

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

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

Plaintiff,

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

And

BOTFLY INVESTORS,

Intervenors,

vs.

**BOTFLY, LLC, DAVID R. LEWALSKI,
and JON J. HAMMILL,**

Defendants,

**OBJECTIONS TO AND MOTIONS TO DENY CERTAIN
FEES AND COSTS OF RECEIVER AND RECEIVER'S ATTORNEYS**

Come now Botfly Investors, Intervenors in the above cause, and object to certain fees and costs claimed by the receiver and the receiver's attorneys, or claimed by the plaintiff on their behalf since neither receiver nor receiver's attorneys are parties to this litigation, and move that they be denied and, as grounds therefor, state as follows.

BACKGROUND

1. On April 14, 2010, the court appointed Michael Moecker as receiver for the assets of defendants Botfly, Lewalski, and Hammill. On the question of fees, the Amended Order Appointing Receiver said in paragraph 10 thereof:

10. Receiver's Fees. The Receiver shall be entitled to fees from the Defendants' estates' funds for his services at the standard rate of \$300,00 per hour, plus such other amounts as may be awarded by the court after hearing upon notice to the parties and all counsel of record.

2. Thus far, with only six months' worth of billings, the receiver and its attorneys have requested nearly \$300,000.00 in fees and costs exclusive of the 20% holdback as ordered by the court.¹

3. There is a very limited amount of money in the receiver's account, which is dwindling at an alarming rate every time the receiver or the receiver's attorneys request fees and costs.

REASONABLENESS AND/OR ALLOWABILITY OF FEES AND COSTS

4. The receiver and the receiver's attorneys are filing requests for fees and costs supported by billings that are: woefully insufficient in detail, specificity, justification for payment, or a determination of reasonableness, or could be much lower or non-existent. In some cases, there were even duplicate billings.

5. The objections with grounds therefor are made to the fees and costs attached hereto as Exhibits A and B adopted hereby and incorporated herein fully.

Exhibits A and B consist of the following documents:

A. Exhibit A contains the fees and costs claimed from the second billing, i.e., the one pending before the court at this time, and on which the court deferred ruling.

Part A. I: Objections to Fees for Receiver (Pages 10 through 15)

(Page Numbers are on the Bottom Center)

Part A. II: Objections to Costs for Receiver (Page 16)

Part A. III: Objections to Fees for Receiver's Attorneys (Page 17)

Part A. IV: Objections to Costs for Receiver's Attorneys (Page 18)

¹ First Receiver's Fee: \$91,247.21, First Attorneys' Fee: \$35,202.28; Second Receiver's Fee: \$49,593.77, Second Attorneys' Fee: 114,042.59. Total: \$290,085.85.

B. Exhibit B are the fees and costs from the first billing, which was ordered paid without objection.

Pages 1 through 21 (Page Numbers on Top Right with Michael Moecker & Associates Letterhead): Objections to First Fee Application – Receiver

Pages 5 through 8 (Page Numbers on Top Right After Page 21 with Bush-Ross Letterhead): Objections to First Fee Application – Receiver’s Attorneys

6. The Amended Order Appointing Receiver is governed by well settled law in the case of *Lewis v. Gramil Corporation*, 94 So.2d 174 (Fla. 1957), cited by the receiver in its request for fees.

7. That case on page 176 states:

Allowance of fees and expenses to a receiver is a judicial question to be judicially determined in judicial proceedings. As in other judicial proceedings the burden is on the moving party, the receiver in this case, to show by appropriate proof, through testimony, depositions, affidavits or otherwise, the services and benefits which he has rendered the receivership estate and the amount of compensation to which he is reasonably entitled as well as the propriety and correctness of the expenditures for which he claims reimbursement or approval. (Emphasis supplied.)

8. The award of fees therefore is not a matter of unbridled discretion by the court. The Supreme Court referred to “...the amount of compensation to which he is reasonably entitled as well as the propriety and correctness of the expenditures for which he claims reimbursement or approval.” (E.S.)

9. Noting that the Amended Order referring to fees does not contain the word “reasonable” before the word “fees,” the effect of the Lewis case is to impose that language of reasonableness on all appointments of receivers. If the word “reasonable” is not incorporated in the language relating to the award of fees, an absurd result would follow; that is, if the receiver were permitted to receive all the fees for which he asked, he

could put any number in his billing and have that amount paid to him, even into the millions of dollars.

10. On the question of the reasonableness of the fees and costs claimed by the receiver in this case, the billing statements in the entries included in Exhibits A and B are completely insufficient in the information they convey to determine whether the fees and costs are reasonable or even allowable.

11. While it is true that in the first billing, in Exhibit B, all of the money requested by the receiver and his attorneys was awarded to them, that award should not and does not constitute a finding by the court that all of the claims for fees and costs were reasonable. It is merely an acknowledgment that there was no objection to the fees and costs as billed, and, consequently, there was nothing that the court had before it to on which to base a finding that any of the fees and costs were not reasonable.

12. In this case, the objections to the fees and costs billed and the grounds therefor provide a basis for the court to review the entries and to determine from them whether the fees and costs billed were reasonable.

CLAIMS FOR PAYMENT ARE *PER SE* INSUFFICIENT

13. In the large majority of entries, the receiver's billings *per se* do not provide a basis to determine if the fees and costs are reasonable or even allowable. For example, an entry of "Emails/Phone calls" and similar entries cannot, under any circumstances, provide a basis for a determination as to whether the award of such fees billed are reasonable. Such entries should be found to be insufficient to determine reasonableness and allowability *as a matter of law*. It does not take an expert on receivers' appointments, claims for payments, and awards to make such a determination.

The obvious questions to such entries that arise are, Who were the emails and phone calls to? What were they for? How many were there? Without the additional information and specificity, it is impossible to determine not only whether the emails and phone calls were reasonable, but whether they even applied to this case.

14. Furthermore, the Supreme Court said in Lewis (at 177),

We feel too that a receiver and attorneys who seek and receive compensation for services rendered as officers of the court in receivership proceedings, as well as others, should be gravely concerned with seeing that the record in such cause reflects adequate proof that they have earned the sums awarded, so as to protect themselves and the court which they serve from accusations that they have benefited unjustly from such proceedings. (Emphasis supplied).

15. An entry of “Emails/Phone calls” and similar entries cannot in and of themselves, by the standards and requirements set forth in Lewis, provide the basis for a determination that the fees and costs claimed are reasonable or, as the Supreme Court points out, allowable. The Supreme Court goes on to say, (at 177)

It is our conclusion that the receiver is entitled to a fee both for himself and his attorneys. However, we are unable to determine from the record before us whether the sums awarded were reasonable or excessive, nor are we able to determine whether the expenses allowed were either allowable or reasonable. Further, as we have said above, we do not believe that the chancellor had before him adequate proof to properly exercise his discretion in determining those questions. (Emphasis supplied)

16. Finally, also in Lewis at 177, the Supreme Court says,

We feel constrained to say that while sufficient fees should be allowed to induce competent persons to serve as receiver, as attorney for receiver, or to render other essential services, receiverships should be administered as economically as reasonably possible, and therefore allowances for services performed by court officers must be just but should be moderate rather than generous. 75 C.J.S., Receivers, § 389(a), p. 1064. (Emphasis supplied. Reference in original).

17. Certainly a cursory review, especially of the costs claimed, does not

provide a basis to find that the fees and costs were "...moderate rather than generous." As indicated in the objections to certain of the fees and costs, it appears that the work performed by people at a rate of \$150.00 to \$300.00 per hour, were performing tasks which could and should have been performed by persons at a rate of \$15.00 to \$25.00 per hour.

