

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

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

Plaintiff,

-against-

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

Defendants.
----- X

Case No. 51-2010-CA-2912-WS/G

NOTICE OF COMPLIANCE

In accordance with the Amended Order Appointing Receiver, dated April 14, 2010, I submit this Notice of Compliance on behalf of my clients, Defendants Botfly L.L.C. ("Botfly") and David R. Lewalski ("Lewalski"), certifying that each submitted Financial Statements, pursuant to paragraph 18 of the Order, via electronic mail to Karen Cox at kcox@bushross.com on August 6, 2010. A copy of the transmittal email and Financial Statements are attached hereto.

Dated: Atlanta, Georgia
August 10th, 2010

ALSTON & BIRD LLP

By: Kristine M. Brown

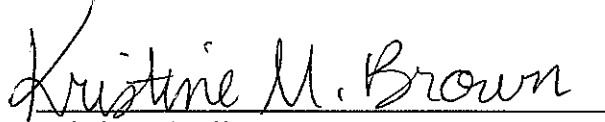
Kristine McAlister Brown
Florida Bar # 433640

1201 West Peachtree Street
Atlanta, GA 30309-3424
Phone: 404-881-7584

*Attorney for Defendants Botfly L.L.C. and
David R. Lewalski*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Compliance has been furnished by U.S. mail to Jeffrey W. Warren and Karen Cox, Bush Ross, P.A., P.O. Box 3913, Tampa, FL 33601-3913; Bill McCollum and Gregory S. Slemph, Office of the Attorney General, PL-01, The Capitol, Tallahassee, Florida 32399-1050; and by email to Jon J. Hammill at jonhammill@yahoo.com on this 10th day of August, 2010.



Kristine McAlister Brown

Plucknett, Leticia

From: Brown, Mike
Sent: Friday, August 06, 2010 4:55 PM
To: Karen Cox
Cc: Carpenito, Craig; Plucknett, Leticia
Subject: FW: Office of the Attorney General v. Botfly LLC, et al., Case No. 51-2010-CA-2912-WS/G

Ms. Cox,

Attached please find the financial statements of David Lewalski and Botfly, LLC. As you know we have only recently appeared for Mr. Lewalski in this matter. Though Mr. Lewalski has filled out some of the basic information on the forms, he will be invoking his Fifth Amendment right against self incrimination as to the balance of the questions at this time. Similarly, Botfly, through Mr. Lewalski, has provided answers to some basic questions, but will be invoking its Fifth Amendment right as well. We are currently working diligently to determine what records, if any, Mr. Lewalski has in his possession and/or control given the searches and various freeze orders currently in place and may be able to supplement this information in the future.

It is unclear whether you still intend to proceed with an Order to Show Cause against Mr. Lewalski and Botfly given the fact that they have responded to certain of your request and/or invoked the privilege as to others; however, should you proceed with a motion, August 12th will not work for us. First, we have conflicts and cannot appear on that date. Second, we will want time to submit an opposition to any such motion and would need to set down a reasonable briefing schedule.

Please let me know if you have any questions.

Best regards,

Mike Brown
Craig Carpenito



LEWALSKI_SIPA -- Botfly Financ...



LEWALSKI_SIPA -- Lewalski Fina...

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,
and JON J. HAMMILL,

Defendants.

FINANCIAL STATEMENT FOR BOTFLY, L.L.C.

Name of Entity: Botfly LLC
Name and title of person filling out this form: David R. Lewalski
Telephone number: 727-656-2058
Place of Business: 4813 SW 91 ST DRIVE GAINESVILLE FL 32608
Mailing Address (if different): 5745 SW 75 ST GAINESVILLE FL 32608
Gross/taxable income reporter for federal income tax purpose last three years:
\$ _____ / \$ _____ \$ _____ / \$ _____ \$ _____ / \$ _____
Taxpayer Identification Number: 20 3507746
Is this entity an S corporation for federal income tax purposes? _____ YES _____ NO
Average number of employees per month: _____
Name of each shareholder, member, or partner owing 5% or more of the entity's common stock, preferred stock, or other equity interest:

Names of officers, directors, members, or partners: _____

Checking account at: _____ Account #: _____
Savings account at: _____ Account #: _____
Does the entity own any vehicles? _____ YES _____ NO
For each vehicle please state:
Year/Make/Model: _____ Color: _____ Vehicle I.D. No.: _____
Tag No.: _____ Mileage: _____
Names on Title: _____

Present Value: \$ _____ Loan owed to: _____
Balance on Loan: \$ _____ Monthly payment: \$ _____
Does the entity own any real property? _____ YES _____ NO
If yes, please state the address(es): _____

Please check if the entity owns the following:

- _____ Boat
- _____ Camper
- _____ Stocks/bonds
- _____ Other real property
- _____ Other personal property

Please attach copies of the following:

1. Copies of state and federal income tax returns for the past 3 years.
2. All bank, savings and loan, and other account books and statements for accounts in institutions in which the entity had any legal or equitable interest for the past 3 years.
3. All cancelled checks for the 12 months immediately preceding the service date of this Fact Information Sheet for accounts in which the entity held any legal or equitable interest.
4. All deeds, leases, mortgages, or other written instruments evidencing any interest in or ownership of real property at any time within the 12 months immediately preceding the date this lawsuit was filed.
5. Bills of sale or other written evidence of the gift, sale, purchase, or other transfer of any personal or real property to or from the entity within the 12 months immediately preceding the date this lawsuit was filed.
6. Motor vehicle or vessel documents, including titles and registrations relating to any motor vehicles or vessels owned by the entity alone or with others.
7. Financial statements as to the entity's assets, liabilities, and owner's equity prepared within the 12 months immediately preceding the service date of this Fact Information Sheet.
8. Minutes of all meeting of the entity's members, partners, shareholder, or board of directors held within 2 years of the service date of this Fact Information Sheet.
9. Resolutions of the entity's members, partners, shareholders, or board of directors passed within 2 years of the service date of this Fact Information Sheet.

