews Ave., Suite 2  
 Ft. Lauderdale, FL 33301-3268

Steven J. Bitton  
 440 N Andrews Avenue  
 Fort Lauderdale, FL 33301-3214

Sussco, Inc.  
 c/o Conrad & Scherer, LLP  
 633 South Federal Highway  
 Ft. Lauderdale, Florida 33301-3164

Myranda Keough  
 c/o Farmer Jaffe Weissing, et al.  
 425 N. Andrews Ave., Suite 2  
 Ft. Lauderdale, FL 33301-3268

Nassim Musery  
 C/O Conrad & Scherer, LLP  
 633 South Federal Highway  
 Ft. Lauderdale, FL 33301-3164

Park National Capital Funding, LLC  
 C/O Conrad & Scherer, LLP  
 633 South Federal Highway  
 Ft. Lauderdale, FL 33301-3164

Rachel Levy  
 c/o William G. Salim, Jr., Esq.  
 Moskowitz, Mandell, Salim & Simowitz, PA  
 800 Corporate Drive, Suite 500  
 Fort Lauderdale, FL 33334-3621

Richard Litsky  
 c/o Farmer Jaffe Weissing, et al.  
 425 N. Andrews Ave., Suite 2  
 Ft. Lauderdale, FL 33301-3268

Robert Rozett, as personal representative of  
 c/o Farmer Jaffe Weissing, et al.  
 425 N. Andrews Ave., Suite 2  
 Ft. Lauderdale, FL 33301-3268

Servando Melchor  
 c/o Farmer Jaffe Weissing, et al.  
 425 N. Andrews Ave., Suite 2  
 Ft. Lauderdale, FL 33301-3268

Shimon Levy  
 c/o William G. Salim, Jr., Esq.  
 Moskowitz, Mandell, Salim & Simowitz, PA  
 800 Corporate Drive, Suite 500  
 Fort Lauderdale, FL 33334-3621

Steven R. Jaffe  
 Farmer, Jaffe, Weissing, et al.  
 425 N. Andrews Ave., Suite 2  
 Ft. Lauderdale, FL 33301-3268

Sussco, Inc.  
 c/o Thomas R. Lehman, P.A.  
 Levine Kellogg Lehman Schneider + Grossm  
 201 South Biscayne Boulevard, 34th Floor  
 Miami, FL 33131-4332

The Ann Von Allmen Living Trust  
c/o Conrad & Scherer, LLP  
633 South Federal Highway  
Fort Lauderdale, FL 33301-3164

The David Von Allmen Living Trust  
c/o Conrad & Scherer, LLP  
633 South Federal Highway  
Fort Lauderdale, FL 33301-3164

The Von Allmen Dynasty Trust  
c/o Conrad & Scherer, LLP  
633 South Federal Highway  
Fort Lauderdale, FL 33301-3164

Tim Davis  
c/o Farmer Jaffe Weissing, et al.  
425 N. Andrews Ave., Suite 2  
Ft. Lauderdale, FL 33301-3268

Todd Syder  
c/o Bast Amron LLP  
SunTrust International Center  
One Southeast Third Avenue, Suite 1440  
Miami, FL 33131-1714

US Legal Support, Inc.  
c/o Werner Chaplin Corp Ar Mgr  
363 N Sam Houston Pkwy E #900  
Houston, TX 77060-2408

United Health Care  
Credit & Delinquency Management GNB-B  
450 Columbus Blvd.  
P. O. Box 150450  
Hartford, CT 06115-0450

Universal Legal  
Attn: David Welch  
888 E Las Olas Blvd #508  
Ft Lauderdale FL 33301-2285

Viceroy Global Investments, Inc  
C/O Conrad & Scherer, LLP  
633 South Federal Highway  
Ft. Lauderdale, FL 33301-3164

Virginia E Sammaritano  
8213 NW 74 Terr  
Tamarac, FL 33321-4862

Warren Sapp  
c/o Farmer Jaffe Weissing, et al.  
425 N. Andrews Ave., Suite 2  
Ft. Lauderdale, FL 33301-3268

Whitney Education Group, Inc &  
Whitney Information Network, Inc  
c/o Joel L Tabas  
14 NE 1st Ave, PH  
Miami, FL 33132-2547

William Jaworski, p.r. of Est. Jonathan Jawo  
c/o Farmer Jaffe Weissing, et al.  
425 N. Andrews Ave., Suite 2  
Ft. Lauderdale, FL 33301-3268

William Rundell  
c/o Farmer Jaffe Weissing, et al.  
425 N. Andrews Ave., Suite 2  
Ft. Lauderdale, FL 33301-3268