18. Although certain entries in the receiver's attorneys' billings were identified as objectionable, on the whole the attorneys' billings were much less objectionable than the receiver's. The information and specificity in the receiver's billings should conform at least to the information and specificity provided in many of the receiver's attorneys' billings.

FEES FOR DETERMINATION OF AMOUNT OF FEES NOT PERMITTED

19. If claimed, neither the receiver nor the receiver's attorneys are entitled to receiver's or attorney's fees or costs for defending against this motion or for defending against any motion disputing the amount of fees and costs claimed.

20. Although the case of STATE FARM FIRE & CASUALTY CO. v. PALMA, 629 So.2d 830 (Fla. 1993), dealt ostensibly dealt with an insurance statute, Section 624.428, Florida Statutes, the phrasing of the court's holding indicates that it is broader than simply being applicable only to the one statute. The court said (at 833), "Our conclusion that statutory fees may be awarded for litigating the issue of entitlement to attorney's fees but not the amount of attorneys fees comports with the purpose of section 627.428 and with the plain language of the statute." (Emphasis supplied). While that case was applicable to attorney's fees, its principles should also be applied to receiver's fees for the same reason as that court applied it to attorney's fees, i.e., that any

favorable ruling would inure only to the benefit of the receiver and his attorneys, not to the benefit of any client. There is no allegation here that the receiver and the receiver's attorneys are not entitled to fees, the only questions being litigated are as to the amount of fees and costs claimed.

UNIDENTIFIED PERSONS AND POSITIONS

21. Furthermore, receiver does not identify the names and positions of persons for whom it is seeking fees and costs. That is another indication that there is no basis to find that the fees and costs were or were not reasonable or allowable. How can the trier of fact make a determination as to whether fees charged were reasonable or allowable if he or she does not even know the positions held by the persons claiming to have done the work? While the receiver's attorneys' billings give the names of the persons whose initials are used, they do not give the positions. Again, without knowing the positions of the persons claiming to have done the work, how can the trier of fact know that the charge was reasonable?

WHEREFORE, Intervenor's object to the entries in Exhibits A and B and move that the court

A. Deny the fees and costs objected to in both Exhibits A and B, which do not provide a basis to determine if the fees and costs claimed were reasonable or even in some cases allowable;

B. Admonish the receiver and the receiver's attorneys to conform to the Supreme Court's requirements and to "be more moderate than generous" in their claims and billings practices in the future;

C. Order the receiver to be at least as much specificity as, and provide a like amount of detail as, the receiver's attorneys in its next billings;

D. If fees and costs are claimed by receiver and/or receiver's attorneys or the plaintiff for defending against this motion, deny them on the basis of the State Farm case cited above.

E. Require that the receiver and the receiver's attorneys identify specifically and match with the initials the names and positions of the persons claiming to have performed the work.

Respectfully submitted on January 14, 2011.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT a true copy of the above and foregoing has been furnished by U.S. Mail to the following persons on January 14, 2011.

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EXHIBIT "A"
OBJECTIONS TO SECOND FEES AND COSTS APPLICATION
PART A. I. OBJECTIONS TO FEES FOR RECEIVER

DATE	DESCRIPTION	AMOUNT BILLED	OBJECTION
5/1/10	RW Case Administrator – Meet David D in Fort Pierce to pick up computers taken from owner’s house	\$375.00	Excessive rate and amount. This could and should have been accomplished by a delivery company
5/3/10	MP Office/Computer – Reviewed bank statements and returned phone calls and emails	300.00	Insufficient specificity
	GD Case Administrator – Picked up and relocated Porsche	200.00	Excessively high, insufficient specificity
	RW Maintenance – Picked up computers and bring to the Main office	150.00	Insufficient specificity
	TK Phone calls – Multiple phone calls and questions from investors	75.00	Insufficient specificity
	MLS Research – and evaluate with PFG Best Financial Group. Take calls. Update receiver on case	1,137.50	Excessive amount, insufficient specificity
	MM Emails - /phone calls	150.00	Insufficient specificity
5/4/10	MP Phone calls and reviewed bank statements	400.00	Insufficient specificity. How many phone calls, to whom, whose bank statements, etc.?
	TK Phone calls – Multiple phone calls and questions from investors	75.00	Insufficient specificity
	MLS Research – Working on Wells Fargo. Vehicle tracking. Document assets	1,400.00	Insufficient specificity
	MM Property supervision – Travel to Tampa and New Port Richey. Conference Call. Meeting with D. Broker at Fairway golf. Met with T. Stead regarding Porsche and other vehicles	2,625.00	Travel expenses would be unnecessary if local firm appointed receiver—should not be claimed. Insufficient specificity.
5/5/10	JT Office computer Surveillance reporting and maintenance	150.00	Insufficient specificity. Surveillance on whom? Maintenance of what?

5/7/10	GB Office computer Check storage units	150.00	Insufficient specificity. Storage units for whom? What was done to check the storage units? Why did they need checking?
	MLS Research bank records. Bivens accounting updates	1,050.00	Insufficient specificity. Whose bank records? What kind of research? What accounting updates?
5/10/10	MLS Emails/Phone calls	262.50	Insufficient specificity. Whose emails, phone calls to whom? Reasons for phone calls?
	MM Phone calls/emails	300.00	Insufficient specificity.
5/11/10	MP Review bank statements phone calls	100.00	Insufficient specificity. Whose bank statements? Phone calls to whom?
	MM Emails/Phone calls	150.00	Insufficient specificity.
5/12/10	TK Multiple phone calls and questions from investors.	300.00	Insufficient specificity.
	JT Office/Computer – arrange second New York surveillance.	150.00	Insufficient specificity. Surveillance on whom? When? Where in NY (NYC?)
5/13/10	JT Site visit. Surveil and observe Brick City Bicycles, Ocala, Florida	600.00	Insufficient specificity. What was purpose of surveillance? Why was it observed?
5/17/10	TK Phone calls – questionnaire	112.50	Insufficient specificity. What questionnaire? What was purpose of questionnaire? For whom was it prepared? Premature?
5/18/10	MLS Analysis. Enter bank statement information form Wachovia	437.50	Over billed. Why does someone who makes \$175.00/hour enter bank statements when someone who makes \$15.00/hour can do that?
5/19/10	TK Phone calls – Questionnaire	37.50	Insufficient specificity. What questionnaire? Premature?
5/20/10	TK Phone calls – questionnaire	75.00	Insufficient specificity. Premature.
	MLS Review updates with detective on whereabouts	131.25	Insufficient specificity. Whereabouts of whom?
	MM Meeting – Travel to Tampa. Meeting with K. Cox.	1,350.00	Unnecessary travel if local receiver had been appointed. Should not claim travel