UNDER PENALTY OF PERJURY, I SWEAR OR AFFIRM THAT THE FOREGOING ANSWERS ARE TRUE AND COMPLETE.

BOTFLY, L.L.C.

By: [Signature]

Title: _____

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, 2010 by _____, on behalf of BOTFLY, L.L.C., who is personally known to me or has produced _____ as identification and who ____ did/did not ____ take an oath.

WITNESS my hand and official seal, this ____ day of _____, 2010

Notary Public, State of Florida

Print Name: _____

My Commission Expires: _____

BOTFLY, L.L.C. SHALL FILE WITH THE CLERK OF THE COURT A NOTICE OF COMPLIANCE AFTER THE ORIGINAL FACT INFORMATION SHEET, TOGETHER WITH ALL ATTACHMENTS, HAS BEEN DELIVERED TO THE RECEIVER'S ATTORNEY, JEFFREY W. WARREN, BUSH ROSS, P.A., 1801 N. HIGHLAND AVE., TAMPA, FL 33602.

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
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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,
and JON J. HAMMILL,

Defendants.

FINANCIAL STATEMENT FOR DAVID R. LEWALSKI

Full Legal Name: David R Lewalski
Nicknames or Aliases: _____
Residence Address: 4813 SW 91st Drive Gainesville FL 32608
Mailing Address (if different): 5745 SW 75th #201 Gainesville FL 32608
Telephone Numbers: (Home) 727-656-3058
(Business) _____
Name of Employer: Botfly LLC
Address of Employer: 4813 SW 91st Drive Gainesville FL 32608
Position or Job Description: Sole Proprietor / Managing Member
Rate of Pay: \$ _____ per _____ Average Paycheck: \$ _____ per _____
Average Commissions or Bonuses: \$ _____ per _____
Commissions or bonuses are based on: _____
Other Personal Income: \$ _____ from _____
(Explain details on the back of this sheet or an additional sheet if necessary.)
Social Security Number: 012-46-7312 Birthdate: 05-15-1963
Driver's License Number: _____
Marital Status: _____ Spouse's Name: _____

SPOUSE RELATED PORTION

Spouse's Address (if different): _____
Spouse's Social Security Number: _____ Birthdate: _____
Spouse's Employer: _____
Spouse's Average Paycheck or Income: \$ _____ per _____

Other Family Income: \$ _____ per _____

(Explain details on back of this sheet or on additional sheet if necessary.)

Describe all other accounts or investments you may have, including stocks, mutual funds, savings bonds, or annuities, on the back of this sheet or on an additional sheet if necessary.

Names and Ages of All Your Children (and addresses if not living with you): _____

Child Support or Alimony Paid: \$ _____ per _____

Names of Others You Live With: _____

Who is Head of Your Household? _____ You _____ Spouse _____ Other Person

Checking Account at: _____ Account # _____

Savings Account at: _____ Account # _____

For Real Estate (land) You Own or Are Buying:

Address: _____

All Names on Title: _____

Mortgage Owed to: _____

Balance Owed: \$ _____

Monthly Payment: \$ _____

(Attach a copy of the deed or mortgage, or list the legal description of the property on the back of this sheet or an additional sheet if necessary. Also provide the same information on any other property you own or are buying.)

For All Motor Vehicles You Own or Are Buying:

Year/Make/Model: _____ Color: _____

Vehicle ID No.: _____ Tag No: _____

Mileage: _____

Names on Title: _____ Present Value: \$ _____

Loan Owed to: _____

Balance on Loan: \$ _____

Monthly Payment: \$ _____

(List all other automobiles, as well as other vehicles, such as boats, motorcycles, bicycles, or aircraft, on the back of this sheet or an additional sheet if necessary.)

Have you given, sold, loaned, or transferred any real or personal property worth more than \$100 to any person in the last year? If your answer is "yes," describe the property, market value, and sale price, and give the name and address of the person who received the property.

Does anyone owe you money? _____ Amount Owed: \$ _____
Name and Address of Person Owing Money: _____
Reason money is owed: _____

Please attach copies of the following:

- a) Your last pay stub.
- b) The last 3 statements for each personal or business bank, savings, credit union, or other financial accounts.
- c) All personal and business motor vehicle registrations and titles.
- d) Any deeds or titles to any real or personal property that you directly or indirectly own or are buying, or leases to property you directly or indirectly are renting.
- e) Personal or business financial statements, loan applications, or lists of assets and liabilities submitted to any person or entity within the last 3 years.
- f) Your last 3 filed income tax returns and all schedules thereto.

UNDER PENALTY OF PERJURY, I SWEAR OR AFFIRM THAT THE FOREGOING ANSWERS ARE TRUE AND COMPLETE.



David R. Lewalski

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, 2010 by _____, who is personally known to me or has produced _____ as identification and who ____ did/did not ____ take an oath.

WITNESS my hand and official seal, this ____ day of _____, 2010

Notary Public, State of Florida
Print Name: _____
My Commission Expires: _____

DAVID R. LEWALSKI SHALL FILE WITH THE CLERK OF THE COURT A NOTICE OF COMPLIANCE AFTER THE ORIGINAL FACT INFORMATION SHEET, TOGETHER WITH ALL ATTACHMENTS, HAS BEEN DELIVERED TO THE RECEIVER'S ATTORNEY, JEFFREY W. WARREN, BUSH ROSS, P.A., 1801 N. HIGHLAND AVE., TAMPA, FL 33602.