Yolanda Foster  
c/o Farmer Jaffe Weissing, et al.  
425 N. Andrews Ave., Suite 2  
Ft. Lauderdale, FL 33301-3268

Gary Vitullo  
c/o Thomas Roth  
2222 Foothill Blvd #3154  
La Canada, CA 91011-1456

Alan G Greer  
201 S Biscayne Blvd #1000  
Miami, FL 33131-4327

Ana Cristina Chamberlain  
520 SE 5 Ave #3304  
Ft Lauderdale, FL 33301-2960

Ana Maria Castro  
1 E Broward Blvd #905  
Fort Lauderdale, FL 33301-1881

Ann Von Allmen  
c/o Conrad & Scherer, LLP  
P.O. Box 14723  
Fort Lauderdale, FL 33302-4723

Anthony Barbar  
4800 N Federal Hwy #B105  
Boca Raton, FL 33431-5177

Arthur C. Neiwirth  
Quintairos, Prieto, Wood & Boyer, P.A.  
One East Las Olas Blvd.  
Suite 1400  
Fort Lauderdale, FL 33301-1807

Ary Krivopsik  
c/o Michael S. Hoffman, Esq.  
909 North Miami Beach Blvd.  
Suite 201  
North Miami Beach, FL 33162-3712

Baron Reichart Von Wolfsheld  
c/o Buschel Gibbons, P.A.  
One Financial Plaza  
100 S.E. Third Avenue - Suite 1300  
FORT LAUDERDALE, FL 33394-0002

Barry E. Makamal  
1 SE 3 Ave. 10 Fl  
Miami, FL 33131-1710

Barry R. Bekkedam  
Duane Morris LLP  
c/o Timothy J. Morris, Esq.  
200 South Biscayne Blvd.  
Suite 3400  
Miami, FL 33131-5323

Bonnie Barnett  
c/o Sonn & Erez PLC  
500 E Broward Blvd #1600  
Ft Lauderdale, FL 33394-3006

Brian Thomas  
c/o Thomas Roth  
2222 Foothill Blvd #3154  
La Canada, CA 91011-1456

Bruce A Katzen  
201 S Biscayne Blvd #1700  
Miami, FL 33131-4334

Camilo Manrique  
c/o Marianella Morales  
Avenida Francisco de Miranda  
Torre Provincial "A" Piso 8  
Caracas1060 Venezuela

Charles Sanders  
Jamian & Valori, LLP  
1000 Brickell Avenue  
Suite 1020  
Miami, FL 33131-3014

Jana Kelly  
1992 Snowy Dove Ct  
Henderson, NV 89052-8554

David Huffman  
c/o Thomas Roth  
2222 Foothill Blvd #E354  
La Canada, CA 91011-1456

Jean Kretschmar  
c/o Conrad & Scherer, LLP  
P.O. Box 14723  
Fort Lauderdale, FL 33302-4723

Edward J. Morse  
John G. Bianco, III, Esquire  
c/o Tripp Scott, P.A.  
110 SE 6th Street, 15th Floor  
Pt. Lauderdale, FL 33301-5004

Frank Spinosa  
c/o Michael J. Schlesinger  
799 Brickell Plaza #700  
Miami, FL 33131-2805

Grant T Stein  
1201 W Peachtree St  
Atlanta, GA 30309-3449

Herbert Stettin  
2 S Biscayne Blvd #3700  
Miami, FL 33131-1818

Jason S Mazer  
100 SE 2 St, 30 FL  
Miami, FL 33131-2194

John Saleigh  
c/o Thomas Roth  
2222 Foothill Blvd #E354  
La Canada, CA 91011-1456

Charles E Rucks  
c/o Alan B. Rose  
505 South Flagler Drive, Suite 600  
West Palm Beach, FL 33401-5945

Daniel Mink a/k/ Minkowitz  
c/o Moskowitz, Mandell, et al.  
800 Corporate Drive  
Suite 500  
Fort Lauderdale, FL 33334-3621

David Pascal  
c/o Thomas Roth  
2222 Foothill Blvd #E354  
La Canada, CA 91011-1456

Douglas C Armstrong  
651 S Federal Hwy  
Pompano Beach, FL 33062-5905

Edward & Mary Lorie Saltzman  
c/o Francis L. Carter, Esq.  
Katz Barron Squitiero Faust  
2699 S. Bayshore Drive  
Seventh Floor  
Miami, FL 33133-5408