5/21/10	TK Phone calls – questionnaire	37.50	Insufficient specificity. Premature?
5/24/10	TK Phone calls Questionnaire	37.50	Insufficient specificity. Premature?
	MLS Emails, mail, check bank amounts. Wachovia account, Essex house	700.00	Insufficient specificity. Why check bank amounts? What was done with Wachovia account? What is Essex House?
5/25/10	TK Phone calls Questionnaire	37.50	Insufficient specificity. Premature.
	MLS Research DMV, Deposit collection efforts, Customer phone calls	787.50	Insufficient specificity. What deposit collection efforts? Phone calls to whom? For what purpose?
	MM Deposition – travel to Gainesville and Ocala Attend depo of Brick City and Limerock. Meet with jeweler	2,850.00	Insufficient specificity. Excessive travel expenses. Would have been substantially less if local (Tampa/St. Petersburg) receiver had attended.
5/26/10	TK Phone calls – Questionnaire	75.00	Insufficient specificity. What was done to questionnaire, etc.? Premature?
	MLS Research Vehicle Title issues. Essex House. I-75 Storage. Moecker and Cox updates	525.00	Insufficient specificity. What was done in each case? Why. To or for whom?
6/1/10	MM Phone calls - with Gilechowski and Cox	150.00	Insufficient specificity. Who is Gilechowski. What was purpose of phone calls (to discuss....)?
6/2/10	MP Phone calls – Creditors	50.00	Insufficient specificity.
	TK Phone calls & questionnaire	37.50	Insufficient specificity. Premature?
6/3/10	TK Phone calls & questionnaire	37.50	Insufficient specificity. Premature.
6/7/10	MLS Emails/Mail Review Essex House Issue	393.75	Insufficient specificity. Emails to whom? What is Essex House issue?
6/8/10	MLS Research Phone Calls/Emails re Essex House Review of Titles	525.00	Insufficient specificity.
6/10/10	MLS Research Failed Entry into Essex House	262.50	Insufficient specificity.

6/10/10	MM Deposition Hammill and meeting with Gliechowski	1,650.00	Insufficient specificity. Unnecessary travel.
6/11/10	MLS Emails Investigation of Essex House	175.00	Insufficient specificity.
	MM Meeting Credit Union	750.00	Insufficient specificity.
6/14/10	MLS Office/Computer Mail Cox Update	175.00	Insufficient specificity.
	MM Several emails and phone calls	300.00	Insufficient specificity.
6/15/10	MLS Office/Computer Listing of Actions, conference calls with Moecker and Cox	262.50	Insufficient specificity. What is "Listing of Actions?" What were conference calls about?
	JT Office/Computer Coordinate New York Hotel Seizure	150.00	Insufficient specificity. What New York Hotel Seizure. Coordinate with whom?
6/16/10	DD Review Check on Assets	231.00	Insufficient specificity. Review of what? How is "check on assets" performed. Why?
	MLS Office/Computer Web updates	87.50	Why does it take a \$175/Hr person to update web, something that should be done by a \$15/Hr Person
6/17/10	MLS Office/Computer Mail web updates	175.00	Why does it take a \$175/Hr person to update web, something that should be done by a \$15/Hr Person
	MM Meeting with Karen Cox to review issues	450.00	Unnecessary travel?
	MM Phone calls with Mike Lattas	225.00	Insufficient specificity. What was phone call about.
6/18/10	MLS Office/Computer Hammill mail to counsel. Web update, mail, customer call	175.00	Insufficient specificity. What does "Mail" mean? Why does it take a \$175/Hr person to update web, something that should be done by a \$15/Hr Person
6/21/10	MLS Office/Computer Web update, mail, customer call	175.00	Insufficient specificity. What does "Mail" mean? Why does it take a \$175/Hr person to update web, something that should be done by a \$15/Hr Person

6/28/10	MO Office/computer Uploaded notices to website	75.00	Why does it take a \$75/Hr person to update web? Should be done by a \$15/Hr Person
6/29/10	TK Phone calls & Questionnaire	37.50	Insufficient specificity. Premature?
	DD Site Visit check on storage unit	84.00	Insufficient specificity. What does "check on storage unit" consist of (go & look at it)? 145 miles claimed-unnecessary?
6/30/10	MLS Banking Wachovia and VyStar accounts	525.00	Insufficient specificity. What does this entry mean? How do you "Check on...accounts?"
7/1/10	MM Phone calls with Gliedowski	75.00	Insufficient specificity.
7/2/10	MM Phone calls and emails	150.00	Insufficient specificity.
7/7/10	ML Meeting with Bush Ross reviewing numerous outstanding issues	244.94 in Travel	Unnecessary travel?
7/8/10	MLS Emails Gather information and respond to emails	350.00	Insufficient specificity.
	MM Cox and Warren	900.00	Unnecessary travel? Insufficient specificity.
7/9/10	Phone calls and emails	300.00	Insufficient specificity.
7/12/10	MO Office/Computer Upload files for website	75.00	Why does it take a \$75/Hr person to update website, something that should be done by a \$15/hr Person
7/13/10	MM Calls to Luetgert. 17 emails and responses	450.00	Insufficient specificity. Who is Luetgert and what was call about?
7/16/10	MO Uploaded files for website	150.00	Why does it take a \$75/Hr person to update web, something that should be done by a \$15/Hr Person
7/19/10	MO Uploaded files for website	300.00	Why does it take a \$75/Hr person to update web? Should be done by a \$15/Hr Person
7/20/10	TK Phone calls and Botfly Questionnaires	37.50	Insufficient specificity. Premature?
7/21/10	MO Office/Computer Uploaded files for website	37.50	Why does it take a \$75/Hr person to update web? Could be done by a \$15/Hr Person
7/26/10	TK Phone calls and questionnaire	37.50	Insufficient specificity. Premature?

7/27/10	MM Emails, vehicle issues, phone calls	450.00	Insufficient specificity.
7/30/10	TK Phone calls questionnaire	13.50	Premature?
8/2/10	MLS Email regarding Toyota vehicles	175.00	Insufficient specificity.
8/3/10	MM Phone calls various matters by phone	150.00	Insufficient specificity.
8/5/10	MM Meeting with Cox -- Tampa and return	1,200.00 +198.50 in mileage	Insufficient specificity. Why was "in person" meeting necessary? Unnecessary travel?
8/18/10	MLS Mail, vehicles, and web site postings	525.00	Insufficient specificity. Why does it take a \$175/Hr person to update web, something that should be done by a \$15/Hr Person
	MM Emails and phone calls -- Receiver report	450.00	Insufficient specificity.
8/27/10	TK Email and phone conversation	37.50	Insufficient specificity.
9/1/10	MM Phone calls/Emails	150.00	Insufficient specificity.
	MM Emails	150.00	Insufficient specificity.
9/7/10	MM Emails	75.00	Insufficient specificity.
9/8/10	MM Phone calls & emails	75.00	Insufficient specificity.
9/9/10	MM Phone calls & emails	75.00	Insufficient specificity.
9/10/10	MM Phone calls & emails	75.00	Insufficient specificity.
9/15/10	MM Meeting Pick up Cox at airport -- Treadstone meeting in Albany New York	2,100.00	Insufficient specificity. It is impossible to tell what this charge is for. Is part of it travel? There are no airline tickets under "Costs." Why was trip necessary?
9/23/10	TK Phone calls -- questionnaire and referred to website	37.50	Why does it take a \$75/Hr person to update web, something that should be done by a \$15/Hr Person
	MM Meeting with Cox in Tampa	600.00	Insufficient specificity. Purpose of meeting? Why was an in-person meeting needed? Unnecessary travel?
9/24/10	TK Phone calls -- questionnaire and referred to website	75.00	Insufficient specificity. Was action on questionnaire premature? What does "referred to website" mean?
9/28/10	TK Phone call taken from investor	37.50	Insufficient specificity.

