

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PASCO COUNTY, FLORIDA
CIVIL DIVISION

OFFICE OF THE ATTORNEY
GENERAL, DEPARTMENT OF LEGAL
AFFAIRS, STATE OF FLORIDA,
Plaintiff,

CASE NO.: 51-2010-CA-2912-WS/G

v.

BOTFLY L.L.C., DAVID R. LEWALSKI,
JON J. HAMMILL, and JON J. HAMMILL, P.A.,
Defendants.

**AGREED ORDER AUTHORIZING PAYMENT OF FEES AND COSTS OF
RECEIVER'S LEGAL COUNSEL FOR SECOND INTERIM FEE PERIOD**

This case came before the Court for hearing on November 22, 2010 for consideration of the Receiver's Second Interim Motion for Order Awarding Fees, Costs and Reimbursement of Costs to Michael Moecker & Associates, Inc. and Authorizing Payment to the Receiver's Legal Counsel (the "**Motion**"). The Court deferred ruling on the Motion until January 14, 2011 to allow non-party investors to object. On January 14, 2011, counsel for certain Botfly Investors (the "**Represented Investors**"), filed objections to certain fees and costs of Receiver and Receiver's attorneys (the "**Objections**"). The Court, having reviewed the Motion, having been advised that, through counsel, the Represented Investors agree that the fees and costs incurred for the services of Bush Ross, P.A., were reasonable, necessary, advisable, and in the best interest of the Receivership, and having been otherwise advised in the premises, finds that the Motion should be granted as to the fees and costs incurred by Bush Ross, P.A. during the Second Fee Period. Accordingly, it is,

ORDERED AND ADJUDGED that the Motion is granted in part. The Court finds that the total amount of the fees and costs incurred by Bush Ross, P.A. during the Second Fee Period were reasonable and necessary and benefited the Receivership. The Court awards payment to

Bush Ross, P.A. \$114,042.59 representing the full amount of costs expended and 80% of the fees incurred by Bush Ross, P.A. during the Second Fee Period and directs that payment be made from the Receivership assets. Pursuant to paragraph 9 of the Order Appointing Receiver, the Court withholds the remaining 20% of the fees incurred by Bush Ross, P.A. during the Second Fee Period pending final application for approval. The Court reserves ruling on the award of fees and costs to Michael Moecker and Associates until such time as the Objections are heard by the Court.

DONE AND ORDERED in open court, New Port Richey, Pasco County, Florida on this ____ day of March, 2011.

The Honorable Stanley R. Mills
CIRCUIT JUDGE

Copies furnished to:

Gregory S. Slemph, Esq.
R. Scott Palmer, Esq.
Nicholas J. Weilhammer, Esq.
PL-01: The Capitol
Tallahassee, Florida 32399-1050

Karen Cox, Esq.
Bush Ross, P.A.
P.O. Box 3913
Tampa, FL 33601-3913

ORIGINAL SIGNED
MAR 16 2011
STANLEY R. MILLS
CIRCUIT JUDGE

Jon J. Hammill
P.O. Box 530181
St. Petersburg, FL 33747

Inmate David Lewalski
Pinellas County Jail
Cell Location/Status: CEN-6C1-UN01-08-003
14400 49th St N
Clearwater, FL 33762

Gabriel Mazzeo
285 Ocklawaha Circle
Quincy, FL 32351