Frank J. Preve  
Rasco Klock  
283 Catalonia Ave  
Coral Gables, FL 33134-6712

Gregory K Winslett  
2001 Bryan St #1800  
Dallas, TX 75201-3070

Hudson M. Jobs  
2001 Bryan St #1800  
Dallas, TX 75201-3070

Jeffrey Epstein  
301 E 66 St #10B  
New York, NY 10065-6298

John L. Heller  
450 E Las Olas Blvd # 950  
Fort Lauderdale, FL 33301-4200

Crystal Baranyk  
c/o Thomas Roth  
2222 Foothill Blvd #E354  
La Canada, CA 91011-1456

David Christian II  
131 S Dearborn St #2400  
Chicago, IL 60603-5577

David Von Allmen  
c/o Conrad & Scherer, LLP  
P.O. Box 14723  
Fort Lauderdale, FL 33302-4723

Drew Cobb  
c/o Thomas Roth  
2222 Foothill Blvd #E354  
La Canada, CA 91011-1456

Francis L. Carter  
Katz, Barron, Squitiero, Faust et al.  
2699 S. Bayshore Drive, Seventh Floor  
Miami, FL 33133-5408

Garrett Lisi  
c/o Thomas Roth  
2222 Foothill Blvd #E354  
La Canada, CA 91011-1456

Harvey Wolinetz  
James D. Silver  
633 South Federal Hwy  
Fort Lauderdale, FL 33301-3164

Jacob Mussry  
James D. Silver  
633 South Federal Hwy  
Fort Lauderdale, FL 33301-3164

Jim Sachs  
c/o Thomas Roth  
2222 Foothill Blvd #E354  
La Canada, CA 91011-1456

Jordi Guse Esq.  
1450 Brickell Ave #1900  
Miami, FL 33131-3453

Joseph J Luzinski  
200 S Biscayne Blvd # 1818  
Miami, FL 33131-2329

Keith Edwards  
c/o Thomas Roth  
2222 Foothill Blvd #E354  
La Canada, CA 91011-1456

Kenneth Marlin  
c/o Francis L Carter  
2699 S Baysshore Dr 7th Flr  
Miami, FL 33133-5425

Lamar Fisher  
Fisher Auction Co, Inc.  
619 E Atlantic Blvd  
Pompano Beach, FL 33060-6343

Larry Kravitsky  
3300 S Ocean Blvd  
Highland Beach, FL 33487-2578

Laura Huberfeld

Lauri E Cleary  
3 Bethesda Metro Center #460  
Bethesda, MD 20814-6369

Leib M Lerner  
333 S Hope St, 16th FL  
Los Angeles, CA 90071-1410

Leo Schwab  
c/o Thomas Roth  
2222 Foothill Blvd #E354  
La Canada, CA 91011-1456

Linda Von Allmen  
c/o Conrad & Scherer, LLP  
P.O. Box 14723  
Fort Lauderdale, FL 33302-4723

Lisa Ellis  
Damian & Valori, LLP  
1000 Brickell Avenue  
Suite 1020  
Miami, FL 33131-3014

Lisa Tansey  
c/o Thomas Roth  
2222 Foothill Blvd #E354  
La Canada, CA 91011-1456

Magdalena L Krauss  
1533 Fairway Rd  
Pembroke Pines, FL 33026-3217

Marc S Nurik  
1 E Broward Blvd #700  
Fort Lauderdale, FL 33301-1876

Marika Tolz  
1804 Sherman St  
Hollywood, FL 33020-2123

Marilu Coffman  
4656 NW 22 St  
Coconut Creek, FL 33063-9200

Mark Goldstein  
111 NW First St 3rd fl  
Miami, FL 33132-2517

Martha McGeary Snider  
c/o Mark S Haltsmant  
3600 Horizon Blvd #200  
Trevose, PA 19053-4945

Maryann Gallagher  
101 Park Ave  
New York, NY 10178-0002

Michael Paris  
10 St James Ave  
16th Floor  
Boston, MA 02116-3813

Michael J Grinne  
AMC Liquidators  
3705 W Commercial Blvd  
Fort Lauderdale, FL 33309-3313

Michael J Hartley  
333 S Hope St, 16th FL  
Los Angeles, CA 90071-1410

Michael R. Josephs, Esq  
2699 S Baysshore Dr 7 Fl  
Miami, FL 33133-5425

Mike Kent  
c/o Arthur C. Nelwirth, Esq.  
One East Broward Blvd.  
Suite 1400  
Fort Lauderdale, FL 33301-1834

Miriam Donner  
PO Box 1232  
Hallandale, FL 33008-1232

Nancy M. Gilbert  
2929 Center Ave  
Fort Lauderdale, FL 33308-7519

Nacmi Bodner

Nassim Musry  
James D. Silver  
633 South Federal hwy  
Fort Lauderdale, FL 33301-3164