PART A. II. OBJECTION TO COSTS - RECEIVER			
DATE	NATURE OF EXPENSE	AMOUNT	OBJECTION
5/1/10	Postage	42.83	Insufficient information
5/1/10	RW - Mileage – Drove to Fort Pierce	27.30	Previous objection to this travel in time records
5/3/10	RW – Mileage	14.90	Previous objection to this travel in time records
5/13/10	JT – Travel	56.00	Insufficient information
6/16/10	DD – Travel - Meal	6.46	Previous objection to this travel in time records
	DD – Travel – Mileage	202.50	Previous objection to this travel in time records
	MM – Travel	178.67	Insufficient information
6/17/10	MM – Auto expense – mileage	111.00	No entry for travel in time records
6/29/10	DD – Auto expense – mileage	72.50	Previous objection to this travel in time records
7/7/10	MM – Travel	125.44	No entry for travel in time records
7/8/10	MM – Auto expense – mileage	116.00	No entry for travel in time records
7/15/10	DD – Travel – meal	24.68	Previous objection to this travel in time records
	DD – Auto expense – mileage	130.00	Previous objection to this travel in time records
8/11/10	MM – Auto expense – receiver report	93.00	Ambiguous; insufficient information
5/26/10- 9/28/10	Federal Express – 23 charges	Various amounts	Insufficient information
5/1/10- 9/30/10	Postage – 6 charges	Various amounts	Insufficient information

**PART A. III. OBJECTIONS TO FEES FOR
RECEIVER'S ATTORNEY**

DATE	DESCRIPTION	AMOUNT BILLED	OBJECTION
7/19/10	Several phone calls to third parties; prepare draft orders re: 7/19/10 hearing	108.00	The Clerk's website does not show a hearing held on 7/19
7/20/10	Correspondence to LaPointe, Lattas; work on draft motion regarding claims process and claim form	1,674.00	Premature
7/23/10	Preparation of proof of claim form and motion for approval of same	651.00	Premature
7/30/10	Work on orders	450.00	Insufficient information
	Revisions to proof of claim and order modifying temporary injunction ...	84.00	Premature
9/8/10	Review of discovery responses, etc. and calls from various parties re: claims and case management	558.00	Premature
9/9/10	Work on various issues relating to case administration and review of claims issues; communication with investors & DMV	1,922.00	Premature; insufficient information
9/14/10	Travel to and preparation for meeting to further investigation of claims	1,738.00	Premature
9/20/10	Travel to and from and attending hearing, calls to various involved or interested parties re: case management issues and potential claims	1,023.00	Premature; also, hearing cancelled
9/24/10	Meeting with receiver; calls and correspondence to and from various interested parties regarding case management and claims	899.00	Premature
9/29/10	Draft motion regarding proof of claims and exhibits to same	2,077.00	Premature
9/20/10	Continue preparation of motion regarding claims process and prepare proof of	1,612.00	Premature

	claim		
PART A. IV. OBJECTIONS TO COSTS FOR RECEIVER'S ATTORNEY			
5/31/10	Federal Express – 28 charges	Various amounts	Insufficient information
6/23/10	Federal Express – 16 charges	Various amounts	Insufficient information
7/7/10	Federal Express – 14 charges	Various amounts	Insufficient information
8/24/10-8/26/10	Federal Express – 10 charges	Various amounts	Insufficient information
9/9/10	Federal Express	12.42	Insufficient information
9/30/10	Telephone, facsimile and photocopy charges – 6 entries	Various amounts	Insufficient information

Michael Moecker & Associates, Inc.

6861 S.W. 196th Ave., Suite 201-04
Ft. Lauderdale, FL 33332

Invoice submitted to:
Botfly, LLC

August 06, 2010

Invoice #10208

Professional Services

		<u>Hrs/Rate</u>	<u>Amount</u>
4/1/2010	MP Receiver Receiver - Traveled to New Port Richey, FL to meet with attorney and attend hearing. Also, did research.	4.00 250.00/hr	1,000.00
	GD Case Administrator Case Administrator - Did recon of sites for raid.	5.00 200.00/hr	1,000.00
	MM Court Appearance for Hearing Court Appearance for Hearing	4.00 300.00/hr	1,200.00
	CM Case Administrator Case Administrator - Provided information support to Mike Phelan and others in field during seizure of assets.	6.00 150.00/hr	900.00
4/2/2010	KM Case Administrator Case Administrator - Attempted to secure premises.	10.50 150.00/hr	1,575.00
	MO Case Administrator Case Administrator - Terry Keller recorded conference call and monitored for support to those in field.	5.00 75.00/hr	375.00
	MP Receiver Coordinated team efforts in recovery of assets. Attempted search in Bayonet Point, FL.	4.50 250.00/hr	1,125.00

		<u>Hrs/Rate</u>	<u>Amount</u>
4/2/2010	NJ	Phone calls Phone calls to Jeff Warren, Scott Palmer, Greg Dyer, David Dybas, Mike Luetgert, Kerry McGlucken to join conference call.	1.50 75.00/hr 112.50
	NJ	Emails Email - Sent email to Greg Dyer, Mike Luetgert, Kerry McGlucken & David Dybas - Letter	0.25 75.00/hr 18.75
	NJ	Emails Email - Sent email to Mike Phelan, Greg Dyer, Mike Luetgert, Kerry McGucken & David Dybas - Conference call	0.25 75.00/hr 18.75
	NJ	Office/Computer Taping of conference call.	1.00 75.00/hr 75.00
	GD	Case Administrator Case Administrator - Pursued and seized assets for Botfly, LLC.	12.50 200.00/hr 2,500.00
	MLT	Site Visit Site Visit - Attempt to acquire access and extensive conversations with J.H.	2.50 200.00/hr 500.00
	MO	Case Administrator Case Administrator - John Tucker traveled to Gainesville to discuss case and locate target addresses.	3.00 150.00/hr 450.00
	MM	Phone calls Phone calls	0.75 300.00/hr 225.00
4/3/2010	MP	Office/Computer Phone calls and emails.	4.00 250.00/hr 1,000.00
	MM	Receiver Visited bank in Gainseville, FL with Phil Von Kahle to put a freeze on bank account.	2.00 300.00/hr 600.00
	GD	Case Administrator Case Administrator - Typed inventory report and seized mail.	2.00 200.00/hr 400.00

		<u>Hrs/Rate</u>	<u>Amount</u>
4/3/2010	MO Case Administrator Case Administrator - John Tucker served court orders, obtained mail, located and searched storage unit, and stored seized items.	11.00 150.00/hr	1,650.00
4/5/2010	GD Case Administrator Case Administrator - Follow up on report of findings in Gainesville with Mike Phelan.	1.00 200.00/hr	200.00
	MP Phone calls Phone calls and emails	1.50 250.00/hr	375.00
	KM Case Administrator Case Administrator - Security Issue at St. Petersburg residence.	4.50 200.00/hr	900.00
	ML Case Administrator Case Administrator - Initial work on case with Mike Phelan	3.00 175.00/hr	525.00
	MM Phone calls Phone calls to and from the office, Greg Dyer, and Michael Phelan.	2.00 300.00/hr	600.00
4/6/2010	MP Phone calls Phone calls and emails	2.00 250.00/hr	500.00
	MLT Meeting Meeting with counsel regarding the hearing on the following day.	1.00 200.00/hr	200.00
	KM Case Administrator Case Administrator - Checked out St. Petersburg residence.	4.00 200.00/hr	800.00
	ML Case Administrator Case Administrator - Assist Kerry in Tampa and research	2.00 175.00/hr	350.00
	MM Phone calls Numerous Phone calls.	1.50 300.00/hr	450.00
4/7/2010	MP Phone calls Phone calls and emails.	1.20 250.00/hr	300.00

		<u>- Hrs/Rate</u>	<u>Amount</u>
4/7/2010	MLT Meeting Meeting with T.C. counsel, multiple emails with Mike Moecker, Mike Phelan, and Greg Dyer.	0.40 200.00/hr	80.00
	MLT Meeting Meeting with Attorney General's office and counsel, attend extended hearing, post hearing meeting with plaintiff, travel to St. Petersburg, acquire and photo interior and access boat dock for photos.	5.50 200.00/hr	1,100.00
	KM Case Administrator Case Administrator - Went to Hammill's house with Leutgert.	3.00 200.00/hr	600.00
	DD Inspection Inspect Property	8.00 21.00/hr	168.00
	TG Preparation Research of banks/setup letters for recovery	4.00 75.00/hr	300.00
	MO Case Administrator Case Administrator - John Tucker researched Botfly directors and developed associates.	2.00 150.00/hr	300.00
	MM Phone calls Phone calls about break order and coordinating efforts.	1.25 300.00/hr	375.00
	NC Research Researched inquiries as presented by Receiver and case administrators.	5.00 35.00/hr	175.00
4/8/2010	MP Phone calls Phone calls and emails	0.80 250.00/hr	200.00
	KM Case Administrator Case Administrator - Tried to take Hammill's vehicles, but was denied access.	4.00 200.00/hr	800.00
	TG Banking Sent letters to banks for fund research	3.50 75.00/hr	262.50

		<u>Hrs/Rate</u>	<u>Amount</u>
4/8/2010	ML Case Administrator Case Administrator - Research - Id Corp relationships	2.00 175.00/hr	350.00
	MM Phone calls Phone calls to Tammie about Bank accounts, to M. Leutgert, and to Mike Lattas and Tucker for review.	1.75 300.00/hr	525.00
	NC Research Researched inquiries as presented by Receiver and case administrators and informed those in need via the telephone.	4.00 35.00/hr	140.00
4/9/2010	GD Travel Travel to Gainesville and Ocala to check out address.	7.00 200.00/hr	1,400.00
	MP Phone calls Phone calls and emails. Analyze bank statements.	2.50 250.00/hr	625.00
	KM Case Administrator Case Administrator - Finally took possession of Hammill's vehicles	4.50 200.00/hr	900.00
	TG Phone calls Phone calls/emails with Bank of America on funds	2.00 75.00/hr	150.00
	ML Case Administrator Case Administrator - Review/Sort banking info	2.00 175.00/hr	350.00
	MO Case Administrator Case Administrator - John Tucker searched for and located Lewalski residence and attempted to serve court orders.	8.50 150.00/hr	1,275.00
	MM Phone calls Phone calls to and from Mike Lattas, K. Cox, Tucker, and G. Dyer. Also reviewed Lewalski investments.	3.75 300.00/hr	1,125.00
	NC Research Researched information about principles through Internet databases.	5.00 35.00/hr	175.00
4/10/2010	GD Travel Travel back to Gainesville to interview neighbor and take photos.	6.00 200.00/hr	1,200.00

		<u>Hrs/Rate</u>	<u>Amount</u>
4/10/2010	MO Case Administrator Case Administrator - John Tucker attempted to serve court orders and locate Ocala bike shop.	4.25 150.00/hr	637.50
	MM Phone calls Phone calls to Greg Dyer and Tucker to review bank account information.	0.75 300.00/hr	225.00
4/12/2010	MP Manage Phone calls, emails data analysis	2.40 250.00/hr	600.00
	TG Manage Review funds received from BOA	2.50 75.00/hr	187.50
	ML Case Administrator Case Administrator - Bank Records Acct 5540 & 7098	10.00 175.00/hr	1,750.00
	KM Case Administrator Case Administrator - Checked out new addresses in Pasco and Pinellas Counties	4.50 150.00/hr	675.00
	MO Case Administrator Case Administrator - John Tucker organized case notes and researched Botfly associate.	1.00 150.00/hr	150.00
	MM Review Review of several emails and their attachments. Also, made several phone calls about findings.	1.50 300.00/hr	450.00
4/13/2010	DD Inspection Inspect Storage Unit	6.00 21.00/hr	126.00
	GD Inspection Trip to checkout Storage in Port St. Ritchie to check out Golf-cart dealership. Take photos of cars & bikes.	8.00 200.00/hr	1,600.00
	MP Manage Research, data analysis, phone calls	2.50 250.00/hr	625.00

		<u>Hrs/Rate</u>	<u>Amount</u>
4/13/2010	TG Correspondence Sent letters to Credit Unions	2.00 75.00/hr	150.00
	ML Case Administrator Case Administrator - Bank Records	7.00 175.00/hr	1,225.00
	KM Case Administrator Case Administrator - Meeting at Bush/Ross	4.00 150.00/hr	600.00
	ML Meeting Meeting at Bush/Ross	2.50 300.00/hr	750.00
	MM Phone calls Conference call with M. Phejan, Bush/Ross, and Scott.	2.50 300.00/hr	750.00
	NC Operations Changed addresses for properties in question.	3.00 35.00/hr	105.00
4/14/2010	DD Case Administrator Pick up & deliver computer & files	8.50 21.00/hr	178.50
	GD Inspection Get B&E order, got to Gainesville, serve and secure	7.00 200.00/hr	1,400.00
	GD Inspection Inspection of premises, also attempted to get in storage	1.00 200.00/hr	200.00
	MP Phone calls phone calls, emails	2.00 250.00/hr	500.00
	ML Case Administrator Case Administrator - Bank Records Review	4.00 175.00/hr	700.00
	ML Case Administrator Case Administrator - Bank Accts , B&E order, Security	7.00 175.00/hr	1,225.00
	KM Case Administrator Case Administrator - Traveled to St. Petersburg to get Hammit's mail.	3.00 150.00/hr	450.00

		<u>Hrs/Rate</u>	<u>Amount</u>
4/14/2010	MO Case Administrator Case Administrator - John Tucker located and secured Lewalski's Gainesville residence	7.25 150.00/hr	1,087.50
	MM Office/Computer Opened and reviewed mail. Had phone calls with Bivens, Tucker, and Dyer about break orders and instructions.	1.25 300.00/hr	375.00
4/15/2010	GD Case Administrator Change of locks, and entry into storage units	6.00 200.00/hr	1,200.00
	GD Case Administrator Talked with security & owner of house 91st Drive	2.00 200.00/hr	400.00
	MP Emails Phone calls & Email	1.50 250.00/hr	375.00
	TG Office/Computer Review all accounts. Enter Statements	1.50 75.00/hr	112.50
	ML Case Administrator Case Administrator - Porsche recovery, Land Rover search, Biven Conversations, Bank Accts	9.00 175.00/hr	1,575.00
	G Analysis Botfly bank statement entry and analysis.	5.50 35.00/hr	192.50
	MO Case Administrator Case Administrator - John Tucker returned to Mt. Dora meet with M. Moecker	2.00 150.00/hr	300.00
	MM Phone calls Phone calls to Bivens, Dyer, Lattas, K. Cox, and Tucker.	0.75 300.00/hr	225.00
4/16/2010	DD Inventory Inventory Assets	12.00 21.00/hr	252.00
	MP Manage Email, phone calls, work on recover report	2.50 250.00/hr	625.00