Nick Wilder  
11 East 88 #3B  
New York, NY 10128-0520

Ovadia Levy  
c/o Moskowitz, Mandell, et al.  
800 Corporate Drive  
Suite 500  
Fort Lauderdale, FL 33334-3621

Paul Brinkmann  
6400 N Andrews Ave # 200  
Fort Lauderdale, FL 33309-9111

Rachel Levy  
c/o Moskowitz, Mandell, et al.  
800 Corporate Drive  
Suite 500  
Fort Lauderdale, FL 33334-3621

Ricardo Martines  
c/o Marianella Morales  
Avenida Francisco de Miranda  
Torre Provincial "A" Piso 8  
Caracas1060 Venezuela

Richard Wolfe  
175 SW 7 St #2410  
Miami, FL 33130-2966

Richard A. Pollack  
200 S Biscayne Blvd 6 Fl  
Miami, FL 33131-5351

Richard C Wolfe  
175 SE 7 St #2410  
Miami, FL 33131

Richman Greer  
250 Australian Ave S #1504  
One Clearlake Center  
West Palm Beach, FL 33401-5016

Robert C. Buschel  
Buschel Gibbons, P.A.  
100 S.E. Third Avenue  
Suite 1300  
FORT LAUDERDALE, FL 33334-0002

Robert D Woody  
3215 NW 10 Terr #210  
Fort Lauderdale, FL 33309-5938

Roger Wittenberns,  
c/o John H. Genovese, Esq  
100 SE 2 St #4400  
Miami, FL 33131-2118

Ronnie Picou  
1502 SW 2nd Place  
Pompano Beach, FL 33069-3220

Sabrina J. Kurzman  
c/o Howard S. Friedman  
1000 S Andrews Ave  
Fort Lauderdale, FL 33316-1038

Scott Morgan  
James D. Silver  
633 South Federal Hwy  
Fort Lauderdale, FL 33301-3164

Scott Relan  
c/o Bart A. Houston, Esq.  
The Kopelowitz Ostrow Firm, P.A.  
200 SW 1st Avenue  
Suite 1200  
Fort Lauderdale, FL 33301-2073

Scott L Schmookler  
10 S LaSalle #1600  
Chicago, IL 60603-1015

Scott W. Rothstein  
c/o Hinshaw & Culbertson, LLP  
One East Broward Blvd.  
Fort Lauderdale, FL 33301-1866

Shelley Miles  
c/o Thomas Roth  
2222 Foothill Blvd #B354  
La Canada, CA 91011-1456

Shimon Levy  
c/o Moskowitz, Mandell, et al.  
800 Corporate Drive  
Suite 500  
Fort Lauderdale, FL 33334-3621

Steven Bitton  
c/o Geoffrey D. Ittleman  
440 N Andrews Ave  
Fort Lauderdale, FL 33301-3214

Steven Sprechman  
2775 Sunny Isles Blvd #100  
Miami, FL 33160-4078

Stuart Rosenfeldt  
c/o Luis Salazar  
Infante Zumpano Hudson & Miloch, LLC  
500 South Dixie Highway, Suite 302  
Coral Gables, FL 33146-2768

Suzanne Rosenfeldt  
c/o Luis Salazar  
Infante Zumpano Hudson & Miloch, P.A.  
500 S. Dixie Highway, Suite 302  
Coral Gables, FL 33146-2768

Todd D. Snyder  
c/o Bast Amron LLP  
One Southeast Third Avenue  
Suite 1440  
Miami, FL 33131-1714

Troy Gardner  
c/o Thomas Roth  
2222 Foothill Blvd #B354  
La Canada, CA 91011-1456

William C Nystrom  
10 St James Ave  
16th Floor  
Boston, MA 02116-3813

333 Market Exchange Two LLC  
c/o Henry S. Wulf  
Carlton Fields, P.A.  
525 Okeechobee Blvd., Suite 1200  
West Palm Beach, FL 33401-6350

123 MA Exchange One LLC  
c/o Henry S. Wulf, Esquire  
Carlton Fields, P.A.  
525 Okeechobee Blvd., Suite 1200  
West Palm Beach, FL 33401-6350

Fifth Third Bank  
c/o Donald McGill, Vice President  
8 Fountain Square Plaza  
Maildrop 10904A  
Cincinnati, OH 45202

Internal Revenue Service  
Centralized Insolvency Operation  
P.O. Box 21126  
Philadelphia, PA 19114