		<u>Hrs/Rate</u>	<u>Amount</u>
4/16/2010	MO Case Administrator Case Administrator - Edward (Jamie) Welch designed website for Receiver.	4.00 100.00/hr	400.00
	G Analysis Botfly bank statement entry and analysis.	7.00 35.00/hr	245.00
	SZ Case Administrator Case Administrator - Looked into boat insurance.	2.00 150.00/hr	300.00
	MO Case Administrator Case Administrator - John Tucker travelled to Gainesville to assist in inventory of Lewalski's residence	9.00 150.00/hr	1,350.00
	SZ Case Administrator Case Administrator - Boat insurance	2.00 150.00/hr	300.00
	MM Inventory Took inventory with John Tucker.	9.50 300.00/hr	2,850.00
4/17/2010	MM Phone calls Phone call about security at townhouse	0.25 300.00/hr	75.00
4/18/2010	MM Meeting Meeting with Tucker about Gainesville issues and then call to Greg Dyer.	0.50 300.00/hr	150.00
4/19/2010	DD Office/Computer Type Inventory	3.00 21.00/hr	63.00
	GD Inventory Follow up on safe, moving of assets, inventory	2.00 200.00/hr	400.00
	MP Manage Work on receiver report	3.00 250.00/hr	750.00
	MO Case Administrator Case Administrator - John Tucker travelled to Gainesville to monitor transfer of Lewalski's property	9.00 150.00/hr	1,350.00

		<u>Hrs/Rate</u>	<u>Amount</u>
4/19/2010	ML Case Administrator Case Administrator - Mail, Calls, Excel Summaries	3.50 175.00/hr	612.50
	MM Office/Computer Office/Computer - Phone calls and emails about Botfly.	0.75 300.00/hr	225.00
	CM Case Administrator Case Administrator - Sent information request to Deutsche Bank and HSBC and responded to Wachovia. Discussed this case with Mike Lattas.	1.00 150.00/hr	150.00
4/20/2010	ML Case Administrator Case Administrator - March Statements for 6 accounts	10.00 175.00/hr	1,750.00
	SZ Case Administrator Case Administrator - Telephone calls regarding boat insurance	0.25 150.00/hr	37.50
	KM Case Administrator Case Administrator - Retrieved Jon Hammil's mail.	3.00 150.00/hr	450.00
	MM Phone calls Phone calls to Karen Cox and Jeff	2.00 300.00/hr	600.00
4/21/2010	MO Case Administrator Case Administrator - John Tucker Photographed residence, inventoried Archer Rd storage unit	8.00 150.00/hr	1,200.00
	ML Case Administrator Case Administrator - Entering Checks	2.00 175.00/hr	350.00
	ML Case Administrator Case Administrator - 2010 Porsche, Moecker/Pheian Update calls, Input checks	5.00 175.00/hr	875.00
	SZ Case Administrator Case Administrator - Telephone calls and e-mails to and from Tanenbaum Harber boat insurance	0.50 150.00/hr	75.00

		<u>Hrs/Rate</u>	<u>Amount</u>
4/21/2010	PVK Emails Email - Emails with J. Welch on Botfly Website (botflyllc.com)	0.33 250.00/hr	83.47
	MM Phone calls Phone call to Mike Lattas and Chris Mayer.	0.50 300.00/hr	150.00
	CM Case Administrator Case Administrator - Received phone calls from David Dybas concerning TINs for Botfly, LLC, Lewalski, and Hammill. Discussed case with Mike Lattas, Mike Moecker, and Phil Von Kahle. Got update from Tammie Goldstein on money received from bank requests.	3.00 150.00/hr	450.00
4/22/2010	MP Phone calls Phone calls & emails	1.20 250.00/hr	300.00
	ML Case Administrator Case Administrator - March Deposits, hard drive backup, Marquis Jet, 2010 Porsche	6.00 175.00/hr	1,050.00
	ML Case Administrator Case Administrator - Correct Master File Entries	1.50 175.00/hr	262.50
	SZ Research Research insurance for 26 Ft. Powerboat.	0.75 150.00/hr	112.50
4/23/2010	ML Case Administrator Case Administrator - E-mails, calls in Milwaukee	1.50 175.00/hr	262.50
	SZ Case Administrator Case Administrator - Telephone calls and e-mails about boat	0.50 150.00/hr	75.00
	PVK Emails Email - Emails with J. Welch on obtaining information in Botfly	0.50 250.00/hr	125.00
4/24/2010	MM Review Reviewed emails from 4/23/2010.	0.50 300.00/hr	150.00

		<u>Hrs/Rate</u>	<u>Amount</u>	
4/26/2010	MO	Case Administrator Case Administrator - John Tucker: Transfer Archer Rd items to secure facility, arrange survey	8.50 150.00/hr	1,275.00
	ML	Case Administrator Case Administrator - PC hard drive backed up, Adjustment to bank info in Excel	8.00 175.00/hr	1,400.00
	SZ	Case Administrator Case Administrator - Made application for boat insurance	0.50 150.00/hr	75.00
	PVK	Emails Email - Emails with J. Welch on Botflyreceivership.com and link from moecker.com	0.33 250.00/hr	83.33
4/27/2010	MO	Office/Computer Office/Computer - Posted to internet, emailed, downloaded new PDFs, updated www.botflyreceivership.com	2.00 75.00/hr	150.00
	ML	Case Administrator Case Administrator - Excel Files, E*Trade acct, T. Stead	3.00 175.00/hr	525.00
	PVK	Emails Email - Emails with J. Welch on Botfly receivership up and running	0.25 250.00/hr	62.50
4/28/2010	MO	Office/Computer Posted new links to website www.botflyreceivership.com, receiver's report	1.00 75.00/hr	75.00
	ML	Case Administrator Case Administrator - Documents, Spreadsheets, Mail, calls	4.00 175.00/hr	700.00
	ML	Case Administrator Case Administrator - Review of banking data, prep to Tampa Meetings	3.50 175.00/hr	612.50
	BC	File Review Reviewed bank statements before analysis.	2.00 75.00/hr	150.00
	KM	Case Administrator Case Administrator - Retrieved Jon Hammill's mail.	3.00 150.00/hr	450.00

		<u>Hrs/Rate</u>	<u>Amount</u>
4/28/2010	KM Case Administrator Case Administrator - Retrieved Jon Hammil's mail and took picture of boat.	5.00 150.00/hr	750.00
	MM Review Reviewed emails and called Mike Lattas.	0.50 300.00/hr	150.00
	MM Meeting Meetings with Karen C., Gliedowski and Jamison. Also, returned emails and phone calls.	3.50 300.00/hr	1,050.00
4/29/2010	ML Case Administrator Case Administrator - Action from Tampa meeting, Three more vehicle to track down, Kerri on Stead family	1.25 175.00/hr	218.75
4/30/2010	ML Case Administrator Case Administrator - AG issue, update Terry on case, Karen Cox re: cars, Marquis Jets, Moecker on NY Apt	4.50 175.00/hr	787.50
	MM Phone calls Phone calls to Seth Palmer, Gliedowski, and Jamison.	1.50 300.00/hr	450.00
	CM Case Administrator Case Administrator - Verified trading activity procured from clients and sent findings to Mr. Bivens.	5.00 150.00/hr	750.00
For professional services rendered		498.91	\$81,773.05

Additional Charges :

		<u>Qty/Price</u>	
4/1/2010	GD Travel Travel - Hotel Expense for 2 rooms.	1 283.16	283.16
	GD Travel Travel - Food	1 61.87	61.87
	GD Supplies Supplies - Office	1 18.63	18.63

			<u>Qty/Price</u>	<u>Amount</u>
4/1/2010	GD	Security Security	1 540.27	540.27
	GD	Auto Expense Mileage - Drive to location to seize assets.	592 0.50	296.00
	MP	Travel Travel - Airfare	1 345.40	345.40
	PVK	Travel Travel - Hotel stay	1 136.09	136.09
	GD	Auto Expense Mileage	592 0.50	296.00
	GD	Travel Travel - Dinner	1 14.75	14.75
	GD	Supplies Supplies - Camera	1 10.63	10.63
	MP	Auto Expense Parking	1 15.00	15.00
	MM	Auto Expense Mileage	191 0.50	95.50
4/2/2010	MM	Travel Travel - Hotel Expense.	1 136.09	136.09
	GD	Travel Travel - Breakfast	1 20.00	20.00
	GD	Fax Fax - Locksmith	1 199.00	199.00
	GD	Moving Expense Towing Company	1 250.00	250.00

			<u>Qty/Price</u>	<u>Amount</u>
4/2/2010	GD	Storage Storage unit first month.	1 91.27	91.27
	GD	Fax Fax	1 2.00	2.00
	GD	Travel Travel - Lunch	1 22.08	22.08
	GD	Travel Travel - Dinner	1 5.04	5.04
	MLT	Auto Expense Mileage	52 0.50	26.00
	MO	Auto Expense John Tucker's Mileage	93 0.50	46.50
	MO	Moving Expense John Tucker had to tip tow truck drivers.	1 30.00	30.00
	MO	Postage, Fax & Xerox UPS Box Rental Fee	1 48.04	48.04
	MO	Copying cost Photo developing	1 7.02	7.02
	MP	Telephone Telephone - Conference call for 14 people	1 706.20	706.20
	MP	Telephone Telephone - Conference Call	1 26.46	26.46
	MP	Auto Expense Car Rental	1 113.62	113.62
4/3/2010	MO	Auto Expense John Tucker's Mileage	104 0.50	52.00

		<u>Qty/Price</u>	<u>Amount</u>
4/3/2010	MP Auto Expense Car rental	1 137.82	137.82
	MM Auto Expense Mileage for driving to bank and to meet Tucker.	197 0.50	98.50
4/5/2010	KM Auto Expense Mileage - Travel to Hammill's residence.	56 0.50	28.00
	MP Travel Travel	1 146.06	146.06
	MP Auto Expense Parking	1 30.00	30.00
4/6/2010	KM Auto Expense Mileage - Travel to find new address in St. Petersburg, FL.	65 0.50	32.50
4/7/2010	MLT Auto Expense Mileage	115 0.50	57.50
	DD Auto Expense Drove to inspect property.	300 0.50	150.00
	DD Auto Expense Mileage for Inspecting property	300 0.50	150.00
	MM Travel Travel	1 27.57	27.57
4/8/2010	KM Auto Expense Mileage - Travel to Hammill's residence	56 0.50	28.00
4/9/2010	GD Auto Expense Mileage to sites in Gainesville and Ocala.	421 0.50	210.50
	GD Travel Travel - Hotel for Dyer and Tucker.	1 246.24	246.24

			<u>Qty/Price</u>	<u>Amount</u>
4/9/2010	GD	Travel Travel - Dinner for Tucker and Dyer	1 49.98	49.98
	KM	Auto Expense Mileage - Travel to Hammill's residence	56 0.50	28.00
	KM	Storage Towing of Hammill's boat by SeaTow.	1 375.00	375.00
	MO	Auto Expense John Tucker's Mileage	159 0.50	79.50
	FE	FedEx FedEx	1 18.53	18.53
4/10/2010	GD	Travel Travel - Food for Tucker and Dyer.	1 20.00	20.00
	GD	Auto Expense Mileage - Travel from Ocala and Gainesville to home.	378 0.50	189.00
	MO	Auto Expense John Tucker's Mileage	152 0.50	76.00
4/12/2010	GD	Travel Travel - Food for Dyer	1 12.75	12.75
	KM	Auto Expense Mileage - Traveled to check out sites in Pasco and Pinellas Counties.	75 0.50	37.50
	FE	FedEx FedEx	1 17.97	17.97
4/13/2010	DD	Auto Expense Mileage to Inspect Storage Unit	280 0.50	140.00
	GD	Travel Meals - 3	1 48.75	48.75

			<u>Qty/Price</u>	<u>Amount</u>
4/13/2010	GD	Auto Expense Mileage for 4/13	378 0.50	189.00
	GD	Supplies Cameras	1 14.00	14.00
	GD	Travel Hotel	1 141.58	141.58
	ML	Travel Travel - Lunch with Ron Brazda to discuss case.	1 35.68	35.68
	FE	FedEx FedEx	1 12.48	12.48
4/14/2010	DD	Auto Expense Mileage for pickup & delivery of Computer & files	360 0.50	190.00
	GD	Copying cost Certified copies of order	1 8.00	8.00
	GD	Travel Hotel 2, Dyer & Tucker	1 283.16	283.16
	GD	Auto Expense Mileage	245 0.50	122.50
	GD	Travel Meals \$21.48	1 21.48	21.48
	GD	Professional Services fee for Locksmith changing 3 locks after hours	1 349.00	349.00
	GD	Repairs & Maintenance Purchase of padlocks	1 28.24	28.24
	ML	Auto Expense Mileage	36 0.50	18.00

		<u>Qty/Price</u>	<u>Amount</u>
4/14/2010	KM Auto Expense Mileage - Traveled to recover Hammill's mail.	56 0.50	28.00
	FE FedEx FedEx	1 7.20	7.20
	MO Supplies Supplies - Camera	1 15.59	15.59
	MO Auto Expense John Tucker's Mileage	104 0.50	52.00
4/15/2010	GD Professional Services Pick Locks on Storage (2)	1 202.00	202.00
	GD Auto Expense Mileage to pick locks on storage	180 0.50	90.00
	GD Travel Meals - 2	1 29.84	29.84
	MO Auto Expense John Tucker's Mileage	94 0.50	47.00
4/16/2010	DD Professional Services locksmith fee	1 115.00	115.00
	MO Auto Expense John Tucker's Mileage	193 0.50	96.50
	ML Auto Expense Deposition	71 0.50	35.50
	ML Deposition Costs Deposition	1 36.00	36.00
4/18/2010	GD Office Expenses photo development	1 7.22	7.22

		<u>Qty/Price</u>	<u>Amount</u>
4/19/2010	DD Auto Expense Inventory Assets	250 0.50	125.00
	MO Auto Expense John Tucker's Mileage	204 0.50	102.00
	MO Supplies Supplies - Camera	1 13.00	13.00
	MO Storage Storage - Boxes	1 16.01	16.01
	FE FedEx FedEx - 793461334360 to Debbie Gray at Florida Citizens Bank	1 23.54	23.54
	FE FedEx FedEx - 798583077190 to David Dybas	1 15.22	15.22
	FE FedEx FedEx - 872081227912 to Mike Phelan	1 7.28	7.28
	FE FedEx FedEx - 872081227923 to Mike Phelan	1 7.28	7.28
	FE FedEx FedEx - 872923906867 to Mike Lattas	1 17.79	17.79
	DK Storage Storage at South West Self Storage, Inc.	1 225.64	225.64
4/20/2010	FE FedEx Fed X	1 16.80	16.80
	KM Auto Expense Case Administrator - Retrieved Jon Hammil's mail.	56 0.50	28.00
4/21/2010	MO Auto Expense John Tucker's Mileage	201 0.50	100.50

			<u>Qty/Price</u>	<u>Amount</u>
4/23/2010	FE	FedEx FedEx	1 16.80	16.80
4/26/2010	MO	Auto Expense John Tucker's Mileage	216 0.50	108.00
	FE	FedEx FedEx	1 10.54	10.54
	FE	FedEx FedEx	1 16.80	16.80
	FE	FedEx FedEx	1 17.79	17.79
4/27/2010	FE	FedEx FedEx	1 12.54	12.54
4/28/2010	KM	Auto Expense Case Administrator - Retrieved Jon Hammill's mail.	56 0.50	28.00
4/29/2010	FE	FedEx FedEx	1 10.54	10.54
4/30/2010	MMA	Postage, Fax & Xerox Postage	1 42.63	42.63
	FE	FedEx FedEx	1 7.20	7.20
Total additional charges				<u>\$9,474.16</u>
Total amount of this bill				<u>\$91,247.21</u>
Balance due				<u><u>\$91,247.21</u></u>

	in developing information regarding nature and location of assets subject to recovery by receiver.		
	K. Cox	3.40 hrs.	1054.00
04/13/10	Telephone call to judicial assistant to set hearing; preparation of notice of hearing and service of same.		
	M. Mayott	0.50 hrs.	60.00
04/13/10	Meeting with Michael Moecker, Mike Luetgert & Carrie.		
	S. Lohn	2.70 hrs.	580.50
04/14/10	review emails relating to attempts to locate assets and instructions to K Cox		
	J.W. Warren	0.50 hrs.	225.00
04/14/10	prepare for and attend hearing on motion for break order, coordinate with receiver and his agents for recovery of assets from Gainesville townhouse.		
	K. Cox	5.70 hrs.	1767.00
04/14/10	Review background report on Melinda Colbeth. Perform additional background search on M. Colbeth. Memo to K. Cox on research results.		
	K. Long	0.70 hrs.	84.00
04/14/10	Revisions to several requests for production of documents from 3rd parties, preparation of draft letter to 3rd parties, and arrange for overnight delivery of all document requests (1.0); revisions to orders and arrange for conformed copies to be provided to all parties (.7); telephone call to judicial assistant regarding telephonic appearance (.1); revision to 2nd Break Order and fax same to Judge (.3); telephone call from S. Powell and telephone call to judicial assistant regarding his telephone appearance (.2); telephone call to and from Mike at Moecker & Assoc. regarding faxing the 2nd Break Order to Sheriff's office and discuss same with K. Cox (.2)		
	M. Mayott	2.50 hrs.	300.00
04/15/10	Draft requests for production of documents		
	J.E. Gross	0.80 hrs.	96.00
04/15/10	Draft receiver's initial report outline.		
	S. Lohn	0.80 hrs.	172.00
04/15/10	Research regarding certification.		
	S. Lohn	0.10 hrs.	21.50
04/16/10	telephone call from M Moecker regarding Gainesville landlord issues; telephone call to W Lapoint re items in Gainesville; conference with K Cox re status of obtaining information from J		

	Hammill		
	J.W. Warren	2.30 hrs.	1035.00
04/16/10	Prepare for and attend deposition of Hammill; correspondence to Foster; calls from various recipients of transfers from Botfy; correspondence with Receiver and representatives regarding status of case and preparation of initial report of receiver; continued work on document production requests.		
	K. Cox	5.40 hrs.	1674.00
04/16/10	Preparation of certificate of service of 2nd Break Order and prepare letter to clerk.		
	M. Mayott	0.30 hrs.	36.00
04/19/10	Assist in preparation of report of receiver.		
	K. Cox	5.90 hrs.	1829.00
04/19/10	Prepare several 3rd party requests for production of documents and arrange for overnight delivery of same.		
	M. Mayott	1.20 hrs.	144.00
04/20/10	meet with M Moecker to review initial report and open issues		
	J.W. Warren	1.50 hrs.	675.00
04/20/10	Revisions to initial report and inventory of receiver, meeting with Moecker regarding initial report and inventory, preparation of third party production requests, calls from persons regarding third party production requests, correspondence from counsel for Hammill.		
	K. Cox	7.10 hrs.	2201.00
04/20/10	Prepare more 3rd party requests for production of documents and arrange for overnight delivery of same.		
	M. Mayott	1.40 hrs.	168.00
04/21/10	Continued work on request for production of documents from third parties.		
	K. Cox	5.20 hrs.	1612.00
04/23/10	Begin asset search on D. Gleichowski.		
	K. Long	1.30 hrs.	156.00
04/26/10	Review of pleadings filed in state court, correspondence to and from Hammill's counsel, the OAG, and client; review of issues regarding frozen ETrade account; demand regarding recovery of Porche in New Jersey; call to New Jersey dealership regarding receivership; continued work on production of documents of third parties to identify and recovery assets subject to Receivership order; deposition scheduling.		

	K. Cox	5.20 hrs.	1612.00
04/26/10	Review asset search reports on R. Jimerson. Research public records databases on property. Draft memo regarding asset search results on R. Jimerson. Finalize asset search on D. Gleichowski. Draft memo regarding research results.		
	K. Long	2.40 hrs.	288.00
04/26/10	Prepare letter and fax to Princeton Porsche.		
	M. Mayott	0.30 hrs.	36.00
04/27/10	correspondence from W Bryan re notice of proceeding and non-involvement		
	J.W. Warren	0.20 hrs.	90.00
04/27/10	Revisions to subpoena duces tecum without deposition (M&M Ventures) and prepare one for Brick City Bicycles; preparation of notices of production; revisions to request for production to Treadstone Consulting and KPK Realty; prepare request for production of documents to David McLaughlin.		
	M. Mayott	2.30 hrs.	276.00
04/28/10	Continued analysis of documents produced by third parties and bank records and asset transfers for potential fraudulent transfer claims.		
	K. Cox	4.20 hrs.	1302.00
04/28/10	Review asset search report on Fairway Golf Carts, LLC and draft memo regarding assets of company.		
	K. Long	0.30 hrs.	36.00
04/29/10	Meeting with Moecker, Gleichowski, and Jimerson, calls to and from Botfly investors; continued analysis of asset transfers and documents produced by third parties.		
	K. Cox	7.40 hrs.	2294.00
04/30/10	Review of records produced by Marquis Jet, additional records from Fairway Golf Carts, records from Newport Oil, continued work on identifying and recovering assets for the receivership.		
	K. Cox	4.70 hrs.	1457.00
04/30/10	Review information on Justin Gleichowski. Perform asset search on Justin Gleichowski. Draft asset search results memo. Perform search on alternative information for Budacon, Inc. in NYC. Begin asset search on Thomas Stead.		
	K. Long	0.80 hrs.	96.00
04/30/10	Research regarding Budacon and e-mail to K. Long to request address search (.3); and preparation of request for production of documents to Princeton Porsche (.3); e-mail to K. Cox regarding same (.2);.		

M. Mayott	0.80 hrs.	96.00
Total Fees for Professional Services		\$42899.00

REIMBURSABLE EXPENSES

04/08/10	Warren, Jeffrey W.: 12761-1 - Travel mileage to New Port Richey 72 miles @.50	36.00
04/19/10	Pacer	5.76
04/26/10	Tropical Surveillance & Investigations, Inc.: 12761-1 - Service of process on David Lewalski	90.00
04/26/10	Tropical Surveillance & Investigations, Inc.: 12761-1 - Service of process on David Lewalski	90.00
04/26/10	Tropical Surveillance & Investigations, Inc.: 12761-1 - Service of process on Jon hammill	60.00
04/30/10	Facsimile Charges	28.00
04/30/10	Online research charges	25.69
04/30/10	Online research charges	111.97
04/30/10	Photocopy charges	272.30
04/30/10	Postage charges	87.37
04/30/10	Telephone charges	75.99
Total Reimbursable Expenses		\$883.08

AMOUNT DUE FOR THIS INVOICE **\$43782.08**